

**AGENDA**  
**WYOMING CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**MONDAY, APRIL 19, 2010 AT 7:00 P.M.**

- 1) Call to Order**
- 2) Invocation**  
Pastor Mark Milkamp, Open Hearts Community Church.
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**  
From the regular meeting of April 5, 2010 and work session of April 12, 2010.
- 7) Approval of Agenda**
- 8) Public Hearings**  
7:01 p.m.: To Confirm the Special Assessment Roll for the Purpose of Providing Aerial Insecticide Spray for a Gypsy Moth Suppression Program
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
  - a) Presentations and Proclamations:
    1. In Recognition of the 50<sup>th</sup> Anniversary of Middleton Printing Company
    2. Police Department 2009 Annual Report
- 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 by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda upon request of any Council member and will be considered separately.)*

  - a) To Set a Hearing Date for the Public Hearing on the Proposed Budget for 2010-2011 for the City of Wyoming (May 3, 2010 at 7:03 p.m.)
  - b) To Authorize the Mayor and City Clerk to Execute an Amendment to the Streetlighting Contract with Consumers Energy Company
- 15) Resolutions**
  - c) To Confirm Special Assessment Roll 10-794 for the Purpose of Providing Aerial Insecticide Spray for a Gypsy Moth Suppression Program
  - d) To Accept Grant Funding received through the City of Grand Rapids – MET Multi-Jurisdictional Task Force (Budget Amendment No. 37)
- 16) Award of Bids, Contracts, Purchases, and Renewal of Bids and Contracts**
  - e) To Approve a Dispatch Agreement with the City of Grand Rapids
  - f) To Approve a Reimbursement Agreement with GM Components Holdings, LLC

- g) To Authorize Michigan Pavement Marking to Perform the Annual Major Street Pavement Marking for 2010
- h) To Authorize a Contribution to the Michigan Municipal League's Legal Defense Fund for Obtaining Intervenor Status with the Michigan Public Service Commission Regarding Case No. U-16191
- i) To Endorse the City of Wyoming's Continued Subscription to the Water Research Foundation
- j) To Authorize the Sale of One Street Sweeper
- k) To Authorize Inspection of the Low Service Intakes and Pipeline
- l) To Authorize the Purchase of Computer Hardware and Software and to Concur with the Purchase of Backup/Deduplication Storage and BS&A Software Upgrade
- m) For Award of Bids
  - 1. Gasoline & Diesel Fuel
  - 2. Ammunition

**17) Ordinances**

- 1-10: To Amend Section 30-35 of the Code of the City of Wyoming. (Open Burning)  
FINAL READING
- 2-10: To Add Division 1 to Article 1 of Chapter 2 of the Code of the City of Wyoming Entitled Conflict of Interest Policy. FINAL READING
- 3-10: To Amend Sections 90-45(3), the First Paragraph of Section 90-50, Section 90-50(2) and that Portion of the Schedule of Regulations in Section 90-891 Regulating Side Yard Setbacks in the R-2 Single Family Residential District of the Code of the City of Wyoming (Accessory Buildings & Uses, Parking and Storage of Vehicles, Side Yard Setbacks) FIRST READING
- 4-10: To Amend Section 90-796(5)d), Section 90-799(4) Footnote (g), Section 90-800(5), and Section 90-800(9)(a) of the Code of the City of Wyoming (Signs) FIRST READING
- 5-10: To Add Article XXIV, Division 1 to Chapter 90 of the Code of the City of Wyoming Entitled "Alternative and Renewable Energies, Solar Energy Equipment." FIRST READING
- 6-10: To Amend Sections 10-56, 10-77, 10-121 and 10-151 and to Repeal Sections 10-177(17) Through 10-177(22) of the Code of the City of Wyoming. (Michigan Building, Residential, Electrical, Plumbing and Mechanical Codes). FIRST READING
- 7-10: To Amend Section 90-799(2)(b), Table 90-799 AND Table 90-799-2 of the Code of the City of Wyoming. (Awning Signs, Primary and Secondary Sign Requirements) FIRST READING

**18) Informational Material**

**19) Acknowledgment of Visitors**

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

**21) Adjournment**

**PROCLAMATION**

**MIDDLETON PRINTING  
50<sup>TH</sup> ANNIVERSARY**

*WHEREAS, Middleton Printing Co. celebrates 50 years of doing business in Wyoming, in 2010, and*

*WHEREAS, founder Bob Middleton, at the age of 22, began his business on a part-time basis, with used printing equipment, and*

*WHEREAS, in 1963, after much hard work, Bob Middleton built his first building, making it possible to start an envelope company in 1972 and pressure sensitive label operation in the mid 70's, and*

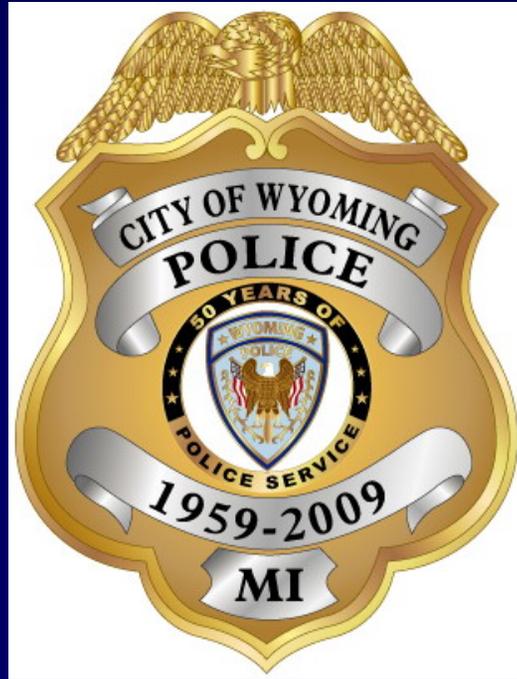
*WHEREAS, by 1979 a larger facility was necessary, a new building was built; the present building at 200 – 32<sup>nd</sup> St. SE, Wyoming, MI 49548.*

*NOW, THEREFORE, I, JACK A. POLL, Mayor of the City of Wyoming, wish to offer sincere congratulations to Middleton Printing for their 50 years of business in West Michigan..*

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

# Wyoming Police Department



## 2009 Annual Report to City Council

James E. Carmody  
Chief of Police

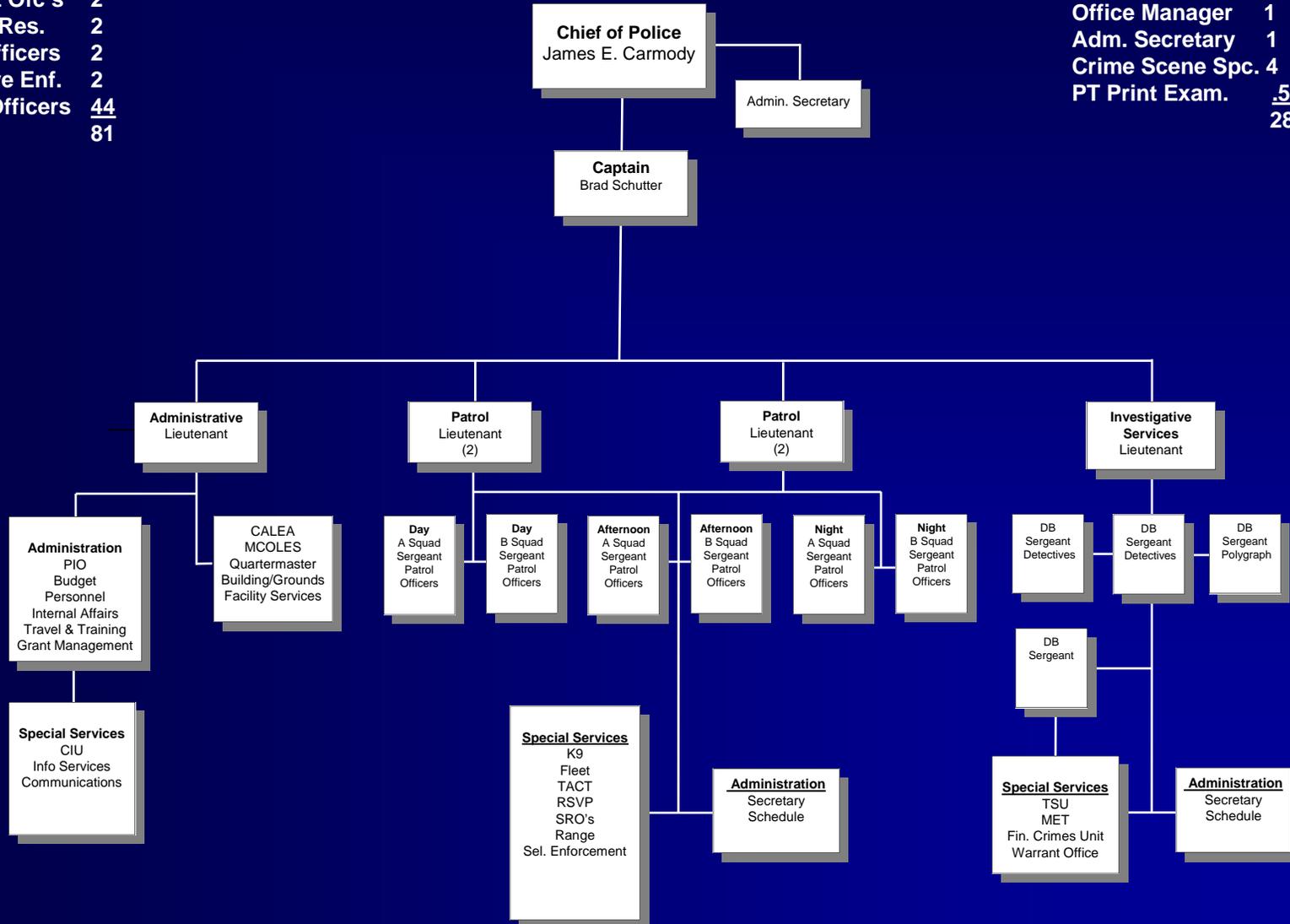
# Staffing

Sworn:

