

**AGENDA**  
**WYOMING CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**MONDAY, AUGUST 4, 2014, 7:00 P.M.**

- 1) Call to Order**
- 2) Invocation** – Pastor Eric Sipperley, Resurrection Life Church
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**  
From the regular meeting of July 21, 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
    1. National Night Out 2014 – August 5, 2014
- 11) Petitions and Communications**
  - a) Petitions
  - b) Communications
- 12) Reports from City Officers**
  - a) From City Council
  - b) From City Manager
- 13) Budget Amendments**
- 14) Consent Agenda**

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

  - a) To Appoint Mark Troy as a Member of the Housing Board of Appeals for the City of Wyoming
  - b) To Reappoint Members to the Parks and Recreation Commission for the City of Wyoming
- 15) Resolutions**
  - c) To Support the Construction and Long Term Maintenance of the Inter-Urban Trail and Kentwood East-West Trail Connector Project Located South of 50<sup>th</sup> Street and West of Division Avenue in the City of Wyoming
  - d) To Increase the Total Number of Authorized Positions in Community Services for the 2014-2015 Fiscal Year and to Approve a Budget Amendment (Budget Amendment No. 6)
- 16) Award of Bids, Contracts, Purchases, and Renewal of Bids and Contracts**
  - e) To Authorize the Mayor and City Clerk to Execute a Lease Agreement with the Grand Rapids Rifle and Pistol Club
  - f) To Authorize Emergency Repairs to Two Fire Trucks

- g) To Authorize the Purchase of De-icing Salt from the North American Salt Company (Budget Amendment No. 7)
- h) To Authorize an Amendment to the Weed Control Contract With Pit Crew Landscapes and to Authorize the Mayor and City Clerk to Execute the Amendment

**17) Ordinances**

- 17-14 To Amend Sections 90-337(5) and 90-372(4), To Add Sections 90-402(5), 90-617(8), 90-901(4) and 90-952(12) and to Repeal Section 90-56 and a Portion of Section 90-895 of the Code of the City of Wyoming (Drive Through Restaurants) (Final Reading)
- 18-14 To Amend Section 90-32 of the Code of the City of Wyoming by Adding Subsection (97) Thereto to Rezone 15 Acres Located at the Northeast Corner of Clyde Park Avenue and 60<sup>th</sup> Street from B-2 General Business to I-1 Light Industrial (First Reading)
- 19-14 To Amend Section 90-45(4) and Section 90-45(7) of the Code of the City of Wyoming (Accessory Buildings) (First Reading)

**18) Informational Material**

**19) Acknowledgment of Visitors**

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

**21) Adjournment**

**PROCLAMATION**

**NATIONAL NIGHT OUT 2014**

**August 5, 2014**

*WHEREAS, the National Association of Town Watch is sponsoring a special, coast-to-coast community crime prevention project on the evening of August 5, 2014 called "National Night Out"; and*

*WHEREAS, it is essential that all citizens in the City of Wyoming be aware of the importance of crime prevention programs and the positive impact that their participation can have on reducing crime in our neighborhoods; and*

*WHEREAS, "National Night Out" provides an opportunity for the City of Wyoming to join forces with hundreds of other communities across the country in support of safer neighborhoods and to demonstrate the success of cooperative crime prevention efforts; and*

*WHEREAS, we the City of Wyoming, thank our Public Safety Service providers who have continued to demonstrate their dedication in the face of most extreme circumstances; and*

*WHEREAS, neighborhood spirit and cooperation is the theme of the "National Night Out" project and is also the key ingredient in helping the Wyoming Police Department to fight crime; and*

*NOW, THEREFORE, I, JACK POLL, Mayor of the City of Wyoming, Michigan do hereby call upon all the citizens of the City of Wyoming to join the National Association of Town Watch in supporting and participating in "National Night Out" on Tuesday, August 5, 2014*

*BE IT FURTHER RESOLVED THAT I, JACK A. POLL, Mayor of the City of Wyoming, Michigan do hereby proclaim Tuesday, August 5, 2014 as:*

**NATIONAL NIGHT OUT**

*in the City of Wyoming.*

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**JACK POLL, MAYOR**  
*City of Wyoming, Michigan*

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

RESOLUTION TO APPOINT MARK TROY AS A MEMBER OF THE  
HOUSING BOARD OF APPEALS FOR THE CITY OF WYOMING

WHEREAS:

1. Mark Troy has submitted an application requesting appointment to the Housing Board of Appeals for the City of Wyoming.
2. A vacancy exists in a term ending June 30, 2015.
3. City Council wishes to appoint Mark Troy as a member of the Housing Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Mark Troy as a member of the Housing Board of Appeals for the term ending June 30, 2015.

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 August 4, 2014.

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

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

RESOLUTION TO REAPPOINT MEMBERS TO THE PARKS AND RECREATION  
COMMISSION FOR THE CITY OF WYOMING

WHEREAS:

1. The term of office for some members for the Parks and Recreation Commission, expired on June 30, 2014.
2. It is the desire of the City Council that the following members be reappointed to serve on the Parks and Recreation Commission:

<u>BOARD, COMMISSION OR COMMITTEE</u>	<u>TERM ENDING</u>
<u>Parks &amp; Recreation Commission</u>	
Eric Hartfield	06/30/2017
Aaron Velthouse	06/30/2017

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council for the City of Wyoming, Michigan, does hereby reappoint members to the Parks and Recreation Commission for the City of Wyoming to the term so stated.

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 August 4, 2014.

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

8/4/14

Engineering/RJH:

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

RESOLUTION TO SUPPORT THE CONSTRUCTION AND LONG TERM  
MAINTENANCE OF THE INTER-URBAN TRAIL AND KENTWOOD  
EAST-WEST TRAIL CONNECTOR PROJECT LOCATED SOUTH OF 50<sup>TH</sup> STREET  
AND WEST OF DIVISION AVENUE IN THE CITY OF WYOMING

WHEREAS:

1. The City of Wyoming has been awarded a Transportation Alternative Program (TAP) project through the Michigan Department of Transportation (MDOT) for the construction of the Inter-Urban Trail and Kentwood East-West Trail Connector located south of 50<sup>th</sup> Street and West of Division Avenue in the City of Wyoming.
2. The City of Wyoming will be responsible to construct the trail and perform all necessary maintenance activities throughout the existence of the trail.
3. It is in the City's best interest to support the construction and long term maintenance of the trail connecting the two regional trails.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council hereby supports the construction and long term maintenance of the Inter-Urban Trail and Kentwood East-West Trail Connector project located south of 50<sup>th</sup> Street and West of Division Avenue in the City of Wyoming.

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 August 4, 2014.

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Heidi A. Isakson, Wyoming City Clerk

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

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

RESOLUTION TO INCREASE THE TOTAL NUMBER OF AUTHORIZED POSITIONS  
IN COMMUNITY SERVICES FOR THE 2014-2015 FISCAL YEAR  
AND TO APPROVE A BUDGET AMENDMENT

WHEREAS:

1. In May of 2014, City Council adopted a resolution adopting the budget for the 2014-2015 Fiscal Year.
2. The adopted budget included twelve authorized positions in the Planning and Inspections Division of Community Services.
3. As detailed in the attached Staff Report, it is recommended the authorized positions be increased to include an additional Electrical Inspector.
4. Approval of the increase in authorized positions will require approval of the attached budget amendment.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize increasing the total number of authorized positions in Community Services from twelve to thirteen for the 2014-2015 Fiscal Year.
2. The City Council does hereby approve the attached budget amendment.

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

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

ATTACHMENT:  
Staff Report  
Authorized Position List  
Budget Amendment

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



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**INTEROFFICE MEMORANDUM**

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To: Curtis Holt, City Manager

From: Rebecca Rynbrandt, Director of Community Services

Subject: Request for additional position – Electrical Building Inspector

Date: July 28, 2014

cc: Kim Oostindie, Director of Human Resources

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Thank you for your consideration of recommending to the City Council the addition of one building inspector position for Community Services, specifically increasing our authorized position levels from two (2) Electrical Inspector's to three (3). The need is supported as follows:

- A. The City's lead Electrical Inspector and high voltage expert, is currently on leave. He has been unable to report to work since January 22, 2014. While the Inspector has every intention to return to work and we look forward to his return to work, he is not able to confirm a return date at this time.
- B. Our agreements with the Cities of Grand Rapids and Kentwood for mutual aide address needs related to unusual emergencies, such as the recent tornado response, or for periodic scheduled vacations, etc. These agreements are not designed to provide for long-term, ongoing daily replacement of staff.
- C. The City's secondary Electrical Inspector, has indicated that his retirement is highly probable within the next six (6) months.
- D. As of July 27, 2014 we have 329 active electrical permits.

As we've discussed, anticipating the pending retirement and providing for appropriate succession planning while addressing an immediate need for staffing to replace the loss of work productivity/capacity due to the Lead Inspector's absence, it is recommended that we pursue the hiring of an Electrical Inspector who has experience in high voltage projects. This requires the City Council to authorize an additional position. Upon the retirement of the Secondary Electrical Inspector, with the successful return of the Lead Electrical Inspector, the City can then assess the ongoing need to retain 3 authorized positions for Electrical Inspector.

Your approval to place this matter for a vote by the City Council at the August 4, 2014 meeting is much appreciated.