Chief	1
Captain	1
Lieutenants	6
Sergeants	11
Detectives	10
Warrant Ofc's	2
School Res.	2
Desk Officers	2
Selective Enf.	2
Patrol Officers	<u>44</u>
	81

Civilian:

ECO's	14
Secretary	2
Office Clerks	3.5
Account Clerk	1
Fleet Services	1
Office Manager	1
Adm. Secretary	1
Crime Scene Spc.	4
PT Print Exam.	<u>.5</u>
	28

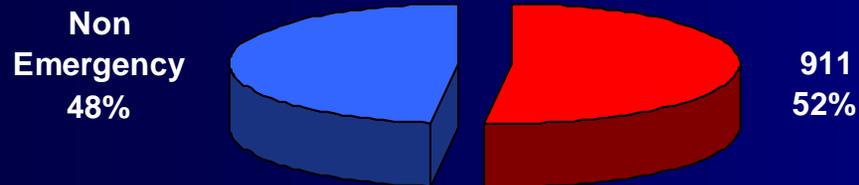


# Calls for Service

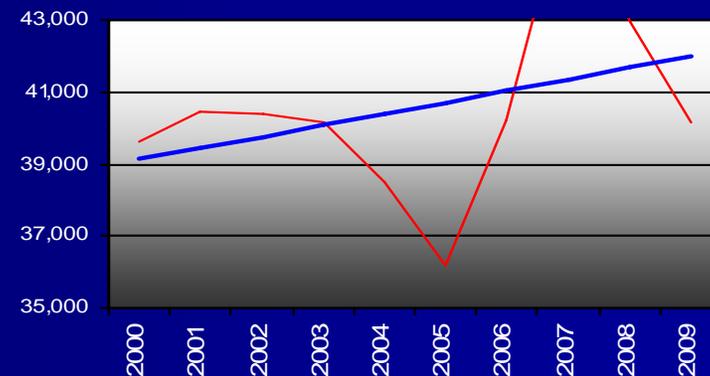
In 2009, the Wyoming Police Department Communications Center received 40,162 calls for service.



Calls for Service

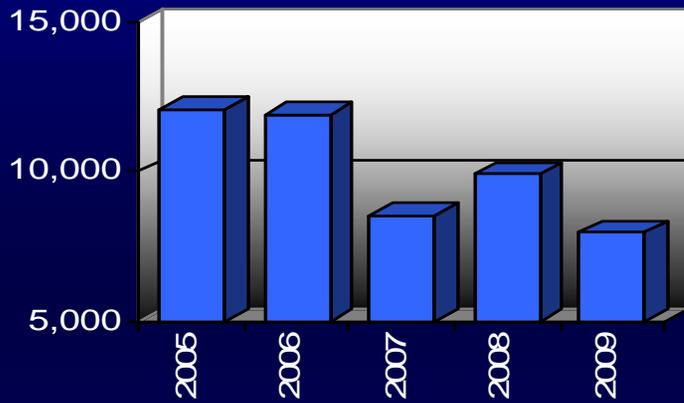


Calls for Service  
10 Year Trend

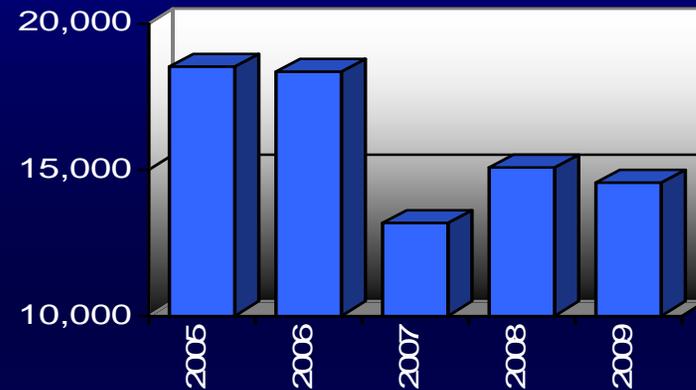


# Traffic Activity

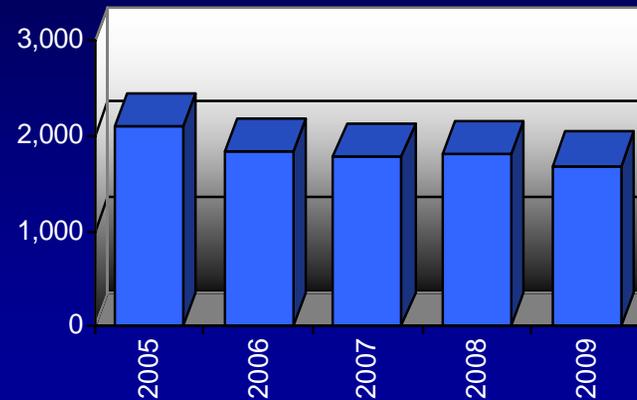
**Traffic Citations Issued  
Five Year Trend**



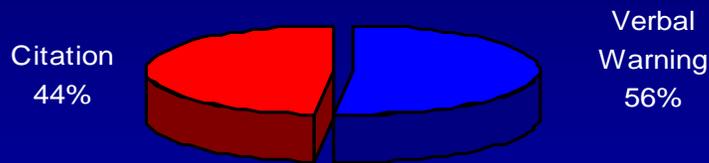
**Traffic Stops  
Five Year Trend**



**Total Traffic Crashes  
Five Year Trend**



**Traffic Stops  
Citation Issued vs.  
Verbal Warning**

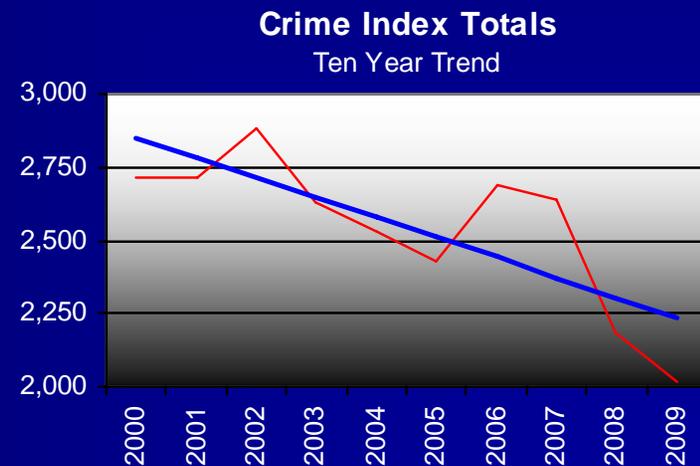
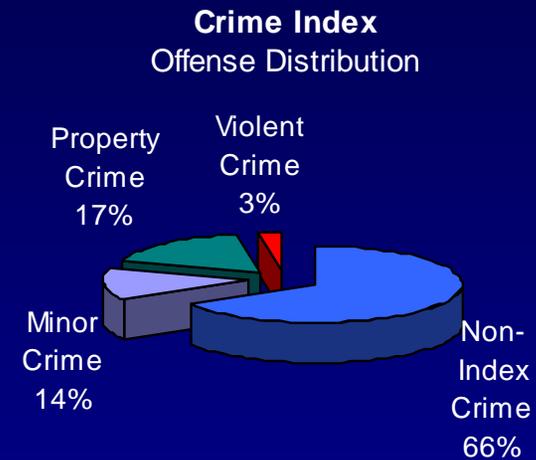


# Crime Index

*The offenses included are murder, non-negligent manslaughter, criminal sexual conduct, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.*

In 2009, 2,017 Crime Index Offenses were reported to the Wyoming Police Department.

The 2009 Crime Index was the lowest in the past decade.