CITY OF WYOMING

<u>Department</u>	<u>Position Title</u>	<u>Position Class</u>	<u>Pay Class</u>	<u>Budgeted 2012 - 2013</u>	<u>Amended 2012 - 2013</u>	<u>Budgeted 2013 - 2014</u>	<u>Budgeted 2014 - 2015</u>
FACILITIES	PARKS SUPERVISOR	15300	A28	1.00	0.00	0.00	0.00
	BUILDING MAINT WORKER II	10041	G37	3.00	0.00	0.00	0.00
				4.00	0.00	0.00	0.00
POLICE 305, 308, 310 313, 315, 312	DIRECTOR OF POLICE & FIRE	16046		1.00	1.00	1.00	1.00
	POLICE CAPTAIN	22040	L15	2.00	2.00	2.00	2.00
	POLICE LIEUTENANT	22050	L12	5.00	5.00	5.00	5.00
	POLICE SERGEANT	22060	L09	11.00	11.00	11.00	11.00
	TECHNICAL SUPPORT SUPERVISOR	15385	A24	0.00	1.00	1.00	1.00
	OFFICE MANAGER	15290	A22	1.00	1.00	1.00	1.00
	ADMINISTRATIVE SECRETARY I	15060	A12	1.00	1.00	1.00	1.00
	EVIDENCE TECHNICIAN III	10107	G63	1.00	2.00	1.00	1.00
	EVIDENCE TECHNICIAN II	10106	G55	3.00	2.00	3.00	3.00
	ACCOUNT CLERK I	10015	G33	1.00	1.00	1.00	0.00
	ACCOUNT CLERK II			0.00	0.00	0.00	1.00
	BUILDING MAINT WORKER I	10040	G29	1.00	1.00	1.00	1.00
	SECRETARY	10260	G27	2.00	2.00	2.00	2.00
	OFFICE CLERK II	10201	G21	2.00	2.00	2.00	2.00
	OFFICE SPECIALIST I (Office Clerk I)	10200	G05	1.00	1.00	1.00	1.00
	POLICE OFFICER	20300	F30	68.00	67.00	67.00	67.00
	OFFICE CLERK I - PART TIME	11015		0.00	0.00	0.50	0.50
			100.00	100.00	100.50	100.50	
PLANNING 371, 400	CHIEF BUILDING INSPECTOR	15080	A36	1.00	1.00	1.00	1.00
	CITY PLANNER	15100	A36	1.00	1.00	1.00	1.00
	ADMINISTRATIVE SECRETARY I	15060	A12	1.00	1.00	1.00	1.00
	BUILDING REHAB SPECIALIST	10045	G63	1.00	1.00	1.00	1.00
	COMM. DEV. COORDINATOR	10068	G63	0.00	0.00	0.00	0.00
	BUILDING INSPECTOR	10035	G63	2.00	2.00	2.00	2.00
	HOUSING INSPECTOR	10115	G63	1.00	1.00	1.00	0.00
	PLMBG & or MECHANICAL INSPTR	10225	G63	1.00	1.00	1.00	1.00
	ELECTRICAL INSPECTOR	10090	G63	2.00	2.00	2.00	2.00
	SECRETARY	10260	G27	1.00	1.00	1.00	1.00
	OFFICE CLERK II	10201	G21	1.00	1.00	1.00	1.00
	PROPERTY COMPLIANCE ANALYST	10253	G71	0.00	0.00	0.00	1.00
	PLUMBING INSPECTOR - PART TIME	11060		0.00	0.00	0.00	0.00
				12.00	12.00	12.00	12.00
	FIRE 337, 339	DEPUTY DIRECTOR OF FIRE SERVICES	16046		1.00	1.00	1.00
ADMINISTRATIVE SECRETARY I		15060	A12	1.00	1.00	1.00	1.00
FIRE BATTALION CHIEF		30160	F30	1.00	1.00	1.00	1.00
FIRE INSPECTOR		30130	F20	1.00	1.00	1.00	1.00
FIRE LIEUTENANT		30140	F15	5.00	5.00	5.00	5.00
FIRE EQUIPMENT OPERATOR		30110	F10	3.00	3.00	3.00	3.00
FIREFIGHTER		30120	F05	13.00	13.00	13.00	16.00
				25.00	25.00	25.00	28.00
PARKS & RECREATION 752, 756, 758, 761	DIRECTOR OF COMMUNITY SERV	16036		1.00	1.00	1.00	1.00
	PARKS & FACILITIES SUPERVISOR	15300	A28	0.00	1.00	1.00	1.00
	RECREATION SUPERVISOR	15347	A28	1.00	1.00	1.00	1.00
	RECREATION PROGRAMMER II	15346	A18	3.00	3.00	3.00	3.00
	RECREATION PROGRAMMER I	15345	A12	2.00	2.00	2.00	2.00
	THERAPEUTIC REC. SPECIALIST	15387	A12	1.00	1.00	1.00	1.00
	CREW LEADER (PARKS)	10177	G47	1.00	0.00	0.00	0.00
	PARKS & FACILITIES TECHNICIAN III	10223	G47	2.00	2.00	2.00	2.00
	MAINTENANCE TECHNICIAN	10180	G43	0.00	0.00	0.00	0.00
	PARKS & FACILITIES TECHNICIAN II	10221	G43	0.00	3.00	3.00	3.00
	PARKS & FACILITIES TECHNICIAN I	10219	G37	0.00	1.00	1.00	1.00
	MAINTENANCE II	10176	G33	2.00	0.00	0.00	0.00
	SECRETARY	10260	G27	3.00	3.00	3.00	3.00
	MAINTENANCE I	10175	G29	1.00	2.00	2.00	2.00
	MAINTENANCE HELPER	10170	G21	3.00	4.00	3.00	3.00
	SITE SUPERVISOR - PART TIME	11090		0.50	1.00	1.00	1.00
	RECEPTIONIST - PART TIME	11070		0.50	0.50	0.50	0.50
			21.00	25.50	24.50	24.50	

## CITY OF WYOMING

<u>Department</u>	<u>Position Title</u>	<u>Position Class</u>	<u>Pay Class</u>	<u>Budgeted 2012 - 2013</u>	<u>Amended 2012 - 2013</u>	<u>Budgeted 2013 - 2014</u>	<u>Budgeted 2014 - 2015</u>
PUBLIC SERVICE	DIRECTOR OF PUBLIC WORKS	16060		1.00	1.00	1.00	1.00
441, 445, 447	ASSISTANT DIRECTOR PW, MAINTENANCE	15065	A40	1.00	1.00	1.00	1.00
474, 661	ASSISTANT DIRECTOR PW, ENGINEERING	15066	A40	1.00	1.00	1.00	1.00
	SENIOR CIVIL ENGINEER	15360	A34	1.00	1.00	1.00	1.00
	PUBLIC WORKS SUPERVISOR	15330	A28	2.00	2.00	2.00	2.00
	CONTRACT & PROCUREMENT SUPERVISOR	15125	A28	1.00	1.00	1.00	1.00
	MOTOR POOL SUPERVISOR	15280	A28	1.00	1.00	1.00	1.00
	OFFICE MANAGER	15290	A22	1.00	1.00	1.00	1.00
	TRAFFIC MAINTENANCE TECH III	10302	G63	0.00	0.00	0.00	0.00
	TRAFFIC MAINTENANCE TECH II	10301	G55	2.00	2.00	2.00	2.00
	SENIOR CREW LEADER	10281	G55	6.00	6.00	6.00	6.00
	ENGINEERING TECHNICIAN II	10096	G53	3.00	3.00	3.00	2.00
	BUILDING MAINT WORKER III	10042	G47	1.00	1.00	1.00	1.00
	AUTOMOTIVE MECHANIC II	10026	G41	3.00	3.00	3.00	3.00
	EQUIPMENT OPERATOR I	10100	G39	8.00	7.00	7.00	7.00
	MAINTENANCE WORKER II	10185	G37	0.00	0.00	2.00	2.00
	MAINTENANCE II	10176	G33	13.00	12.00	11.00	10.00
	TRAFFIC MAINTENANCE II	10295	G33	2.00	1.00	1.00	2.00
	TRAFFIC MAINTENANCE I	10295	G29	0.00	1.00	1.00	1.00
	SECRETARY	10260	G27	2.00	2.00	2.00	2.00
	MAINTENANCE HELPER	10170	G21	0.00	2.00	2.00	3.00
	METER MAINT WORKER - PART TIME			0.00	0.00	0.50	0.50
	FLEET MAINT PARTS SPECIALIST - PART TIME	11055		0.00	0.00	0.50	0.50
				49.00	49.00	51.00	51.00
UTILITIES	DEPUTY DIRECTOR OF PW	15170	A48	1.00	1.00	1.00	1.00
590, 591	UTILITY PLANT SUPERINTENDENT	15430	A40	2.00	2.00	2.00	2.00
	LABORATORY SERVICES MGR	15270	A36	0.00	1.00	1.00	1.00
	INFORMATION TECH SUPERVISOR	15260	A32	1.00	0.00	0.00	0.00
	ENVIRONMENTAL SERV SUPERVISOR	15247	A28	1.00	1.00	1.00	1.00
	UTILITY MAINT SUPERVISOR	15410	A28	2.00	2.00	2.00	2.00
	UTILITY OPERATIONS SUPERV.	15420	A28	1.00	2.00	2.00	2.00
	SHOP FOREMAN	15370	A22	2.00	2.00	2.00	2.00
	ADMINISTRATIVE AIDE	15020	A20	0.00	0.00	0.00	0.00
	INFO TECH SPECIALIST III	10286	G71	0.00	0.00	0.00	0.00
	CHEMIST	10058	G71	2.00	2.00	2.00	2.00
	UTILITY MAINTENANCE III	10322	G63	2.00	2.00	2.00	2.00
	LABORATORY TECHNICIAN II	10154	G63	2.00	2.00	2.00	3.00
	ENVIRONMENTAL SERV INSPCTR	10135	G63	2.00	2.00	2.00	2.00
	UTILITY PLANT OPERATOR II	10355	G59	9.00	6.00	6.00	8.00
	BIO-SOLIDS OPERATIONS COORD.	10330	G59	1.00	1.00	1.00	1.00
	INSTRUMENT TECHNICIAN	10140	G55	2.00	2.00	2.00	2.00
	ENVIRONMENTAL SERVICE SPECLST	10130	G55	2.00	2.00	1.00	1.00
	UTILITY MAINTENANCE II	10321	G55	8.00	9.00	9.00	9.00
	LABORATORY TECHNICIAN I	10153	G55	3.00	3.00	3.00	3.00
	ENGINEERING TECHNICIAN II	10096	G53	1.00	1.00	1.00	1.00
	UTILITY MAINTENANCE I	10320	G45	7.00	6.00	6.00	6.00
	UTILITY PLANT OPERATOR I	10356	G45	5.00	7.00	8.00	5.00
	SECRETARY II	10263	G41	2.00	2.00	2.00	2.00
	MAINTENANCE WORKER II	10185	G37	3.00	3.00	0.00	0.00
	BUILDING MAINTENANCE WORKER II	10041	G37	1.00	1.00	1.00	1.00
	LABORATORY AIDE	10150	G29	1.00	1.00	1.00	0.00
	CUSTODIAN	10078	G21	1.00	1.00	1.00	1.00
	TREATMENT PLANT TRAINEE	10305	G35	0.00	0.00	0.00	1.00
	COURIER - PART TIME	11030		1.00	1.00	1.00	1.00
				65.00	65.00	62.00	62.00
				338.50	339.00	337.50	340.50

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

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE A  
LEASE AGREEMENT WITH THE GRAND RAPIDS RIFLE AND PISTOL CLUB

WHEREAS:

1. The Grand Rapids Rifle and Pistol Club currently has a lease on the property located at 1331 Nagel S.W., Wyoming, Michigan, 49509; and
2. Said lease expires on September 19, 2014; and
3. The Grand Rapids Rifle and Pistol Club has requested an extension of said lease for three years; and
4. A Lease Agreement has been prepared providing for the Lease payments and other terms and conditions of said Lease from September 20, 2014 through September 19, 2017.

NOW, THEREFORE, BE IT RESOLVED:

1. The Mayor and City Clerk are hereby authorized to execute the attached Lease Agreement with the Grand Rapids Rifle and Pistol Club.

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 August 4, 2014.

ATTACHMENT:

Lease Agreement

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

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

## STAFF REPORT

Date: July 22, 2014  
Subject: Renewal of Grand Rapids Rifle and Pistol Club Lease  
From: Rebecca Rynbrandt, Director of Community Services  
Meeting Date: August 4, 2014

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**RECOMMENDATION:** It is recommended that the City Council approve the renewal of lease of property within Marquette Park to the Grand Rapids Rifle and Pistol Club for a three (3) year period ending September 19, 2017.