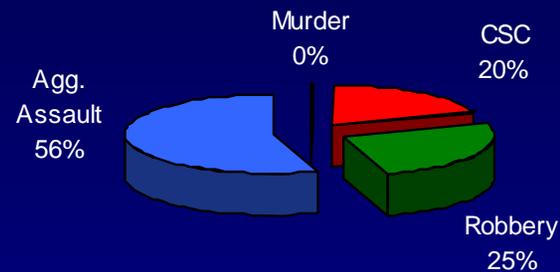
# Violent Crime

*Violent Crime is composed of four offenses: murder, non-negligent manslaughter, criminal sexual conduct, robbery, and aggravated assault. All violent crimes involve force or threat of force offenses.*

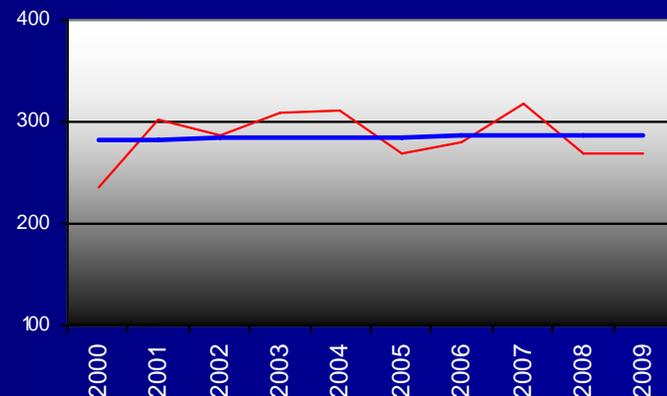
In 2009, there were 269 violent crimes reported to the Wyoming Police Department.

This is the third lowest number of violent crimes reported in over a decade.

**Violent Crime Reported**  
Offense Distribution



**Violent Crime Totals**  
Ten Year Trend



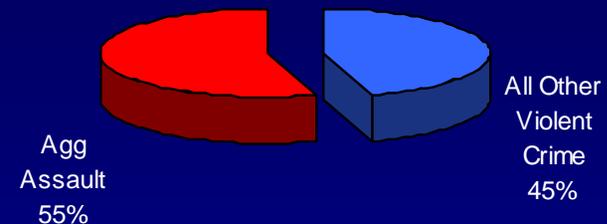
# Aggravated Assault

*Aggravated assault is the unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.*

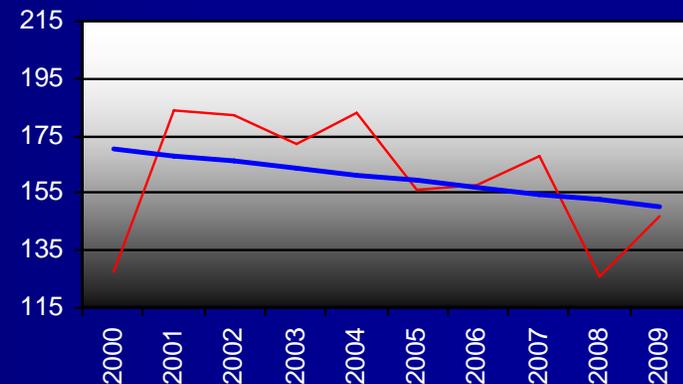
In 2009, there were 147 aggravated assaults reported to the Wyoming Police Department.

The number of reported aggravated assaults represent an 11% increase from the 2008 total.

**Aggravated Assault Reported**  
Offense Distribution



**Aggravated Assault Totals**  
Ten Year Trend

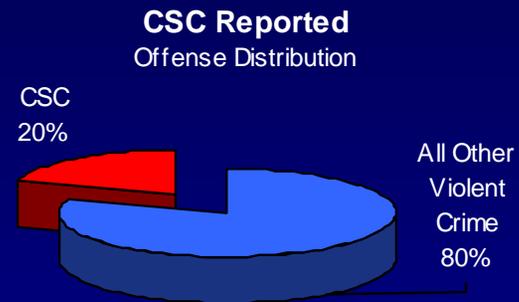


# Criminal Sexual Conduct

*Criminal Sexual Conduct (CSC), is defined as the carnal knowledge of a person forcibly and against their will. Assaults or attempts to commit CSC by force or threat of force are also included; however, CSC (without force) and other sex offenses are excluded.*

In 2009, there were 53 CSC's reported to the Wyoming Police Department.

The number of reported CSC's represent a 9% decrease from the 2008 total.



# Criminal Sexual Conduct

## Facts

156	Total Reviewed
49	Prosecutor/City Attorney Denial
39	Arrest (4 arrested on lesser charge)
27	Unfounded
22	Victims Refused to Cooperate
6	False Report (4 reporteers arrested)
4	TOT Other Police Agency
3	Not a Sexual Assault
2	Open Cases
4	Suspect Committed Suicide, Closed No Leads
	Suspect Already Deported, Youthful Offender <7 y/o Ref. Counseling

# Criminal Sexual Conduct

## Major Case



Charles Judson Holbrook was originally charged in August of 2009 with two 20-year felonies for allegedly creating child sexually abusive material, and the lesser charges of possession of a firearm by a felon, possession of child sexually abusive material and accosting children for immoral purposes. However, in December of 2009, Holbrook was ordered to stand trial on six new felony charges of child pornography that could put the 72-year-old in prison for 15 years. Holbrook befriended troubled teens with gifts and cash and then paid them to pose nude for photos. In 2000, Holbrook was convicted of taking nude photos and having sex with a teen and spent a year behind bars. Holbrook is scheduled for trial in April of 2010.

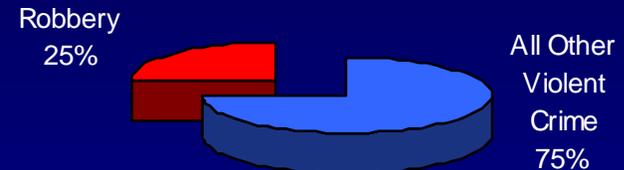
# Robbery

*Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.*

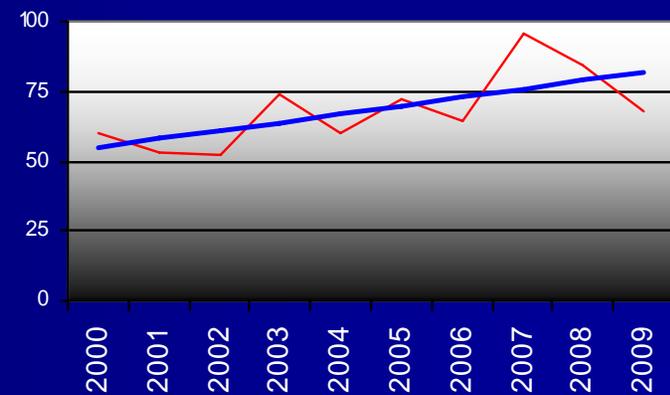
In 2009, there were 68 Robberies reported to the Wyoming Police Department.

The number of reported Robberies represent a 19% decrease from the 2008 total.

**Robbery Reported**  
Offense Distribution



**Robbery Totals**  
Ten Year Trend





# Robbery

**W.Y.P.D. #09-1677** Patrol officers responded to an armed robbery at 3900 S. Division with multiple suspects. A pursuit started with the suspect vehicle and the suspects were eventually taken into custody. A subsequent search warrant for a residence in Grand Rapids resulted in detectives locating weapons and evidence from other robberies. The robbery crew of Gangster Disciples was connected to at least six robberies in the Grand Rapids metropolitan area. In total, five people ranging in age from 16-19 years old were arrested with four of them being indicted in Federal Court for the violent crime spree. The weapons used in the robberies were an M-11 assault gun, a shotgun and .22 caliber revolver. All are awaiting sentencing in Federal Court.



# Homicide

*Murder and non-negligent manslaughter, as defined in the Uniform Reporting Program, is the willful non-negligent killing of one human being by another.*

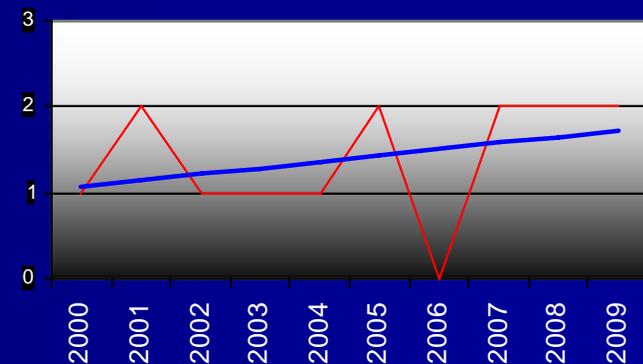
In 2009, there were 2 Homicides reported to the Wyoming Police Department.

The number of reported Homicides remained unchanged from the 2008 total.

**Homicide Reported**  
Offense Distribution



**Homicide Totals**  
Ten Year Trend





# Homicide

Taryn Jefferson

Tammy Jefferson - Convicted

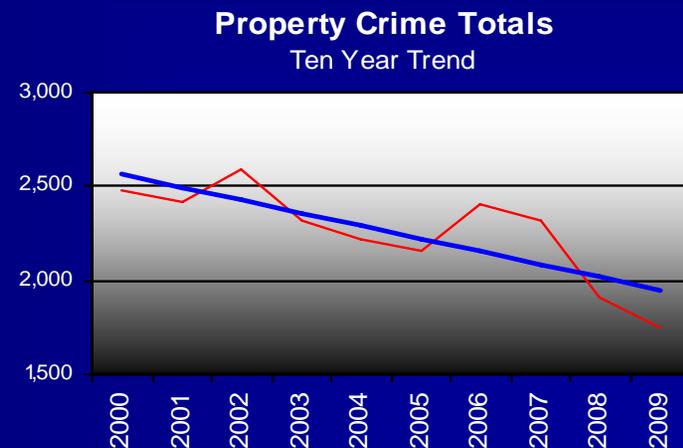
**W.Y.P.D. #09-1710** Taryn Jefferson was a 21 year old mentally and physically handicapped woman living at home with her mother, Tammy Jefferson, as her caretaker. In March 2009, police were called to the residence and found her deceased. She was transported to the Medical Examiner's Office for an autopsy to determine the cause of death. As an infant, Taryn was physically abused by her biological father suffering serious brain trauma. She has been confined to a wheelchair and needs constant supervision due to her not being able to care for herself. Working with the Medical Examiner's Office, an investigation into her death was started. It was apparent that over the course of months, her mother neglected to tend to her daily needs for food and hygiene and did not bring her to scheduled appointments with doctors and therapists. During those months, Taryn developed serious bed sores from not being cleaned and became severely malnourished. Her mother was eventually charged with Felony Murder with the underlying felony being the neglect and abuse. Tammy Jefferson was convicted by a jury of Felony Murder and sentenced to life in prison without the chance for parole. The jury spoke of the horrendous photos that they observed during the trial and were given a timeline of the slow and painful death that Taryn suffered.