### **SUSTAINABILITY CRITERIA:**

Environmental Quality & Social Equity – The club’s purpose and objective is “the encouragement of organized rifle and pistol shooting; to foster and encourage safe and responsible gun use and ownership through education and otherwise; to provide areas and ranges for the shooting sports; and to further object and purpose to foster the development of those characteristics of honesty, good fellowship, self-discipline, team play and self-reliance which are the essentials of good sportsmanship and the foundation of true patriotism.”

Economic Strength – The club supports programs for area veterans, students at Grand Valley State University, and more. Their programs provide unique services to the City of Wyoming and metropolitan area contributing to our overall economic vitality.

### **DISCUSSION:**

City of Wyoming has maintained a lease relationship with the Grand Rapids Rifle and Pistol Club since 1956. The current lease expires September 19, 2014. The proposed lease is for three years, the maximum allowable by State law. The lease has been developed with input by the Michigan Municipal Risk Management Authority, the club’s secretary Dan McAdams, city attorney Jack Sluiter, and I. Similar in most aspects to previous agreements, there are no significant changes to the agreement.

### **BUDGET IMPACT:**

The annual lease payment rate increase is directly tied to the State of Michigan Tax Commission’s property value increases. The first year value is \$1,362.60. This revenue was planned for in the Parks and Recreation Departments FY 2015 budget as approved by City Council.

LEASE

This Lease made this \_\_\_\_ day of \_\_\_\_\_, 2014, between the City of Wyoming, a Michigan Municipal Corporation of 1155 - 28th Street S.W., Wyoming, Michigan 49509, hereinafter referred to as "Lessor", and the Grand Rapids Rifle and Pistol Club, a Michigan Non-Profit Corporation, of 1331 Nagel S.W., Wyoming, Michigan 49509, hereinafter referred to as "Lessee", the terms of which are as follows:

1. The property covered by this Lease is located in the City of Wyoming, Kent County, Michigan, and described as follows:

Part of the NW 1/4, Section 2, Town 6 North, Range 12 West, City of Wyoming, Kent County, Michigan described as:

Commencing at the NW corner of Nagel and Marquette Streets; thence North 692 feet along the West line of Nagel Street; thence West 160 feet to the point of beginning; thence South 89°03' West, 200 feet; thence South 150 feet; thence East 200 feet; thence North 150 feet more or less to the point of beginning.

2. The term of this Lease shall be for three years commencing on the 20th day of September, 2014, and ending on the 19th day of September, 2017.

3. The rental for the term of the lease shall be payable in semi-annual installments, the first being due on the 20th day of September 2014, and the second six months thereafter as follows:

First year:     \$1,362.60 (\$681.30 each six months)

Second year:   Rate of year one plus the rate of year 1 times the percentage increase for property values as established by the State of Michigan Tax Commission effective December 31, 2014, which shall not be less than 2% nor greater than 4%.

Third year:     Rate of year two plus the rate of year 2 times the percentage of increase for property values as established by the State of Michigan Tax Commission effective December 31, 2015, which shall not be less than 2% nor greater than 4%.

4. Lessee shall have exclusive use of the leased premises and all structures located on said premises and said structures shall remain property of the Lessee, except as provided in paragraphs 13 and 14.

5. Lessee shall be responsible for all maintenance and upkeep of the leased premises, except as expressly provided herein. The Lessee shall be responsible for all upkeep to maintain in good repair the structure located at the leased premises. Lessee shall be responsible for all snowplowing on the access road to said structure and adjacent parking areas. Lessor shall be responsible for lawn maintenance on the property, and shall maintain the access road and parking area as deemed necessary by the Lessor. Any signage as erected by the Lessor, with the approval of the Lessee, shall be maintained in good repair by the Lessor.

6. Lessee shall be responsible for all utilities, including but not limited to gas, electric and water and sewer service for the leased premises.

7. No alcoholic beverages shall be sold, consumed or kept on the premises during the terms of this Lease and violation of this provision shall be sufficient cause for termination thereof.

8. Lessee shall maintain all improvements currently on the premises and said improvements shall remain the property of the Lessee. No additions to these facilities shall be made without prior written approval of Lessor.

9. The use of the leased premises shall be limited to use for an indoor rifle and/or pistol range with accessory office, toilet facilities and clubrooms. Lessee shall establish safety rules and regulations, which shall be observed and strictly enforced at all times the leased premises are used. No other use of these facilities shall be allowed without the written approval of Lessor.

10. Lessee shall maintain fire and extended coverage insurance on the building or structure

erected on the premises, at its own expense. Lessee shall, at its expense, maintain liability damage insurance in an amount of \$2,000,000 naming Lessor, as additional insured including an endorsement stating the following shall be Additional Insureds: The Member, all elected and appointed officials, all employees and volunteers, agents, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed by naming the Member as additional insured, coverage afforded is considered to be primary and any other insurance the Member may have in effect shall be considered secondary and/or excess. In addition the Lessee shall maintain debris removal insurance coverage in an amount equal to 25% of the insured value in a form approved by Lessor's City Attorney. Lessee shall further indemnify, defend and hold harmless the Lessor, its officers, agents and employees from any and all liability arising out of the use of the leased premises and shall indemnify Lessor for any loss suffered by it, including the costs of defending any suit arising out of Lessee's use and occupation of the premises. Lessee shall provide Lessor with copies of all applicable insurance policies or certificates which shall name Lessor as a certificate holder together with any amendments and/or renewals of said policies.

11. Lessee shall have the right of ingress and egress to the structures located on said premises from Nagel Street S.W. Lessor may utilize the access road and parking area for patrons of Marquette Park and Kimble Field. Parking areas reserved for exclusive use by the Lessee shall be identified by the Lessee.

12. Lessee shall not transfer or assign this Lease or sublet the premises without prior written approval of Lessor.

13. This Lease shall terminate and the rights and obligations of the parties shall cease in the event of any one of the following:

- (a) The expiration of the term of the Lease;
- (b) Voluntary surrender of the premises by the Lessee;
- (c) Violation of any of the terms and conditions stated herein. In the event of such

violation, Lessor shall notify Lessee, and Lessee shall have thirty days to correct said violation if said violation is of a nature that corrective measures may be taken.

Upon termination, Lessee may remove all furniture, equipment and other property specifically related to Lessee's activities on the premises (except essential building fixtures, e.g. lighting fixtures, etc).

14. Upon termination of this lease by voluntary surrender of the premises by the Lessee or upon violation of the terms and conditions of this lease not timely corrected by Lessee, the building shall become the property of Lessor and Lessee shall cooperate in providing any necessary documents to confirm this status.

15. In the event of sale of the leased premises by the City, Lessee shall have the first option to purchase the premises at a purchase price as shall be determined as herein provided. Said option must be exercised within 60 days after receipt of a notice of intent to sell the leased premises by the City.

16. Upon termination of this lease by expiration of the lease and/or any renewal term provided herein, the City shall pay the Lessee fair market value of the buildings and/or improvements which have been erected or made upon the premises. In the event of a sale to the Lessee or a retention of the buildings and/or improvements by the Lessor under this paragraph, the parties shall agree to the fair market value of the premises or the building and/or improvements as the case may be. If the parties cannot agree upon such value, the parties shall select an appraiser to appraise the premises or the building and/or improvements to set a fair market value. The sale or purchase of any improvements under this paragraph shall be subject to the requirements of the Wyoming City Charter.

17. Lessee shall be responsible for any environmental clean up or other remedy deemed necessary as a result of Lessee's use and operation of the leased premises whether required under

city ordinance, state or federal statute or any rule or regulation adopted pursuant to same. If available at reasonable rates, Lessee shall provide Lessor with a policy of insurance, naming Lessor as additional insured to provide for any necessary environmental clean up of the property in accordance with the terms of this paragraph and under the terms of paragraph 10.

18. Lessee shall at all times maintain its non-profit status under Michigan law. At the request of Lessor, Lessee shall verify its current non-profit status in a manner acceptable to Lessor.

19. All notices required under the terms of this Lease shall be given either in person or by first class mail, postage prepaid, to the required post office address of the respective parties. Notices to Lessor shall be sent to: City Manager, City of Wyoming, 1155 - 28th Street S.W., Wyoming, Michigan 49509. Notices to Lessee shall be sent to: Grand Rapids Rifle and Pistol Club, P.O. Box 9462, Wyoming MI 49509, Wyoming, Michigan 49509.

20. This Agreement shall be binding upon the heirs, successors and assigns hereto and shall contain the full agreement between the parties, any oral agreements to the contrary notwithstanding. This Agreement may be amended only in writing signed by both parties.

CITY OF WYOMING

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jack A. Poll  
Its Mayor

Dated: \_\_\_\_\_

\_\_\_\_\_  
Heidi A. Isakson  
Its City Clerk

GRAND RAPIDS RIFLE AND PISTOL CLUB

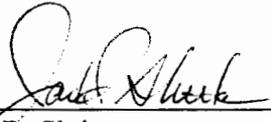
Dated: \_\_\_\_\_

\_\_\_\_\_  
Ryan Phillips  
Its President

Dated: \_\_\_\_\_

\_\_\_\_\_  
Daniel McAdams  
Its Secretary

Approved as to form:

  
\_\_\_\_\_  
Jack R. Sluiter  
Wyoming City Attorney

8/4/14  
WDD

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

RESOLUTION TO AUTHORIZE EMERGENCY  
REPAIRS TO TWO FIRE TRUCKS

WHEREAS:

1. The Fire Department fleet was inspected in early July by R&R Fire Truck Repair, Inc.
2. Structural deficiencies were discovered on two of the trucks.
3. Truck F82 needs a hydraulic pump replaced at an estimated cost of \$28,097.
4. Truck F76 requires the removal of some corrosion before it becomes a more significant problem to the frame. The estimate for this work is \$9,035.
5. It is possible that additional damage may become apparent during the repair process. It is estimated the total cost of repairs will be \$42,000.
6. Funds are available in the Motor Pool Equipment Operations account 661-441-58200-930.000.

NOW, THEREFORE, BE IT RESOLVED:

1. City Council authorizes the repairs to two fire trucks by R&R Fire Truck Repair, Inc. at an estimated cost of \$42,000.

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 August 4, 2014.

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Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT:

Staff Report

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

## STAFF REPORT

DATE: July 29, 2014  
SUBJECT: Authorization of Emergency Repairs of Fire Trucks  
FROM: W. Scott Zastrow, Assistant Director of Public Works  
Date of Meeting: August 4, 2014

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### RECOMMENDATION

It is recommended that the City Council authorize the repairs of fire trucks F82 and F76 for approximately \$42,000, by R&R Fire Truck Repair, Incorporated.

### SUSTAINABILITY CRITERIA

#### Environmental Quality

The Public Works Department is ardently involved in the protection of Michigan's natural resources and the public's health and welfare. In the endeavor to protect the environment, the City repairs motor pool equipment when possible.

#### Social Equity

The repair of the fire trucks will allow the City to provide the same high quality service to all residents without regard to income level or socio-economic status. All of the City's residents enjoy equal access to the benefits of the City's Fire Department.