# Property Crime

*Property Crime includes the offenses of burglary, larceny-theft, motor vehicle theft, and arson. The object of the theft-type offenses is the taking of money and property, but there is no force or threat of force against the victims. Arson is included since it involves the destruction of property; its victims maybe subjected to force.*

In 2009, there were 1,748 Property Crimes reported to the Wyoming Police Department.

The number of reported Property Crimes represent the lowest total in over a decade.



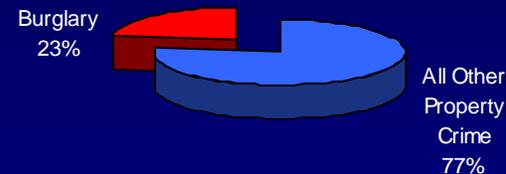
# Burglary

*The Uniform Crime Report defines burglary as the unlawful entry of a structure to commit a felony or theft. The use of force to gain entry is not required to classify an offense of burglary. Burglary for this Program is categorized into three sub-classifications: forcible entry, unlawful entry where no force is used, and attempted forcible entry.*

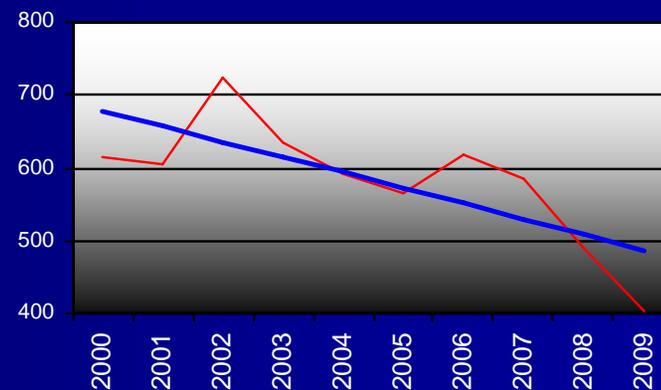
In 2009, there were 402 Burglaries reported to the Wyoming Police Department.

The number of reported Burglaries represent the lowest total in over a decade.

**Burglary Reported**  
Offense Distribution



**Burglary Totals**  
Ten Year Trend



# Larceny

*The Uniform Crime Report defines Larceny-theft as the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. It includes crimes such as shoplifting, purse-snatching, thefts from motor vehicles, bicycle thefts, etc.*

In 2009, there were 1,177 Larcenies reported to the Wyoming Police Department.

The number of reported Larcenies represent a 4% decrease from the 2008 total.



# Motor Vehicle Theft

*Defined as the theft or attempted theft of a motor vehicle, this offense category includes the stealing of automobiles, buses, trucks, snowmobiles, motorcycles, motor scooters, etc. The definition excludes the taking of a motor vehicle for temporary use by those persons having lawful access.*

In 2009, there were 159 Motor Vehicle Thefts reported to the Wyoming Police Department.

The number of reported Motor Vehicle Thefts represent a 12% decrease from the 2008 total.



# Arson

*The Uniform Crime Report defines arson as any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, personal property or another, etc.*

In 2009, there were 10 cases of Arson reported to the Wyoming Police Department.

The number Arson cases represent a 29% decrease from the 2008 total.



# Arrest Data

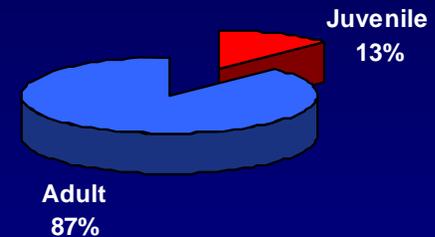
In 2009, there were a total of 7,112 arrest charges. Of those, 906 were juvenile arrest charges and 6,206 were adult arrest charges.

Fifty-three percent of the juvenile arrests were Wyoming residents, while forty-seven percent were non-resident.

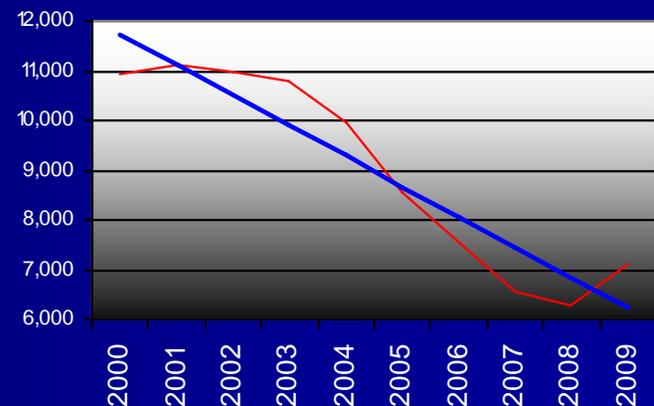
Forty-four percent of the adult arrest charges were Wyoming residents, while fifty-three percent were non-residents.

In 2009, the total number of arrest charges increased 13% from 2008 totals.

**Juvenile vs. Adult**  
Arrest Charges Distribution



**Total Arrest Charges**  
10 Year Trend



# Citizen Complaints/Commendations

## **Introduction**

This report provides information regarding citizen and internal allegations of misconduct and the results of those investigations for the year 2009.

This report describes the Internal Affairs function and its role in the department and contains a description of the complaint process. It also includes the complaints received and investigated in 2009.

## **Internal Affairs Function**

The mission of the Internal Affairs function is to review officer-involved critical incidents, and investigate complaints received on sworn and non-sworn employees of the Department. Complaints, whether received from citizens or from Department employees, are thoroughly investigated to ensure the integrity of the organization.

The Administrative Captain supervises and coordinates the Internal Affairs function and is managed out of the Chief's Office.

## **Appeals Process**

The Captain of Administrative Services makes notification to the complainant in writing when the investigation is complete. If the complainant does not agree with the outcome, an appeal may be made to the Chief of Police. If, after a review of the complaint by the Chief of Police, the complainant is still not satisfied, an appeal may be made with the City Manager.

## Internal Affairs Process

It is the goal of the Wyoming Police Department to continuously strive to improve the quality of police services provided to the citizens of the City of Wyoming. In pursuit of that goal, it is the policy of the Department to investigate ALL complaints filed against its employees or Department policies and procedures. It is our belief that citizen confidence in the integrity of the Department and its employees is paramount to our providing the best service possible to our community. A positive relationship between the police and the citizens we serve facilitates good police citizen cooperation.

Any time a citizen feels they have been treated improperly by an employee of the Wyoming Police Department, they may file a complaint with the department to determine the actions taken were proper and lawful. The process begins with any citizen contacting either an employee or the Department, or a policy/procedure they may feel is in appropriate or improper. A call made to the Department to express concern will be forwarded to a supervisor for initial information to be taken. There may be times when the supervisor is able to explain actions taken to the satisfaction of the citizen thus resolving the concern at that level. If the issue requires a more in depth investigation, it will be forwarded to command staff for follow-up and further action.

The final disposition on any complaint against an employee of the agency will be one of the following:

Sustained:	The allegation was proven.
Not Sustained:	The alleged act could not be proved or disproved.
Unfounded:	The alleged act did not occur.
Exonerated:	The alleged act occurred, but was justified, legal and proper.

## Appeals Process

The Captain of Administrative Services makes notification to the complainant in writing when the investigation is complete. If the complainant does not agree with the outcome, an appeal may be made to the Chief of Police. If, after a review of the complaint by the Chief of Police, the complainant is still not satisfied, an appeal may be made with the City Manager.

## Statistical Summary for 2009

In 2009, the Wyoming Police Department consisted of 88 sworn officers who responded to 40,162 calls for service, made 7,112 arrests, and issued 14,501 citations. Combining all arrests, calls for service and traffic citations, over 99.9% of all citizen contacts did not result in any complaint.

## Citizen Complaints

Last year, the department received 70 citizen and internal complaint combined. A total of 49 citizen complaints were immediately resolved by supervision or command staff.

<u>Alleged Misconduct:</u>	<u>Sustained</u>	<u>Not Sustained</u>	<u>Exonerated</u>	<u>Unfounded</u>
Courtesy	3	8	3	3
Use of Force			1	3
Property Damage	1			1
Prejudice				1
Language		1		
Neglect of Duty		2	6	8
Truthfulness				3
Policy Violation			2	
Misconduct		1		2

Of the 49 citizens complaints, 4 were sustained, 14 were not sustained, 13 were exonerated and 20 were unfounded. Action taken as a result of the citizen complaints included: Departmental advisory's, and counseling sessions.

## Internal Investigations

Twenty-one citizen complaints concerned employees conduct that alleges misconduct supported by reasonable suspicion or facts, which could result in extended suspension or dismissal form the Department.

<u>Alleged Misconduct:</u>	<u>Sustained</u>	<u>Not Sustained</u>	<u>Exonerated</u>	<u>Unfounded</u>
Threatening TX				1
Damage to Property	1			
Insubordination	1			
Neglect of Duty			1	
Use of Force			2	1
Language	1			
Misconduct			2	2
Vehicle Pursuit			3	
Tardiness	2			1
Courtesy			2	1

Of the 21 internal investigations conducted, 5 were sustained, 11 were exonerated and 5 were unfounded. Disciplinary action taken as a result of the investigations included one resignation of a volunteer, verbal reprimands, written reprimands, and suspensions. Nine of the twenty-one investigations were generated internally. Four of the nine generated internally were sustained. In 2009, was a 58% reduction in Internal Affairs Investigations from 2008 totals.

### **Early Warning System**

The evaluation of the reported Citizen Complaints in 2009 did not reveal a pattern of minor conduct infractions against a particular employee.

The evaluation of Internal Investigations in 2009 did not reveal a pattern of serious misconduct or policy infractions against a single employee.

### **In Summary**

If you have any questions regarding the report, the Internal Affairs process, or to discuss the performance of a Wyoming Police employee, please contact the Administrative Captain at (616) 530-7309.



# Commendations

The Wyoming Police Department recognizes its members who distinguish themselves by performing a service or services over and above what is normally expected in similar circumstances.

The Department has an Awards Board that consists of a broad representation of the department that is tasked with reviewing any requests for awards submitted by personnel of the agency. The Award Board determines the award(s) to be issued, as well as the manner in which those awards will be presented to the recipients.

## Letter of Commendation

Ofc. Randy Adams  
Ofc. Jon Durell  
Ofc. Russ Kamstra  
Tech. Suzanne Snider

Ofc. Robert Aungst  
ECO Michael Hansen  
Sgt. John McCaw  
Det. Jeremy Walter

Tech. Ron DeGood  
Ofc. Devon Holmber  
Tech. Brian McMahan  
Sgt. Kirt Zuiderveen

## Departmental Unit Citation

Tech. Wendy Brittain  
Tech. Suzanne Snider

Tech. Brian McMahan  
Sgt. Michael Struve

Tech. Todd Masula

# Commendations

## Achievement Award

Det. Eric Wiler

## Chief's Award of Excellence

Ofc. Adam Bartone

## Life Saving Award

Ofc. David Thompson

## Certificate of Merit

Ofc. Rory Allen

Ofc. Paul Pena

Ofc. David Hunt

Ofc. David Thompson

Ofc. Kevin Meaney

## 2009 Civilian of the Year

ECO Jennifer Barquist

## 2009 Officer of the Year

Officer Robert Aungst



# How we accomplish our mission...

- Well educated, dedicate, highly trained, properly equipped staff.
- Partnerships established with local, state and federal agencies.
- Support from our residents, business owners, and communtiy organizations.
- Support from city staff, city services, city council and other elected officials.



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

**RESOLUTION TO SET A HEARING DATE FOR THE PUBLIC HEARING ON  
THE PROPOSED BUDGET FOR 2010-2011 FOR THE CITY OF WYOMING**

**WHEREAS**, state law and the City Charter require that a public hearing be held concerning the proposed budget for 2010-2011 for the City of Wyoming, and

**WHEREAS**, said budget has been presented to the City Council, and

**WHEREAS**, it is deemed advisable to establish a date for a public hearing on the budget, and

**WHEREAS**, the property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing;

**NOW, THEREFORE, BE IT RESOLVED**, that May 3, 2010 at 7:03 PM is hereby established as the hearing date on the proposed annual budget for the City of Wyoming. This public hearing is to be held in the City Council Chambers at Wyoming City Hall, 1155 - 28th Street SW, Wyoming, Michigan and

**BE IT FURTHER RESOLVED**, that the City Clerk shall publish the notice in the form as attached.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays.

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, County of Kent, State of Michigan at a session held on \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
HEIDI A. ISAKSON  
City Clerk

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

**CITY OF WYOMING**  
**Notice of Public Hearing**  
*on the proposed budget for 2010 - 2011*

Pursuant to Section 8.3 of the Charter of the City of Wyoming, notice is hereby given that a public hearing on the following proposed budget will be held at the Wyoming City Council Chambers, 1155 28th Street SW, on May 3, 2010, at 7:03 pm.

**The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

July 1, 2010 - June 30, 2011

	<u>Expenditures</u>
General Fund *	\$ 28,069,330
Major Streets	3,558,960
Local Streets	1,409,160
Parks and Recreation	3,592,660
Sidewalk Snow Removal	312,220
Yard Waste Disposal	317,710
Building Inspections	1,238,360
Community Development Block Grant	863,010
Library	427,420
Debt Service Funds	3,428,400
Capital Improvement Fund	4,566,280
Sewer	15,829,940
Water	20,802,620
Motor Pool	<u>4,540,110</u>
 <b>GRAND TOTAL ALL BUDGETS</b>	 <b><u>\$ 88,956,180</u></b>

*\* Includes all police and fire expenditures*

A summary of the proposed budget is on file in the office of the City Clerk and is available for public inspection during regular office hours.

Heidi A. Isakson  
Wyoming City Clerk

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

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK  
TO EXECUTE AN AMENDMENT TO THE STREETLIGHTING  
CONTRACT WITH CONSUMERS ENERGY COMPANY

WHEREAS, the City has entered into a contract with Consumers Energy Company which provides for a Consumers Energy Company owned streetlighting system within certain parts of the City, and

WHEREAS, the City desires to have Consumers Energy Company replace one 22,000 lumen mercury vapor streetlight and replace it with a 24,000 lumen high pressure sodium streetlight on an existing pole located at 28th Street and Hague Avenue SW; now, therefore,

BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute the attached "Authorization for Change in Standard Streetlighting Contract" and the accompanying Consumers Energy Resolution.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays.

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 the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
HEIDI A. ISAKSON  
Wyoming City Clerk

Attachments

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

**AUTHORIZATION FOR CHANGE IN STANDARD STREETLIGHTING CONTRACT**

Consumers Energy Company is hereby authorized as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the City of Wyoming, to make changes, as listed below, in the streetlighting system(s) covered by the existing Standard Streetlighting Contract between the Company and the City of Wyoming, dated Oct. 20, 1986.

- Energy-Only Streetlighting Rate L-1
- Customer-Owned Streetlight System Rate L-2
- Company-Owned Streetlight System Rate L-3

Number of Luminaires	Nominal Lumen Rating	Light Source	Installation or Removal	Voltage Service	Point of Attachment With Company's Dist System	Location
1	22000	MV	REMOVAL			28 <sup>TH</sup> St SW & Hague Ave SW
1	24000	HPS	INSTALL			28TH St SW & Hague Ave SW

Notification Number 1006529376

Construction Work Order Number 100000848160

Except for the changes in the streetlighting system(s) as herein authorized, all provisions of the aforesaid Standard Streetlighting Contract dated Oct. 20, 1986, shall remain in full force and effect.

By: \_\_\_\_\_  
Its Mayor, Jack A. Poll

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





2000

2400

2800

See Page 3

See Page 6

2000

1600

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

RESOLUTION TO CONFIRM SPECIAL ASSESSMENT ROLL 10-794  
FOR THE PURPOSE OF PROVIDING AERIAL INSECTICIDE SPRAY  
FOR A GYPSY MOTH SUPPRESSION PROGRAM

WHEREAS, the City Council, after due and legal notice, has met and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

AERIAL INSECTICIDE SPRAY FOR A GYPSY MOTH SUPPRESSION  
PROGRAM – SPECIAL ASSESSMENT ROLL 10-794 and,

WHEREAS, after hearing all persons interested therein and after carefully reviewing said special assessment roll, the Council deems said special assessment to be fair, just and equitable, and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed, and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvements as more particularly hereinafter described; now, therefore,

BE IT RESOLVED THAT:

1. Said special assessment, as prepared by the City Assessor, in the amount of **\$25.00 per parcel** is hereby confirmed and shall be known as Special Assessment Roll No. 10-794.
2. Assessments will become due and payable at the time of completion of the aerial spray.
3. Said special assessment shall be billed with the City tax bill and paid in one (1) one-time installment, this installment of said special assessment roll to be due and payable on August 31, in the year after the completion of the aerial spray. Interest not to exceed Six and One Quarter (**6.25%**) percent on the unpaid balance will be added as provided in the City Charter in the same manner as interest on the late payment of taxes.
4. The City Clerk shall endorse the date of confirmation with said special assessment roll, and the City Treasurer shall issue an initial statement with the first property tax bill issued following completion of the aerial spray, which shall include the total assessment and shall advise the property owner of payment options. Said statement shall be mailed by First Class mail to each property owner in the special assessment district as shown on the current tax assessment rolls of the City, to the address shown on said current tax assessment rolls.
5. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

6. TAKE FURTHER NOTICE, that property owners may appeal the assessment to the Michigan Tax Tribunal within 30 days after confirmation of the assessment roll. Appearance and protest at the local hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner or party in interest, or his agent, may appear in person at the hearing, or may file his appearance or protest by letter and his personal appearance shall not be required.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

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 the 19<sup>th</sup> day of April, 2010.