#### Economic Strength

Repairing the fire trucks insures the City's economic vitality. The City's Fire Department is a vital economic resource.

### DISCUSSION

During the second week of July, the Fire Department's fleet was inspected by R&R Fire Truck Repair, Incorporated. During the inspections, significant structural deficiencies related to the aerial ladders were discovered on trucks F82 and F76. In order to place these trucks back in service as soon as possible, the trucks need to be repaired by R&R Fire Truck Repair, Incorporated.

Truck F82's hydraulic pump failed. A replacement pump is not available because the manufacturer no longer makes the pump. Smeal, the original truck builder, has an alternative pump available to complete the repair. In order to complete the repair, the aerial ladder and turntable needs to be removed from the truck. Such a repair is beyond the capabilities of the Motor Pool group.

Truck F76's frame and aerial ladder connecting plate have significant corrosion. In order to remove the corrosion, main body panels need to be removed from the frame. If the corrosion is not addressed right away, the corrosion will be significant enough to require portions of the frame to be replaced. The frame replacement would be five times higher than the current repair.

Due to these repairs, both trucks are out service until the repairs are completed. The repair to truck F82 is estimated to take three to four weeks and was begun last week Thursday. The repair of truck F76 will take an additional two to three weeks and will begin when the repairs to truck F82 are completed.

R&R Fire Truck Repair, Incorporated has given an estimate of \$28,097 and \$9,305, for the repairs to truck F82 and F76. The repairs to the trucks are estimated to be about \$42,000 because additional deficiencies may be identified when the trucks are disassembled.

#### BUDGET IMPACT

The estimated repairs of \$42,000 will be funded out of the Motor Pool Fund, Equipment Operations account, 661 441 58200 930000. Sufficient funds are available.

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

RESOLUTION TO AUTHORIZE THE PURCHASE OF  
DE-ICING SALT FROM THE NORTH AMERICAN SALT COMPANY

WHEREAS:

1. The City of Wyoming uses de-icing salt to melt ice and snow from the streets of the city in the winter.
2. The City of Wyoming cooperatively purchases de-icing salt with the Kent County Road Commission and other local agencies.
3. The North American Salt Company submitted the only bid price of \$66.12 per ton of early fill de-icing salt and \$66.62 per ton for de-icing salt from September 2014 through August 2015.
4. The costs for these purchases are budgeted in the Major Street and Local Street Winter Maintenance Accounts 202 441 47800 740000 and 203 441 47800 740000, respectively.

NOW, THEREFORE, BE IT RESOLVED:

1. City Council authorizes the purchase of approximately 3,500 tons of early fill de-icing salt from the North American Salt Company at a unit price of \$66.12 per ton.
2. City Council authorizes the purchase of approximately 5,500 tons of de-icing salt from the North American Salt Company at a unit price of \$66.62 per ton.
3. City Council authorizes the budget amendment of \$173,550 and \$57,850 for the Major Street Maintenance Account, 202 441 47800 740000 and the Local Street Winter Maintenance Account, 441 47800 740000, respectively.

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 August 4, 2014.

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

ATTACHMENTS:

Budget Amendment  
Staff Report

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

**CITY OF WYOMING BUDGET AMENDMENT**

**Date: August 4, 2014**

**Budget Amendment No. 007**

**To the Wyoming City Council:**

**A budget amendment is requested for the following reason:** To appropriate \$231,400 of budgetary authority to provide additional funding for purchase of early fill deicing salt as per attached resolution and 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 - Operating Supplies 202-441-47800-740.000	\$308,200	\$173,550		\$481,750
		<u>—————</u>	<u>—————</u>	
Fund Balance/Working Capital (Fund 202)			<u>\$173,550</u>	
<b><u>Local Streets Fund</u></b>				
Public Works - Winter Maintenance - Operating Supplies 203-441-47800-740.000	\$105,900	\$57,850		\$163,750
Fund Balance/Working Capital (Fund 203)			<u>\$57,850</u>	

Recommended: *Bona B. Dome*  
Finance Director

*Curtis Holtz*  
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: July 29, 2014  
SUBJECT: De-icing Salt  
FROM: W. Scott Zastrow, Assistant Director of Public Works  
Date of Meeting: August 4, 2014

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### RECOMMENDATION

The Public Works Department recommends that the City Council authorize the purchase of de-icing salt from the North American Salt Company in cooperation with the Kent County Road Commission and other local agencies.

### SUSTAINABILITY CRITERIA

#### Environmental Quality

De-icing salt has potential environmental impacts, however, it is also essential to motorist safety. Wyoming takes steps to minimize its application while maintaining safe streets.

#### Social Equity

De-icing salt is used throughout the City on all major streets.

#### Economic Strength

De-icing salt is purchased through a cooperative purchasing program in order to benefit from more competitive pricing.

### DISCUSSION

The City of Wyoming has purchased de-icing salt for the streets as a cooperative with the Kent County Road Commission, City of Grand Rapids, City of Kentwood, and City of Walker for the last ten years. This year only the North American Salt Company bid the de-icing salt at \$66.12 per ton for an early fill and \$66.62 per ton during the season.

In comparison, last year the cooperative purchased de-icing salt for \$64.77 per ton during the 2013-2014 season. The 2014-2015 price is an increase of \$1.85 per ton or 2.9% over last year.

Season	Cost per Ton	Percentage Increase
2009-2010	58.64	27.8%
2010-2011	62.74	7.0%
2011-2012	63.52	1.2%
2012-2013	63.20	-0.5%
2013-2014	64.77	2.5%

Traditionally the City of Wyoming has always filled the salt storage building at the end of the season and never participated in the early fill process. However, due to this past winter and the shortage of

de-icing salt during the winter of 2013-2014, the City of Wyoming needs to purchase 3,500 tons of early fill de-icing salt to fill the salt storage building's 6,500 ton capacity prior to November 1, 2014. The 3,500 tons of early fill de-icing salt will cost \$231,400. The early fill de-icing salt was not accounted for during the budget process, because the budget was completed prior to end of the 2013-14 winter.

During a typical winter season, the City of Wyoming uses approximately 6,000 tons of de-icing salt. The City of Wyoming will contract for 5,500 tons of de-icing salt in the 2014-2015 season. Under the cooperative agreement, the City of Wyoming will be obligated to purchase at least 3,800 tons. With the current inventory of approximately 3,000 tons of de-icing salt, plus the 3,500 tons of early fill de-icing salt, and the contract amount of 5,500 tons, the City of Wyoming will have access to approximately 12,000 tons of de-icing salt.

#### BUDGET IMPACT

Sufficient funds have been budgeted in the Major Street and Local Street Winter Maintenance Accounts, 202 441 47800 740000 and 203 441 47800 740000, for the normal season. An additional \$173,550 and \$57,850 needs to be budgeted for the Major Street Maintenance Account 202 441 47800 740000 and the Local Street Winter Maintenance Account 441 47800 740000, respectively.

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

RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE  
WEED CONTROL CONTRACT WITH PIT CREW LANDSCAPES AND  
TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT

WHEREAS:

1. On March 05, 2012, the Wyoming City Council adopted Resolution number 24129, awarding a three year weed control contract to the low bidder, Pit Crew Landscapes.
2. It is recommended the contract be amended to add a section to allow reimbursement to Pit Crew Landscapes for instances when they arrive on site and the required work has already been completed by others.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby approve the amendment to the weed control contract with Pit Crew Landscapes.
2. The Wyoming City Council does hereby authorize the Mayor and City Clerk to execute the contract amendment.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

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

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

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

## MEMORANDUM

**TO:** Curtis Holt, City Manager

**FROM:** James W. De Lange, Chief Building Official

**DATE:** July 31, 2014

**SUBJECT:** Amendment to Pit Crew Landscaping contract

Director of Community Services, Rebecca Rynbrandt and Property Compliance Analyst, David Rupert recently met with John Morton, owner of Pit Crew Landscaping. Pit crew has been experiencing an increasing number of work orders that have been already mowed by the time Pit Crew arrived at a site pursuant to receiving a work order form the City. Heretofore the contractor had to absorb the expense of travel to the site, documenting the completed condition with photos and providing the City related information.

This situation is negatively affecting their ability to provide service to the City. Pit Crew Landscaping's existing fees of \$30.00 per hour for a two person crew are very reasonable and we desire to continue our working relationship with them until the end of the contract, expiring March 31, 2015. The proposed amendment provides a modest reimbursement of \$8.50 per site to the contractor when they arrive at job site and the work has been completed by others. The contractor will be required to invoice the City separately for this type of expense because this amount will not be able to be placed as a lien against a property. It will be a 'cost of doing businesses for the city. Other properties that are mowed or cleaned are billed at cost plus 100 % so there are adequate resources to pay this expense when needed.

We will be in attendance at the scheduled City Council meeting to answer any questions that may arise.

CC

Rebecca Rynbrandt, director of Community Services  
David Rupert, Property Compliance Analyst / Inspections Department

## WEED CONTROL CONTACT

THIS CONTRACT, made this 28<sup>th</sup> day of February, 2012, by and between the City of Wyoming, a Michigan Municipal Corporation, whose address is 1155 – 28<sup>th</sup> Street, Wyoming, Michigan, 49509, hereinafter referred to as the “City”, and **Pit Crew Landscapes**, hereinafter referred to as the “CONTRACTOR”, the terms and conditions of which are as follows:

1. The term of this contract shall be from April 1, 2012 to March 31, 2015 on an as needed basis as determined by the Building Inspection Department and may be extended up to sixty (60) additional days upon mutual agreement.

2. The Contractor shall provide and maintain all necessary equipment, manpower, supplies and any other items needed to efficiently cut weeds, grass or any growth considered noxious on parcels of property as directed by the City. The Contractor shall also provide the necessary men and equipment to efficiently clear, remove and dispose of any debris on said parcels prior to cutting.

3. Contractor shall, at the request of the City, provide lot clean up and rubbish removal on certain lots within the city even if no weed or grass mowing is necessary.

4. The City shall pay the Contractor at the following rates indicated below. Travel time per day includes necessary travel to or from a job site(s). However, in the case of trips to the County landfill or the City’s yard waste site, the per hour rate and dump fees are applicable and are to be added to the invoice for the property location(s) that necessitated the additional expense.

2012 – Grass and weed mowing	- \$ <u>30.00</u> per hour
– Clean-up of lots	- \$ <u>30.00</u> per hour
– Travel time per day	- <u>\$included</u>
2013 – Grass and weed mowing	- \$ <u>30.00</u> per hour
– Clean-up of lots	- \$ <u>30.00</u> per hour
– Travel time per day	- <u>\$included</u>
2014 -Mar. 31, 2015 – Grass and weed mowing	- \$ <u>30.00</u> per hour
– Clean-up of lots	- \$ <u>30.00</u> per hour
– Travel time per day	- <u>\$included</u>
2014- June 21,- March 31, 2015-	
--Done on Arrival, per site	-\$8.50

5. The Contractor shall obtain general liability insurance in an amount of \$1,000,000 for each occurrence of bodily injury and \$1,000,000 for property

damage. The Contractor shall also have comprehensive automobile liability of \$1,000,000 for bodily injury per person, \$1,000,000 bodily injury for each accident, and \$1,000,000 property damage. Said policies shall name the City as an additional insured. The Contractor shall have worker's compensation coverage as required by law, copies of said insurance policies shall be provided to the City Manager prior to the commencement of the Contractor's services.

6. The Contractor, its employees, officers or agents shall at no time during the term of this Contract be considered employees of the City.

7. The Contractor agrees to save the City harmless from and defend it against any loss, damage or liability which it may suffer from any claim, by reason or negligent acts or omissions by the officers, agents, and employees of the Contractor in the performance of this Contract.

8. The procedures for assignment and inspection of work shall be as follows:

- a. The Building Inspection Department shall have the sole responsibility of determining the lots and property to be mowed and/or cleaned and for giving work orders to the Contractor. At occupied properties a City representative will accompany the Contractor to the site at the initiation of required work.
- b. The City shall notify the Contractor, by a mutually agreeable method, and keep a monthly log, including date of notification, exact location of lot to be mowed and/or cleaned, and person contacted. Said notification shall not constitute an assurance of work as the property owner may mow or clean the lot after the City's inspection.
- c. The Contractor shall complete all rubbish removal, mowing, and clean-up operations by 5:00 p.m. on the fifth working day, excluding Saturdays, Sundays and legal holidays, after being notified by the Building Inspections Department.
- d. The Contractor shall not work on any lot before 8:00 a.m., or after 8:00 p.m., nor on Sundays or any legal holidays. The Contractor may be directed not to work on a particular day for any reason by the Building Inspection Department.
- e. If the Contractor sees any evidence of debris removal or mowing to the lot, he shall contact the Building Inspection Department before starting work on the lot.
- f. The Contractor shall notify the Building Inspection Department, within a reasonable time period, when the job had been completed.
- g. Upon notification of a completed job, the Building Inspection Department shall inspect the job and accept or reject work performed. The Contractor shall be responsible for cutting all weeds and grass to less than 3 inches in height, for removing all rubbish and debris from the site, and general clean-up after mowing or as deemed appropriate by the Building Inspection Department.

9. The procedures for payment by the City for work completed by the Contractor shall be as follows:
- a. Monthly, the Contractor shall submit invoices to the Building Inspections Department and shall include; the location of the lot, number of hours, total cost of the job, and copies of receipts for dump fees.
  - b. The Building Inspection Department shall review the invoices and submit approved invoices to the Accounting Department for payment.
  - c. Payments to the Contractor shall be made monthly based on invoices approved two (2) weeks prior to the monthly payment date.
10. The City may terminate this Contract at any time by providing the Contractor with written notice of termination; said notice to be provided five (5) days prior to termination.

Witnesses:

\_\_\_\_\_

CITY OF WYOMING

By: \_\_\_\_\_

Its Mayor, Jack Poll

\_\_\_\_\_

By: \_\_\_\_\_

Its Clerk, Heidi Isakson

Contractors Name: Pit Crew Landscapes

Address: 1330 Hess Lake Dr.

Grant, MI 49327

Signature By: \_\_\_\_\_

JRS/sak  
7/7/14

ORDINANCE NO. 17-14

AN ORDINANCE TO AMEND SECTIONS 90-337(5) and 90-372(4),  
TO ADD SECTIONS 90-402(5), 90-617(8), 90-901(4) AND 90-952(12)  
AND TO REPEAL SECTION 90-56 AND A PORTION OF  
SECTION 90-895 OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-337(5) of the Code of the City of Wyoming is hereby amended to read as follows:

(5) Drive through restaurants

Section 2. That Section 90-372(4) of the Code of the City of Wyoming is hereby amended to read as follows:

(4) Drive through restaurants

Section 3. That Section 90-402(5) of the Code of the City of Wyoming is hereby added to read as follows:

(5) Drive through restaurants

Section 4. That Section 90-617(8) of the Code of the City of Wyoming is hereby added to read as follows:

(8) Drive through restaurants

Section 5. That Section 90-901(4) of the Code of the City of Wyoming is hereby added to read as follows:

(4) Drive through restaurants

Section 6. That Section 90-952(12) of the Code of the City of Wyoming is hereby added to read as follows:

(12) Drive through restaurants

Section 7. That Section 90-56 of the Code of the City of Wyoming is hereby repealed.

Section 8. That the portion of Section 90-895 of the Code of the City of Wyoming entitled "Drive-in restaurants" is hereby repealed.

Section 9. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

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

Ordinance No. \_\_\_\_\_



- 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

June 23, 2014

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

**Subject:** Request to amend Zoning Code Section 90-56 Drive-in Establishment, Section 90-337 (5) B-1 Local Business District, Section 90-372 (4) B-2 General Business District, Section 90-402 (5) B-3 Planned Business District, Section 90-617 (8) PUD-1 Low Density Planned Unit Development District, Section 90-895 Requirements for Permitted Uses After Special Approval, Section 90-901 (4) PUD-2 Planned Commercial Development District and Section 90-952 (12) PUD-3 Planned Health Care District to allow drive through restaurants in all commercial districts by Special Use Approval.

**Recommendation:** To approve the subject Zoning Code amendments.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on June 17, 2014. A motion was made by Bueche, supported by Woodruff, to recommend to the City Council the subject Zoning Code amendments. The motion passed unanimously. While a more detailed review is available in the Planning Commission minutes, the following is provided as basic background information:

The City of Wyoming has numerous commercial zoning districts. Each was created to guide desired land development. These districts include B-1 Local Business (located primarily at neighborhood intersections), B-2 General Business (Division Avenue and 28th Street), B-3 Planned Business (54th Street and Clyde Park Avenue), PUD-1 Low Density Planned Unit Development (Bayberry Farms), PUD-2 Planned Commercial Development District (WilsonTown Shopping Center), PUD-3 Planned Health Care District (Metro Health Village), and Form Based Code (28th Street Downtown Area).

Historically, one of the distinctions within the various commercial areas was to restrict drive-in restaurants (which was expanded to include drive-through restaurants) only to the B-2 General Business District. Over the years, numerous

deliberations have ensued at the City as developers desired to provide drive through restaurants in areas not zoned for such use.

It is recognized that drive through restaurants have become common place and the original concerns regarding their operations (vehicle stacking, noise, etc.) have diminished. They are now being proposed with such business interests as Tim Horton's, Subway and Jimmy John's. The Form Based Code was recently constructed in recognition that drive through restaurants could be accommodated even in compact developments. Staff is aware of development interests in commercial areas of the City where they would be prohibited by the current zoning restrictions.

Wyoming's drive-in ordinance restrictions have been in place essentially since 1983 and are outdated. It is staff's recommendation that drive through restaurants should be allowable in all commercial districts with Special Use Approval from the Planning Commission. The high level of scrutiny provided by this process, including the required public hearing, is sufficient to determine whether a drive through restaurant use is suitable at any given commercial location. As such, the outdated Zoning Code design and access requirements found in Sections 90-56 and 90-895 are also proposed to be removed.

Proposed ordinance amendments (in bold):

Section 90-56 Drive-in Establishment:

Remove all wording. Replace with **Reserved**.

Section 90-337 (5) B-1 Local Business District:

Remove Drive-in restaurants or other drive-in establishments serving food or beverages. Replace with **Drive through restaurants**.

Section 90-372 (4) B-2 General Business District:

Remove Drive-in restaurants or other drive-in establishments serving food or other beverages. Replace with **Drive through restaurants**.

Section 90-402 (5) B-3 Planned Business District:

Add **Drive through restaurants**.

Section 90-617 (8) PUD-1 Low Density Planned Unit Development District:

Add **Drive through restaurants**.

Section 90-895 Requirements for Permitted Uses After Special Approval:

**Remove Drive-in restaurants**.

Section 90-901 (4) PUD-2 Planned Commercial Development District:  
Add **Drive through restaurants**.

Section 90-952 (12) PUD-3 Planned Health Care District:  
Add **Drive through restaurants**.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments.

At the public hearing there were no public comments. Two letters of support for the ordinance amendment were provided. A motion was made by Bueche, supported by Woodruff, to recommend to the City Council the subject Zoning Code amendments. After discussion, the motion passed unanimously.

Respectfully submitted,

  
\_\_\_\_\_  
Timothy Cochran, City Planner  
Planning and Development Department

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

ORDINANCE NO. 18-14

AN ORDINANCE TO AMEND SECTION 90-32 OF THE CODE  
OF THE CITY OF WYOMING BY ADDING  
SUBSECTION (97) 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 (97) thereto, to read as follows:

(97) To rezone 15 acres located at the northeast corner of Clyde Park Avenue and 60<sup>th</sup> Street from B-2 General Business to I-1 Light Industrial

LEGAL DESCRIPTION:

Part of the Southwest ¼, Section 36, Town 6 North, Range 12 West, City of Wyoming, Kent County, Michigan, described as: Beginning at the Southwest corner of Section 36; thence North 165 feet along the West line of said Southwest ¼; thence East 150 feet; thence North 240 feet; thence West 150 feet; thence North 258 feet; thence East 1071 feet; thence South 663 feet; thence West 1071 feet to 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



July 22, 2014

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

Subject: Request to rezone 15 acres located at the northeast corner of Clyde Park Avenue and 60<sup>th</sup> Street from B-2 General Business to I-1 Light Industrial.

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 July 15, 2014. A motion was made by Weller, supported by Postema, to recommend to City Council approval of the subject rezoning, excluding the two properties at 5940 and 5950 Clyde Park Avenue. 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:

Huizenga Properties desires to purchase the vacant property at 5920 Clyde Park Avenue to develop Allied Mechanical, an industrial mechanical manufacturing and distribution facility (see attached conceptual plan and cover letter). That use requires an industrial zoning to be permitted. The property owner, Adams Outdoor Advertising endorses the request.

The petitioner approached the four nearby property owners to the west and south to solicit their interest in rezoning their properties also. The owner to the south, B&K Holdings, has provided a written request to be included into the rezoning. Their property is developed as Michigan Truck & Equipment Sales, which is an industrial nonconforming use in this B-2 General Business district. Elite Training, the adjoining property to the west, is nearing building completion. That development obtained approval from the Planning Commission in June 2013. The building is a 47,700 sq. ft. open floor plan and high ceiling structure, which is more industrial in design than typically found in commercial developments. That athletic facility use is allowed by right in a B-2 General Business district, but would also be allowed by Special Use Approval in the I-1 Light Industrial district. The property owners are supportive of the rezoning as they are aware that they would continue as an allowed use and that the property may be more marketable if eventually put up for sale. The two rental residential properties on Clyde Park

- 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

Avenue combined total approximately one-half acre. They are nonconforming in any non-residentially zoned district. The potential redevelopment of these properties is limited by their size and depth. One possible option would be a small office building with parking to the side. An office use would be allowed by-right in both the B-2 General Business and I-1 Light Industrial district.