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

Attachment: District Parcel Numbers

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

Parcels included in the Special Assessment for Gypsy Moths

41-17-14-302-026	41-17-14-351-055	41-17-14-352-059
41-17-14-302-030	41-17-14-351-056	41-17-14-352-060
41-17-14-328-001	41-17-14-351-057	41-17-14-352-061
41-17-14-328-002	41-17-14-351-058	41-17-14-352-062
41-17-14-328-003	41-17-14-351-059	41-17-14-352-063
41-17-14-328-004	41-17-14-351-060	41-17-14-352-064
41-17-14-328-005	41-17-14-351-061	41-17-14-376-003
41-17-14-328-013	41-17-14-351-062	41-17-14-376-019
41-17-14-328-016	41-17-14-351-063	41-17-14-376-020
41-17-14-328-017	41-17-14-351-065	41-17-14-376-027
41-17-14-328-018	41-17-14-352-009	41-17-14-402-002
41-17-14-328-019	41-17-14-352-010	41-17-14-402-007
41-17-14-351-011	41-17-14-352-011	41-17-14-402-008
41-17-14-351-012	41-17-14-352-012	41-17-14-402-011
41-17-14-351-013	41-17-14-352-013	41-17-14-402-012
41-17-14-351-014	41-17-14-352-014	41-17-14-402-013
41-17-14-351-015	41-17-14-352-015	41-17-14-402-014
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41-17-14-351-026	41-17-14-352-023	41-17-14-402-035
41-17-14-351-027	41-17-14-352-024	41-17-14-402-036
41-17-14-351-028	41-17-14-352-025	41-17-14-402-037
41-17-14-351-029	41-17-14-352-026	41-17-14-402-038
41-17-14-351-030	41-17-14-352-027	41-17-14-403-001
41-17-14-351-031	41-17-14-352-028	41-17-14-403-002
41-17-14-351-032	41-17-14-352-029	41-17-14-403-003
41-17-14-351-033	41-17-14-352-030	41-17-14-404-001
41-17-14-351-036	41-17-14-352-031	41-17-14-404-005
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RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO ACCEPT GRANT FUNDING  
RECEIVED THROUGH THE CITY OF GRAND RAPIDS – MET MULTI-  
JURISDICTIONAL TASK FORCE

WHEREAS the City of Wyoming has requested to participate in the "BYRNE Memorial Justice Grant" MET – City of Grand Rapids Multi-Jurisdictional Task Force, as appointed by the United States Department of Justice; and

WHEREAS the City of Wyoming would accept \$47,388 in grant funds designated for salary of one Wyoming Police Department Detective participating in the Multi-jurisdictional Task Force, now therefore

BE IT RESOLVED that the City of Wyoming Police Department is authorized to receive said grant funds from the City of Grand Rapids, where their Police Department is serving as host agency for the Multi-jurisdictional Task Force

BE IT FURTHER RESOLVED that Chief James Carmody serve on the Board of Directors of the Task Force, and

BE IT FURTHER RESOLVED that Timothy Smith serve as the Finance Director responsible for the Wyoming Police Department monthly financial status reports to be submitted to the City of Grand Rapids for reimbursement.

BE IT FURTHER RESOLVED that the attached Budget Amendment is approved.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above resolution be adopted.

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

I hereby certify that the foregoing resolution was adopted by the City Council for the City of Wyoming at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

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



04/19/10  
Manager/CH

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

RESOLUTION TO APPROVE A DISPATCH AGREEMENT  
WITH THE CITY OF GRAND RAPIDS

WHEREAS, both Grand Rapids and Wyoming currently operate emergency dispatch centers, and

WHEREAS, both Grand Rapids and Wyoming are seeking ways to improve City services while reducing costs, and

WHEREAS, Grand Rapids and Wyoming have been leaders in cooperative partnerships that improve their efficiencies while enhancing services, and

WHEREAS, careful analysis demonstrates that combining Grand Rapids' and Wyoming's dispatch centers will meet the twin goals of enhanced service and reduced costs, and

WHEREAS, a Dispatch Partnership Agreement, in the form attached as Exhibit A, has been prepared to operate the Grand Rapids emergency dispatch center as a partnership which would initially involve only Grand Rapids and Wyoming but could include other communities, and

WHEREAS, the City Council therefore believes it to be in the best interests of the public health, safety and welfare to enter into the Dispatch Partnership Agreement; now therefore,

BE IT RESOLVED:

1. That the Dispatch Partnership Agreement is approved in substantially the form attached as Exhibit A and the Mayor and City Clerk are authorized and directed to sign it on behalf of the City.
2. That all resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

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 the 19<sup>th</sup> day of April, 2010.

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Heidi A. Isakson  
Wyoming City Clerk

Attachment: Exhibit A – Dispatch Partnership Agreement

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

## EXHIBIT A

### DISPATCH PARTNERSHIP AGREEMENT

This Dispatch Partnership Agreement is made as of May 1, 2010, between the City of Grand Rapids, a Michigan municipal corporation the principal business address of which is 300 Monroe Ave., NW, Grand Rapids, MI 49503 (“Grand Rapids”), and the City of Wyoming, a Michigan municipal corporation the principal business address of which is 1155 28<sup>th</sup> Street, SW, PO Box 905, Wyoming, MI 49509-0905 (“Wyoming”).

#### RECITALS

- A. Currently, Grand Rapids and Wyoming each operate an emergency services dispatch center.
- B. Careful analysis shows that a dispatch partnership combining the Grand Rapids and Wyoming dispatch centers will not only increase efficiency, thereby being less costly, it will also result in better service.
- C. That analysis also demonstrates that the addition of other municipal partners can further increase efficiency and reduce per unit costs for emergency services dispatching.
- D. Such cooperative efforts are currently authorized by 1951 PA 35, as amended, MCL 124.1 *et seq.*
- E. Therefore, to enhance the services to their constituents while improving efficiency Grand Rapids and Wyoming have agreed to partner with one another in accordance with the terms of this Agreement while also providing for the possible addition of other municipal partners.

#### TERMS AND CONDITIONS

1. Terms and Interpretation.

- A. The following definitions shall apply to terms used in this Agreement.
  - (1) *Base Partners* means Grand Rapids and Wyoming.
  - (2) *Dispatch Center* means the area of the GRPD dedicated to the System and includes the computer software and equipment, communications software and equipment, desks and other furniture, and all other personal property located in that area of the GRPD and dedicated to the System.
  - (3) *Dispatch Facilities* means the Dispatch Center and all other towers, antennas and equipment that are part of the System.
  - (4) *Dispatch Manager* means the person appointed by the Grand Rapids Manager who has the responsibility for the day-to-day operation and performance of the System and who serves under the direction of the Chief of the GRPD.
  - (5) *Dispatch Service* means call taking, police and fire dispatching, communications support for public safety and emergency personnel, LEIN traffic, 9-1-1 and seven digit call handling, differential police response, communications during natural or man-made emergency incidents, and all other services the Partnership Team or the Governing Bodies agree should be undertaken by the System.
  - (6) *GRPD* means the Grand Rapids Police Department.
  - (7) *KCDA* means the Kent County Dispatch Authority.
  - (8) *LEIN* means the Law Enforcement Information Network operated by the State of Michigan and any other computerized law enforcement, offense abstracting or similar

information service which the System or a Partner's Public Safety Department may, from time to time, utilize to provide information.

(9) *Manager* when used referring to the Manager of a Partner means the highest administrative officer of that Partner which may be its city manager, its mayor in a strong mayor form of government, its supervisor, its administrator or other chief administrative officer.

(10) *Operations Team* means the Operations Team formed and having the responsibilities and powers as provided in subsection 3.C of this Agreement.

(11) *Partner* means a community, including the Base Partners, that has signed this Agreement pursuant to a resolution of its governing body and uses Dispatch Services provided by the System.

(12) *Partnership Team* means the governing body of the Partnership that is formed and having the specific responsibilities and powers as provided in subsection 3.B of this Agreement.

(13) *System* means the Partnership Dispatch System created by this Agreement including the Dispatch Facilities, all manuals and other documents that are used to provide Dispatch Services, all telephone and other lines, and all other personal property and assets dedicated by or used in providing Dispatch Service.

(14) *System Employees* means the Grand Rapids employees who are assigned to work for the System and whose compensation is paid or reimbursed by the System or, if the System later becomes a separate legal entity, then those persons employed by the System.