With the rezoning application for both the 5920 (Adams Outdoor) and 5988 (B&K Holdings) Clyde Park Avenue properties, the Development Review Team did not consider it appropriate to leave a remnant B-2 General Business zoned area surrounded by I-1 Light Industrial zoned properties. As such, the Elite Training and the two rental residences (5940 and 5950 Clyde Park Avenue) were included by the Planning Department into the rezoning. If during the process of considering the rezoning of the area it is determined to not be appropriate, any the five properties can be removed from the rezoning request.

The properties currently owned by Adams Outdoor and Elite Training, as well as the two rental residences were owned until recently by Gortsema Greenhouses, which operated until approximately 10 years ago. In 2001 they requested rezoning of these properties from I-1 Light Industrial to B-2 General Business to accommodate the potential redevelopment of the property with a large greenhouse retail building. The Gortsema Greenhouse facility was a nonconforming business use in an industrially zoned district. In addition, the adjoining Knights of Columbus facility was also zoned I-1 Light Industrial. That facility was a nonconforming assembly use that would be allowed in a B-2 General Business district. At that time commercial development in the 54th Street/U.S 131 corridor was high, with many national businesses considering the area. The City subsequently rezoned 32.5 acres from I-1 Light Industrial to B-2 General Business. Those properties included the five properties (comprising 15.5 acres) currently being considered for reversion back to I-1 Light Industrial zoning. All structures previously associated with Gortsema Greenhouses, with the exception of the two rental residences, have been demolished.

The City of Wyoming Land Use Plan 2020 (attached) recognizes the mix of commercial and industrial uses at the south end of Clyde Park Avenue. The Land Use Plan shows commercial use of the subject properties which is an extension of the current B-2 General Business zoning. However, it is evident that UPS has a large industrial presence across Clyde Park Avenue. Also, the residentially zoned properties located directly across Clyde Park Avenue from this rezoning request are master planned for industrial use. The subject rezoning also abuts Byron Township to the south. As shown on Byron Township's Future Land Use Plan (attached), all properties on both sides of Clyde Park Avenue from 60th Street to M-6 are planned for Industrial/ Research uses. The proposed rezoning of the subject properties to I-1 Light Industrial would be compatible with surrounding

land use recommendations for both the City of Wyoming and Byron Township.

Through the years, there has been commercial redevelopment interest in this area, but it has not manifested into official proposals. The farther properties are away from the 54th Street intersection with U.S. 131, the less attractive they are for commercial development.

Conformance with the City of Wyoming Sustainability Principals:

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

The proposed rezoning to I-1 Light Industrial will allow this area of Clyde Park Avenue to continue its redevelopment. Economic growth, job creation and financial opportunities for the property owners are essential in supporting a stable and vibrant community. Placing properties into a more suitable zoning category enhances these opportunities. The proposed rezoning conforms to the City of Wyoming sustainability principals.

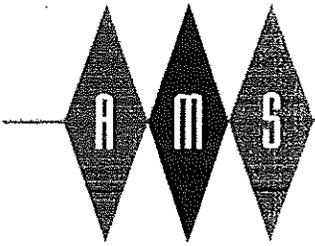
The Development Review Team suggested the Planning Commission recommend to the City Council the proposed rezoning.

There were two public comments at the public hearing. The owner at 5940 Clyde Park Avenue stated that he and his neighbor at 5950 Clyde Park Avenue desired to not be rezoned over concerns with selling the nonconforming residences. The representative for Huizenga Properties stated their desire to build on the property and the necessity for the rezoning. A motion was made by Weller, supported by Goodheart, to recommend to the City Council approval of the subject rezoning, excluding the two properties at 5940 and 5950 Clyde Park Avenue. After discussion, the motion passed unanimously. The legal description for adoption of the rezoning excludes the two properties as recommended by the Planning Commission.

Respectfully submitted,

  
\_\_\_\_\_  
Timothy Cochran, City Planner  
Planning and Development Department

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



# ALLIED MECHANICAL SERVICES, INC.

PLUMBING - HEATING - AIR CONDITIONING - SHEET METAL - PROCESS PIPING

Maintaining an office, warehouse and land are of utmost importance to AMS and its family of companies. The manner in which our facilities are maintained is a reflection of our corporate culture. When you drive into our facility, the first thing you see is the building and the surrounding land, we value that first impression.

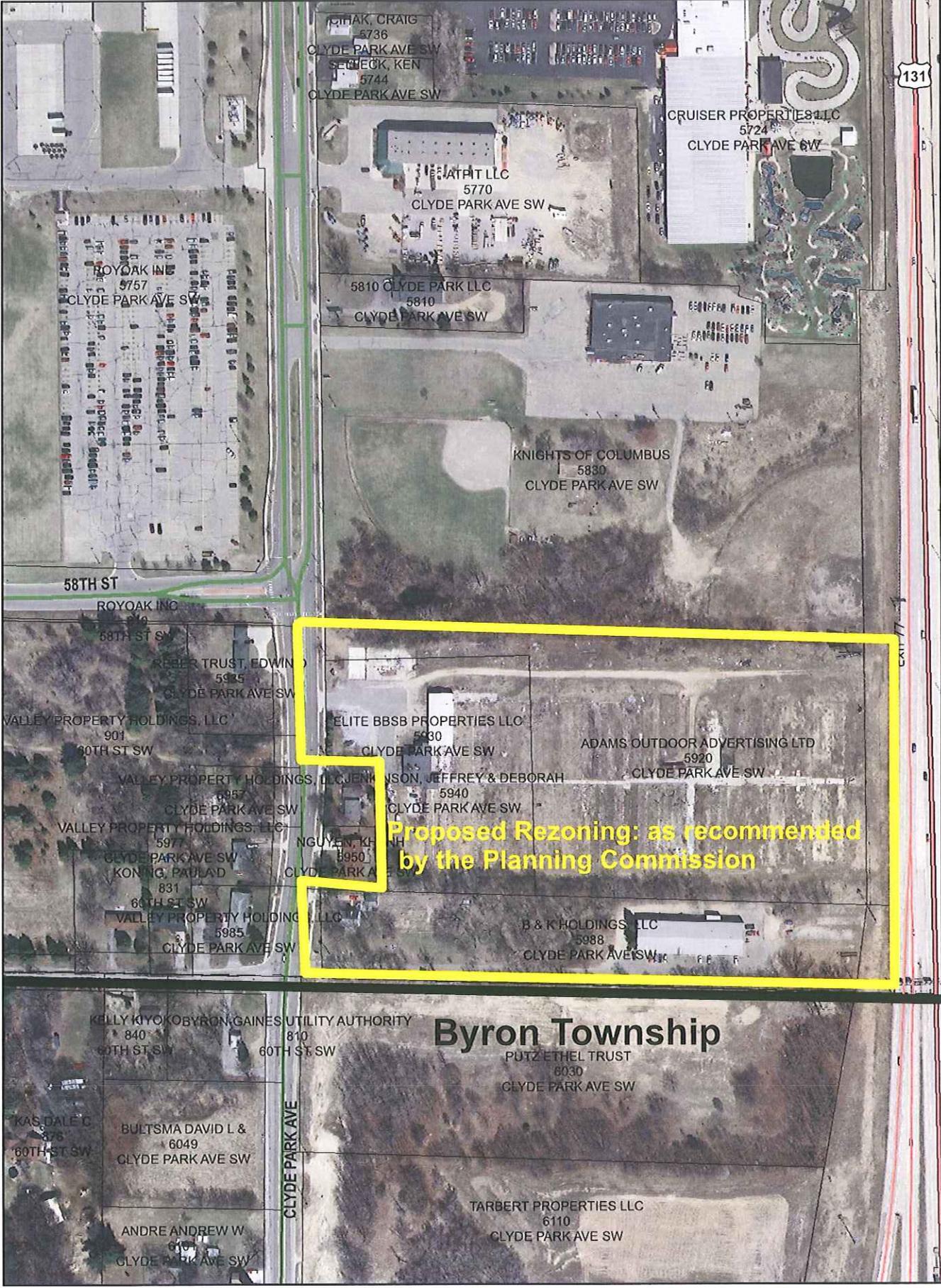
The goal for AMS is to have a first in class building in Wyoming that will meet our needs based on the growth the business continues to achieve. At the present time, AMS would plan on building a 15,000 - 20,000 square foot office/warehouse building. As you can see from the site plan we've included, we envision a future expansion of roughly 30,000 square feet. This piece of land would suffice for our needs today, but would allow for future growth of the business without the need to move to a different location. AMS and the family of companies perform a lot of work in the greater Grand Rapids area, surrounding areas and throughout Holland. This location located near the US-131 and M-6 interchange would allow us to serve our customers in an efficient way.

AMS commits to building a first class building on this parcel and maintaining it. AMS and the family of companies have been in business more than 25 years and are still aggressively growing today. The City of Wyoming would have a financially stable, vibrant and growing business that the City of Wyoming could count on being a valuable part of the community for many years.

We appreciate your consideration of Allied Mechanical Services for this parcel in the city of Wyoming.

Best regards,

John Huizinga



CIRIAK, CRAIG  
5736  
CLYDE PARK AVE SW  
SECHECK, KEN  
5744  
CLYDE PARK AVE SW

CRUISER PROPERTIES LLC  
5724  
CLYDE PARK AVE SW

ATPT LLC  
5770  
CLYDE PARK AVE SW

ROYOAK INC  
5757  
CLYDE PARK AVE SW

5810 CLYDE PARK LLC  
5810  
CLYDE PARK AVE SW

KNIGHTS OF COLUMBUS  
5830  
CLYDE PARK AVE SW

58TH ST

ROYOAK INC  
5816  
58TH ST SW

REBER TRUST, EDWIN  
5935  
CLYDE PARK AVE SW

VALLEY PROPERTY HOLDINGS, LLC  
901  
60TH ST SW

ELITE BBSB PROPERTIES LLC  
5930  
CLYDE PARK AVE SW

ADAMS OUTDOOR ADVERTISING LTD  
5920  
CLYDE PARK AVE SW

VALLEY PROPERTY HOLDINGS, LLC JENKINSON, JEFFREY & DEBORAH  
5957  
CLYDE PARK AVE SW

VALLEY PROPERTY HOLDINGS, LLC  
5977  
CLYDE PARK AVE SW

NGUYEN, KHANH  
5950  
CLYDE PARK AVE SW

**Proposed Rezoning: as recommended by the Planning Commission**

60TH ST SW

KONIG, PAULA D  
831  
60TH ST SW  
VALLEY PROPERTY HOLDING, LLC  
5985  
CLYDE PARK AVE SW

B & K HOLDINGS, LLC  
5988  
CLYDE PARK AVE SW

KELLY KIYOKO BYRON GAINES UTILITY AUTHORITY  
840 810  
60TH ST SW 60TH ST SW

# Byron Township

PUTZ ETHEL TRUST  
6030  
CLYDE PARK AVE SW

KAS DALE D  
376  
60TH ST SW

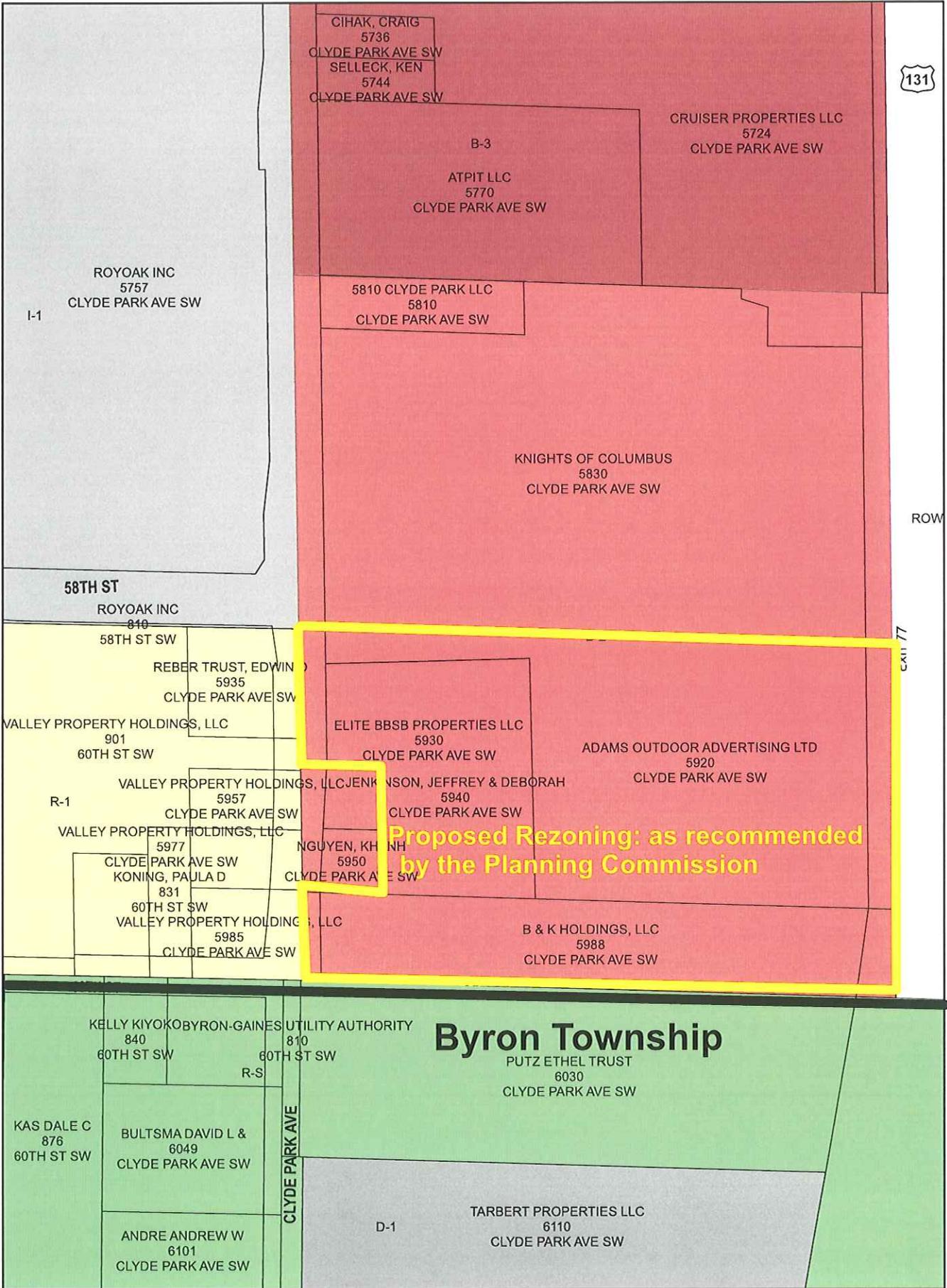
BULTSMA DAVID L &  
6049  
CLYDE PARK AVE SW

CLYDE PARK AVE

ANDRE ANDREW W  
6101  
CLYDE PARK AVE SW

TARBERT PROPERTIES LLC  
6110  
CLYDE PARK AVE SW

131



I-1  
ROYOAK INC  
5757  
CLYDE PARK AVE SW

CIHAK, CRAIG  
5736  
CLYDE PARK AVE SW  
SELLECK, KEN  
5744  
CLYDE PARK AVE SW

CRUISER PROPERTIES LLC  
5724  
CLYDE PARK AVE SW

B-3  
ATPIT LLC  
5770  
CLYDE PARK AVE SW

5810 CLYDE PARK LLC  
5810  
CLYDE PARK AVE SW

KNIGHTS OF COLUMBUS  
5830  
CLYDE PARK AVE SW

58TH ST  
ROYOAK INC  
810

58TH ST SW  
REBER TRUST, EDWIN  
5935  
CLYDE PARK AVE SW

VALLEY PROPERTY HOLDINGS, LLC  
901  
60TH ST SW

R-1  
VALLEY PROPERTY HOLDINGS, LLC  
5957  
CLYDE PARK AVE SW

VALLEY PROPERTY HOLDINGS, LLC  
5977  
CLYDE PARK AVE SW

CLYDE PARK AVE SW  
KONING, PAULA D  
831  
60TH ST SW  
VALLEY PROPERTY HOLDINGS, LLC  
5985  
CLYDE PARK AVE SW

ELITE BBSB PROPERTIES LLC  
5930  
CLYDE PARK AVE SW

ADAMS OUTDOOR ADVERTISING LTD  
5920  
CLYDE PARK AVE SW

JENKINSON, JEFFREY & DEBORAH  
5940  
CLYDE PARK AVE SW

NGUYEN, KHANH  
5950  
CLYDE PARK AVE SW

**Proposed Rezoning: as recommended  
by the Planning Commission**

B & K HOLDINGS, LLC  
5988  
CLYDE PARK AVE SW

KELLY KIYOKO BYRON-GAINES UTILITY AUTHORITY  
840 810  
60TH ST SW 60TH ST SW

# Byron Township

PUTZ ETHEL TRUST  
6030  
CLYDE PARK AVE SW

KAS DALE C  
876  
60TH ST SW

BULTSMA DAVID L &  
6049  
CLYDE PARK AVE SW

CLYDE PARK AVE

ANDRE ANDREW W  
6101  
CLYDE PARK AVE SW

D-1  
TARBERT PROPERTIES LLC  
6110  
CLYDE PARK AVE SW

ROW

CA1177



North  
1" = 100' SCALE

US-131

PROPOSED  
BILLBOARD  
EASEMENT

497'

30' REAR YARD SETBACK

PROPOSED  
15,000 SFT  
OFFICE &  
WAREHOUSE

FUTURE FULL  
BUILD-OUT 35,000  
SFT ( 50,000 SFT  
TOTAL ) OFFICE  
& WAREHOUSE

10'-50' LOADING SPACE

1021'

ZONED B-2

634'

FUTURE  
PARKING/PAVEMENT

ZONED B-2

PROPOSED SHARED  
DRAINAGE  
EASEMENT

EX. BUILDING

447'

25' FRONT YARD SETBACK

ZONED B-2

BUILDING/SITE  
CURRENTLY UNDER  
CONSTRUCTION

60th St SW

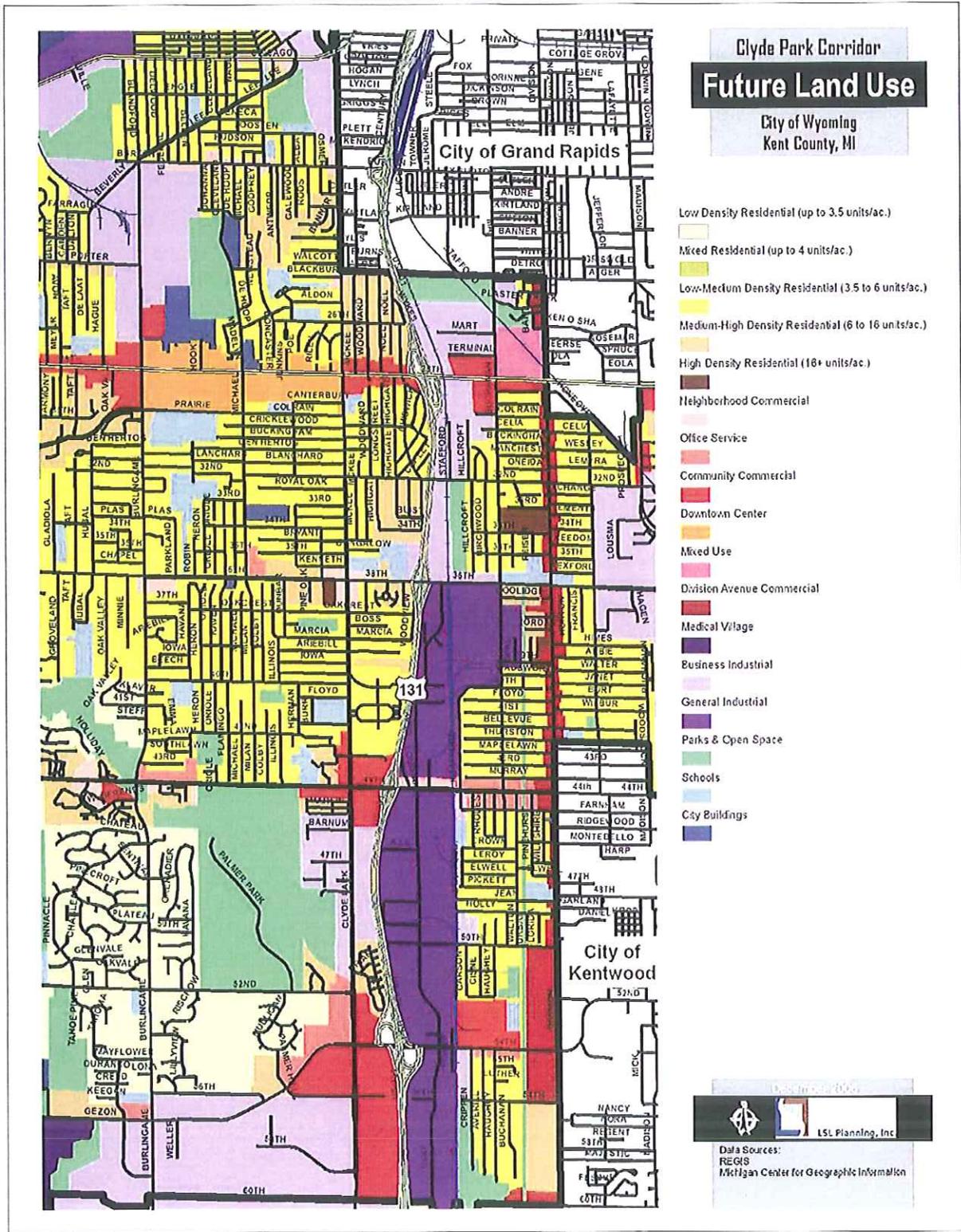
Clyde Park Ave.