(15) *System Funds* means any amounts paid to Grand Rapids or received by Grand Rapids for acquiring, operating, using, repairing, maintaining, replacing, improving or paying the costs of the System or any component or asset of the System, including for example and without limitation, any of the following: (i) amounts paid by any Partner, (ii) amounts paid by any other person or entity for Dispatch Services, (iii) funds generated by any state surcharge, fee, tax or other state revenues, (iv) funds paid by the KCDA, (v) gifts, bequests, grants, or loans from any person or entity, (vi) proceeds from any debt issued by or for the System, (vii) any fees for services charged by the System, (viii) any recovery of System costs from any insurance or from any third person, (ix) the settlement or payment of any claim or demand made by or on behalf of the System, (x) earnings on any investment of other System Funds, (xi) proceeds from the sale or disposal of any System personal property, (xii) the proceeds from the sale or conveyance of any real property acquired for the System after the date of this Agreement, and (xiii) rents or license fees paid for the use of any real property acquired for the System after the date of this Agreement or from the sublease of any part of the Dispatch Center to the extent the System pays rent or a license fee for the System's use of the Dispatch Center.

B. Unless this Agreement provides for the appointment or designation of alternates to serve on a team or other body, references in this agreement to a specific person by reference to an office or position shall include that person's designee.

C. This Agreement is intended to provide for the operation of the System and for providing Dispatch Services as a collaborative, partnership effort. It does not create an authority or separate entity though it is intended to enable the Partners to later do so, if they desire. This Agreement further provides for the combination of the Wyoming and Grand Rapids dispatch operations into the System. Finally, this Agreement provides for all Partners to be treated equally with respect to operation and oversight of the System while ensuring they each pay a share of the costs of

operating, maintaining, repairing, replacing and improving the System that is roughly proportional to each Partner's respective use of the System based upon metrics as may be from time-to-time established by the Partnership Team.

D. The Partners understand that any allocation of costs will be based on some assumptions and can never fully account for all variables. While the parties may continue to refine cost allocations they agree the cost allocations provided by the methodology incorporated in this Agreement is fundamentally, conceptually fair.

E. The parties to this Agreement had the advice of their respective legal counsel before entering into this Agreement and have therefore knowingly agreed to its terms. This Agreement is intended to be wholly integrated so that no other documents, statements, representations, resolutions or other materials shall be used in its interpretation and the interpretation of this Agreement is not to be affected by any course of dealing among the parties. Terms not defined in this Agreement shall be rendered their usual meanings. Except where this Agreement expressly otherwise allows, any alteration of this Agreement requires the signature of all parties following approval by each of their respective governing bodies.

2. Formation. The System is established as of July 1, 2010, to provide Dispatch Services for the entire jurisdictional limits of each Partner.

A. Grand Rapids shall operate the System and the Dispatch Center shall be located at Grand Rapids current dispatch center within the GRPD Services Building at One Monroe Center in Grand Rapids and at such other location(s) as the Partnership Team may from time to time decide. Provided, however, during the phase in period during which employees are being hired and cross-trained the System may operate out of both the current Grand Rapids and Wyoming dispatch centers. Grand Rapids shall provide all administrative, operations, financial and accounting services needed to use, operate, repair, maintain, replace and improve the System in accordance with the direction provided by the Partnership Team as provided in this Agreement.

B. All dispatch equipment currently owned by Grand Rapids shall become, without any payment made to Grand Rapids, part of the System's Dispatch Facilities. Wyoming shall also allow the System to acquire, without any payment to Wyoming, for use as part of System Dispatch Facilities, any dispatch equipment owned by Wyoming.

C. The System shall be operated through a special revenue fund of Grand Rapids. Grand Rapids shall separately account for the System and System Funds. Grand Rapids shall ensure that no System Funds, Dispatch Facilities, or System Employees are used by Grand Rapids for any purpose other than operating, maintaining, repairing, replacing, and improving the System and System Facilities and to provide Dispatch Services. System Funds may be co-mingled with other Grand Rapids funds for purposes of their deposit and investment until needed, in accordance with the laws applicable to the deposit and investment of municipal monies, separate accounting of all such earnings is required and all investment proceeds from those funds shall inure to the System. State 9-1-1 training funds and other federal and state funds shall be used and accounted for in accordance with applicable laws, rules, regulations and agreements.

D. All System Employees shall be employees of Grand Rapids. Grand Rapids shall be wholly responsible for compliance with all laws, rules and regulations applicable to their employment including those applicable to payment of compensation, withholding and similar matters. Terms and conditions of employment of System Employees shall be in compliance with the collective bargaining agreement(s) now applying to Grand Rapids dispatch employees and to other applicable Grand Rapids personnel policies, procedures and practices.

(1) As it seeks to employ sufficient additional personnel to meet the System's needs, Grand Rapids shall first consider employing any of Wyoming's current dispatch

employees who have applied to Grand Rapids to be System Employees before considering any other applicants. Current Wyoming dispatch personnel shall have until June 1, 2010 to return letters of commitment to Grand Rapids in response to offers of employment made by Grand Rapids to those personnel. After June 1, 2010, Grand Rapids will no longer be obligated to give first consideration to current Wyoming dispatch personnel.

(2) The partners seek to welcome current Wyoming dispatch personnel to the System and the terms and conditions of their transition to the System shall be addressed in an appropriate understanding established outside this Agreement.

3. Governance. In an effort to enhance operational efficiency, ensure the use of appropriate expertise to address issues and complete tasks, and to ensure needed accountability, there shall be a Dispatch Manager, a Partnership Team and an Operations Team who shall be selected and function as provided in this Section.

A. Grand Rapids' Manager, after consultation with the Partnership Team, shall appoint the Dispatch Manager who shall manage the day-to-day operations of the System and who shall work under the direction of the Chief of the GRPD. The Dispatch Manager shall attend the Partnership Team and Operations Team meetings, shall report to both of those teams as they direct, shall assist in preparing the agendas for their meetings, and shall make such recommendations to and requests of those teams as the Dispatch Manager deems advisable.

B. The Partnership Team shall consist of the Manager of each Partner, an additional delegate appointed by the Manager of each Partner, and an alternate appointed by the Manager of each Partner who shall attend Partnership Team meetings in the absence of either of the regular delegates of that Partner. The Partnership Team, in accordance with a governance framework approved by the Partnership Team, shall (i) approve the System's annual budget, (ii) regularly report to the Partners' governing bodies, (iii) oversee the System's finances, (iv) review the System's operational performance, (v) consider and approve policy recommendations made by the Operations Team, (vi) address personnel, funding, and other matters brought to it by the Dispatch Manager or Operations Team, (vii) consider and approve significant purchases, (viii) consider and approve the addition or relocation of the Dispatch Center or other Dispatch Facilities and (ix) otherwise oversee the System's funding and operation.

C. The Operations Team shall consist of the police chief and fire chief of each Partner or their designees as approved by the Manager of that Partner (if a partner has a public safety director, that Partner's delegates shall be public safety director and one other delegate from its public safety department as approved by that Partner's Manager). The Operations Team, in accordance with a governance framework recommended to and approved by the Partnership Team, shall (i) develop and recommend management and operational policies to the Partnership Team, (ii) collaborate in the development of the annual budget, (iii) develop of dispatch protocols, (iv) ensure System interoperability, (v) develop a capital plan and make recommendations for any equipment purchases, and (vi) ensure operational status of equipment, software and technology deployed by the Dispatch Partnership.

D. The following shall apply to meetings of the Partnership and Operations Teams:

(1) A majority of their respective members shall constitute a quorum. Action may be taken upon the approval of motions by a majority of the quorum. They shall have regularly scheduled meetings at least quarterly.

(2) Special meetings may be scheduled by either team during a regular or properly noticed and convened special meeting, by the chairperson of each respective team or by the Dispatch Manager. If all team members or their alternates are able to attend a

meeting or waive their attendance at a meeting, it may be held on 18 hours notice. Otherwise, a special meeting shall require 7 days' notice in writing transmitted by US Postal Service or electronically. Unless otherwise agreed upon by those attending and waiving notice of the meeting, only those items identified in the notice shall be addressed at a special meeting.

(3) Partnership Team meetings shall be open to the public as provided in Michigan's Open Meetings Act. Portions of Partnership Team meetings may be closed to address issues for which closed sessions are appropriate under Michigan's Open Meetings Act including for the discussions of issues related to documents that would not be subject to mandatory disclosure under Michigan's Freedom of Information Act. Examples include, without limitation, addressing certain personnel matters and dealing with law enforcement plans and policies.

(4) Each team shall annually, at the first meeting held after July 1 of each year, elect from its members a chairperson and a vice-chairperson to act when the chairperson is unavailable.

4. Operational Requirements.

A. The System shall initially be operated in compliance with the accreditation and operations standards of the Commission on Accreditation for Law Enforcement Agencies ("CALEA") in order that those Partners who currently have such accreditation can maintain it. The Operations Team shall review and recommend whether or not the System should seek CALEA accreditation.

B. The Partnership Team, with advice from the Operations Team, shall develop, approve and periodically update an asset management plan that shall present a program of investments to be used for budgeting purposes in order to undertake minor and major repairs, replacements, additions or renovations to the Dispatch Facilities. The asset management plan shall include recommended methods of financing the needed acquisitions and work, which may include funding in the annual operating budget, installment purchase financing or such other financing mechanism. In making its financing recommendations, the Partnership Team shall consider the size of the investment, the remaining duration of the Partnership Agreement, interest cost, life of the asset, and such other appropriate factors. The Partnership Team shall include the amount required for any annual debt service in the annual operating budget recommendation.