Clyde Park Ave SW

# ALLIED MECHANICAL SERVICES PRELIM. SITE PLAN FOR RE-ZONING APPROVAL

5920 CLYDE PARK AVE.

06/10/14

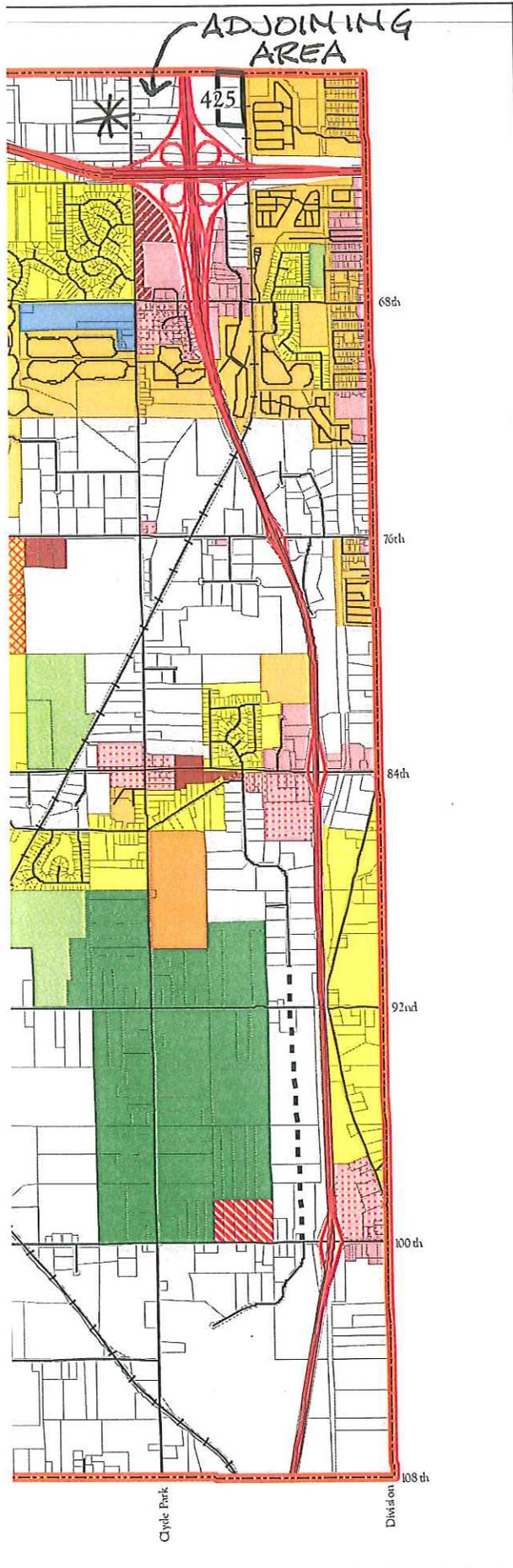


# Byron Township

Kent County, Michigan

## Future Land Use

Adopted: December 26, 2007



Future Roads

Future Land Use

R-AG, Rural Agricultural

SR, Suburban Residential

MFR, Multi-Family Residential

C, Commercial

VC, Village Center

OS, Office Service

IND, Industrial / Research

RC, Rural Conservation

PR, Public Recreation

MFR PUD, Multi-Family Residential PUD

C PUD, Commercial PUD

MFR/OS PUD, Multi-Family Residential / Office Service PUD

IND/OS PUD, Industrial / Office Service PUD

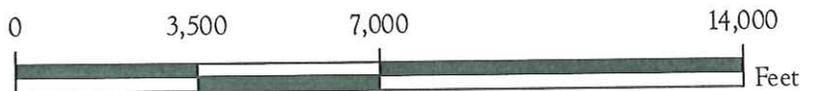
OS PUD, Office Service PUD

OS/C PUD, Office Service / Commercial PUD

SR/MFR PUD, Suburban / Multi-Family Residential PUD

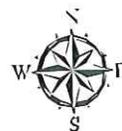
MU PUD, Mixed Use PUD

1 inch equals 3,500 feet



**Williams & Works**  
engineers · planners · surveyors

616.224.1500 phone · 616.224.1501 fax/mails  
549 Ottawa Avenue NW · Grand Rapids, MI 49503



**REGIS**  
REGISTRATION SYSTEM  
A Division of Bentley Systems, Inc.

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ORDINANCE NO. 19-14

AN ORDINANCE TO AMEND SECTION 90-45(4) AND  
SECTION 90-45(7) OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-45(4) of the Code of the City of Wyoming is hereby amended to read as follows:

(4). Only two accessory buildings, including garages, shall be permitted on any single family residential lot or parcel. For side-by-side duplexes, one accessory building per unit, excluding garages, shall be permitted; subject to approval by the city planner so that the same is compatible with the surrounding area. No accessory building shall be erected prior to the principal building.

Section 2. That Section 90-45(7) of the Code of the City of Wyoming is hereby amended to read as follows:

(7). An accessory building on a single-family and two-family residentially zoned or used property shall not exceed one story or 14 feet in height. Properties up to 22,000 square feet are permitted a total accessory building area of 1,000 square feet with no single building exceeding 768 square feet. Properties greater than 22,000 square feet and up to one acre, are permitted a total accessory building area of 1,200 square feet with no single building exceeding 900 square feet. Properties greater than one acre and up to two acres are permitted a total accessory building area of 1,600 square feet with no single building exceeding 1,200 square feet. For each additional whole acre, 200 square feet of building area shall be permitted up to a total accessory building area of 2,400 square feet with no single building being greater than 1,600 square feet. The total accessory building area shall include the square footage of attached garages. Detached accessory buildings greater than 900 square feet shall be set back a minimum of 25 feet from side or rear property lines. For other than single- and two-family residentially zoned or used property, accessory buildings may not occupy more than 30 percent of a required rear yard plus 40 percent of any non-required rear yard.

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

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

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

Ordinance No. 19-14



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

July 22, 2014

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

Subject: Request to amend Zoning Code Section 90-45 Accessory Buildings to allow additional storage on larger residential properties.

Recommendation: To approve the subject Zoning Code amendments.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on July 15, 2014. A motion was made by Woodruff, supported by Arnoys, to recommend to the City Council the subject Zoning Code amendments. After amendments, 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 existing limitations on residential accessory buildings were established primarily in 1983. Those restrictions set a maximum square footage of 768 square feet (possibly 24 feet by 32 feet) for any single structure, with a maximum of 1000 square feet for all accessory structures on a property. Accessory buildings include garages, sheds and workshops. A maximum of two accessory buildings are permitted on a residential property.

The City has residential properties on our north and east areas that are as small 5000 square feet. There are large estate lots in the western panhandle area that are several acres. There are over 21,500 single family lots in Wyoming. Through the years, there have been numerous requests to the Board of Zoning Appeals for larger accessory buildings to accommodate individual property owner desires. Many of the modest requests were approved, with the more exceptional requests denied.

In evaluating the ordinance restrictions, staff believes that one size fits all limitations may not be appropriate. Those lots with acreage may incorporate larger accessory buildings and still maintain the character of the surrounding area. In researching requirements for adjoining communities, the following accessory building standards were derived:

Grand Rapids: Graduating standards dependent upon lot area. It ranges from a maximum garage area of 624 square feet for lots under 5000 square feet, to a maximum of 1200 square feet for lots greater than 22,000 square feet. A second accessory building of up to 120 square feet is permitted.

Kentwood: One garage to a maximum of 768 square feet, with a second accessory building of 250 square feet. Homes greater than 3000 square feet may have a garage of up to 1200 square feet.

Grandville: One garage limited to 1080 square feet, with a second accessory building of up to 144 square feet. On properties greater than 60,000 square feet, the second accessory building may be up to 864 square feet.

Walker: Generally, one accessory building of 832 square feet. A second accessory building of up to 100 square feet is allowed. In the rural areas, properties of ½ acre may have a building of 1200 square feet. Properties greater than 3 acres may have a building of up to 1800 square feet.

Staff suggested that a graduated increase of accessory building area would be beneficial to residents by providing greater use of their properties. The additional storage would improve the appearance of properties by providing for additional storage. The amendments would also decrease the number of variance requests made to the Board of Zoning Appeals. The following graduated scale is proposed:

PROPERTY SIZE	TOTAL AREA	MAXIMUM BUILDING AREA
Up to 22,000 sq. ft.	1000 sq. ft.	768 sq. ft.
22,000 sq. ft. to 1 acre	1200 sq. ft.	900 sq. ft.
Over 1 acre to 2 acres	1600 sq. ft.	1200 sq. ft.
Properties over 2 acres	200 additional sq. ft.	1600 sq. ft. per whole acre up to a maximum of 2400 sq. ft.

It is also noted that the ordinance amendments include the requirement that detached accessory buildings greater than 900 square feet must be setback a minimum of 25 feet from any side or rear property lines. The current requirement is a minimum of 3 feet for all accessory buildings. This provision is intended to prevent a large accessory building from overly impacting an adjoining property.

PROPOSED ORDINANCE AMENDMENTS (amendments in bold and includes those changes as recommended by the Planning Commission):

Section 90-45 Accessory buildings and uses.

(4) Only **two** accessory **buildings, including** garages, shall be permitted on any single family residential lot **or parcel**. For side-by-side duplexes, one accessory building per unit, excluding garages, shall be permitted; subject, however, to approval by the **city planner** so that the same is compatible with the surrounding area. No accessory building shall be erected prior to the principal building.

(7) An accessory building on single-family and two-family residentially zoned or used property shall not exceed one story or 14 feet in height, **except that detached accessory buildings 1200 square feet or greater may not exceed 17 feet in height. Properties up to 22,000 square feet are permitted a total accessory building area of 1,000 square feet with no single building exceeding 768 square feet. Properties greater than 22,000 square feet and up to one acre, are permitted a total accessory building area of 1,200 square feet with no single building exceeding 900 square feet. Properties greater than one acre and up to two acres are permitted a total accessory building area of 1,600 square feet with no single building exceeding 1,200 square feet. For each additional whole acre, 200 square feet of building area shall be permitted up to a total accessory building area of 2,400 square feet with no single building being greater than 1,600 square feet. The total accessory building area shall include the square footage of attached garages. Detached accessory buildings shall be setback from side or rear property lines as follows:**

**Up to 768 square feet: 3 feet minimum**  
**Up to 900 square feet: 10 feet minimum**  
**Up to 1200 square feet: 15 feet minimum**  
**Up to 1600 square feet: 20 feet minimum**

For other than single- and two-family residentially zoned or used property, accessory buildings may not occupy more than 30 percent of a required rear yard plus 40 percent of any non-required rear yard.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments to Section 90-45 Accessory Buildings.

At the public hearing there were no public comments. A motion was made by Woodruff, supported by Arnoys, to recommend to the City Council the subject Zoning Code amendments. After discussion, and amendments, the motion passed

unanimously. The amendments were a graduated setback based on the size of the accessory building and increasing the allowable height to 17 feet for buildings 1200 square feet or greater.

Respectfully submitted,



---

Timothy Cochran, City Planner  
Planning and Development Department

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