C. The System shall hold the Partners (including their officers and employees), the Partnership Team members, and the Operations Team members, harmless from, indemnify them for, and defend them against any claims, demands, lawsuits, administrative proceedings, judgments, awards or other losses arising from the use, operation, repair, maintenance, replacement or improvement of the System, except to the extent of any negligent or intentionally wrongful act of any of the indemnified parties. The System shall obtain and maintain appropriate liability insurance to cover this obligation as determined by the Partnership Team in consultation with appropriate experts.

5. Budgeting and Payments.

A. The System shall operate on a July 1 to June 30 fiscal year. System budgets shall be prepared in accordance with the Grand Rapids budget process. The Dispatch Manager will consult with the Operations Team and the Partnership Team in preparing a proposed budget to be considered and approved by the Partnership Team before timely presentation to the Grand Rapids City Commission for approval as part of the annual Grand Rapids City Budget. The budget shall incorporate all revenue sources and estimates and shall include all expenses normally and customarily associated with the operation of a modern, CALEA certifiable, call-taking, and

dispatch center including, but not limited to: intergovernmental revenues, payments from partners, total personnel costs, supplies, service contracts, contractual services, charges for service, capital acquisitions, debt service, allocated costs, and space rental. A draft budget for the first fiscal year (2010-2011) is attached as Exhibit B and shall be reviewed by the Partnership Team upon the appointment of its members. Any required amendments recommended by the Partnership Team will be processed according to Grand Rapids' procedures for mid-year budget amendments.

B. The first System budget and base staffing shall be determined based upon the operating metrics of the Grand Rapids Dispatch Center as of December 31, 2009. These metrics include the number of employees (40), 9-1-1 calls for service (131,827), and number of operator work stations (8). These metrics will be utilized to determine the total number personnel needed for the partnership. The dispatch partnership shall employ the number of personnel necessary to approximate the base operating metrics. The Partnership Team shall use the resulting staffing levels to determine the total annual budget. The metrics will be annually updated and annually reviewed by the Operations Team and the Partnership Team and may be supplemented by the Partnership Team.

C. Grand Rapids shall monthly, on or before the first day of each month, bill each Partner one-twelfth of that Partner's share of that System's annual fiscal year's operating budget and any debt service to be paid during that fiscal year. Such amount shall be immediately due and payable and shall be paid by the 15<sup>th</sup> day of that month.

6. System Cost Allocation. Cost allocation is based on the principle that each Partner should pay an amount toward the annual costs of the System that is roughly proportional to the System's costs to provide Dispatch Services to the area within that Partner's jurisdictional limits. It recognizes that, as new Partner's join the Partnership, there are savings realized by the Base Partners that may be shared with the new Partners.

A. Each Partner's share of annual costs shall be based upon the average of the following: (a) its population, and (b) its 9-1-1 calls for service. Each of these two metrics will be individually divided by the total combined number that metric for all the Partners. The resulting percentage of totals for metric shall then averaged together to determine the Partner's percentage share of the annual costs. The resulting percentage shall be known as the Partner's Percentage. The Partner's Percentage shall then be applied to the annual operating expenses of the approved System budget.

(1) 9-1-1 calls for service shall be determined using information based on each 9-1-1 call received by the Dispatch Center that will be allocated to a Partner utilizing the reporting module within the Customer Premise Equipment (CPE) 9-1-1 Telephone System to separate 9-1-1 calls for service based on their emergency service number to identify specific geographical/jurisdictional areas. These calls shall be tallied and a report provided to both the Partnership and Operations Team on a quarterly basis.

B. The Partner's Percentage of the total annual operating expenses of the System shall offset proportionately by KCDA Revenues received for services provided to the KCDA as provided in subsection 6.A and by any other System revenues other than payments by Partners. System revenues shall also be apportioned based upon the Partner's Percentage.

C. Each Base Partner shall be assigned a base partnership share based on each Base Partner's share of annual System costs if no other communities were participating in the partnership. Base Partners shall share in Efficiency Utilization Savings charges on the basis of their respective base partnership shares. If additional communities join the System, the Base Partners shall calculate the Efficiency Utilization Savings generated, if any, by the admittance of the new community. The Efficiency Utilization Savings shall be credited to the new community.

The inverse of the Efficiency Utilization Savings credit shall be allocated to the Base Partners in proportion to their base partnership share.

D. The estimated initial allocation of System costs is calculated in the work sheet attached as Exhibit A and will also be the foundation of the rate study used to calculate annual partner contributions. Exhibit A also shows the effect of having other Partners join the System.

E. The Partners may alter the allocation methodology with the approval of the governing bodies of each of the Partners.

7. Term and Termination.

A. The initial term of this Agreement shall be 30 years commencing from the date first written above. Not more than 180 nor less than 30 days prior to each successive five year anniversary of this Agreement, the Partners agree to consider the approval of a five year extension of the term of this Agreement on the same terms and provisions or other mutually agreeable terms and provisions.

B. If this Agreement terminates, Grand Rapids shall be entitled to retain all Dispatch Facilities as its own unless such facilities are part of real property owned by another Partner, in which case Grand Rapids shall have 6 months in which to remove the equipment and other personal property comprising the System Facilities from that real property owned by the other Partner. No payments or allocations shall be due any party on the termination of this Agreement.

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

CITY OF GRAND RAPIDS

CITY OF WYOMING

By: \_\_\_\_\_  
George Heartwell, Mayor

By: \_\_\_\_\_  
Jack Poll, Mayor

Attest: \_\_\_\_\_  
Lauri S. Parks, City Clerk

Attest: \_\_\_\_\_  
Heidi Isakson, City Clerk

Date signed: \_\_\_\_\_, 2010

Date signed: \_\_\_\_\_, 2010

Approved by Resolution No. \_\_\_\_\_, on  
\_\_\_\_\_, 2010

Approved by Resolution No. \_\_\_\_\_, on  
\_\_\_\_\_, 2010

Approved as to form:

Approved as to form:

\_\_\_\_\_  
Catherine Mish, City Attorney

\_\_\_\_\_  
Jack Sluiter, City Attorney

04/19/10  
Manager/KV

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

RESOLUTION TO APPROVE A REIMBURSEMENT AGREEMENT WITH  
GM COMPONENTS HOLDINGS, LLC

WHEREAS, on December 7, 2009, the City Council of the City of Wyoming, Michigan, adopted Resolution #23458, approving the transfer of four (4) personal property Industrial Facilities Exemption Certificates from Delphi Corporation to GM Components Holdings, LLC,

WHEREAS, special circumstances related to the financial uncertainty of GM Components Holdings, LLC, prohibited the approval of the reimbursement agreement as approved by the City Council, and

WHEREAS, modifications have been made related to the continuation of operations of the exempted facilities that balances the obligations of GM Components Holdings, LLC, and the interests of the City of Wyoming, and

WHEREAS, these revisions now enable GM Components Holdings, LLC, to approve the attached agreement as it relates to the adoption of Resolution #23458, now therefore,

BE IT RESOLVED, that the Wyoming City Council does hereby acknowledge the December 7, 2009, transfer of four (4) personal property Industrial Facilities Exemption Certificates IFT #99-638, IFT #2001-122, IFT #2007-251, and IFT #2008-255 from Delphi Corporation to GM Components Holdings, LLC and

BE IT FURTHER RESOLVED, that the Wyoming City Council acknowledges this transfer based on the modifications to the Industrial Facilities Tax Abatement Agreement between the City of Wyoming and GM Components Holdings.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

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 the 19<sup>th</sup> day of April, 2010.

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

Attachment: Industrial Facilities Tax Abatement Agreement

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

## INDUSTRIAL FACILITIES TAX ABATEMENT AGREEMENT

This Industrial Facilities Tax Abatement Agreement is made as of December 7, 2009, pursuant to 1974 PA 198, as amended, MCL 207.552 *et seq.* (“Act 198”), between the City of Wyoming, a local governmental unit as defined in Act 198, the address of which is 1155 – 28<sup>th</sup> Street SW, PO Box 905, Wyoming, MI 49509-0905 (the “City”) and GM Components Holdings, LLC, a Delaware limited liability company, the Michigan address of which is 300 Renaissance Center, M/C 482-C16-B16, Detroit, MI 48265-3000, Attn: Troy Kennedy, and the local address of which is 2100 Burlingame Ave. SW, Wyoming, MI 49509 (the “Company”).

### RECITALS

A. Pursuant to Act 198 the State Tax Commission issued the following four Industrial Facility Exemption Certificates to Delphi Corporation, also known or formerly known as Delphi Automotive Systems, LLC, (the “Certificates”) providing abatements from *ad valorem* personal property taxes during the specified terms (the “Tax Abatements”).

<u>Certificate No.</u>	<u>Issuance Date</u>	<u>Term</u>
2008-255	August 19, 2008	December 31, 2008 to December 31, 2020
2007-251	October 2, 2007	December 31, 2007 to December 31, 2019
2001-122	October 16, 2001	December 31, 2001 to December 31, 2013
99-638	December 29, 1999	December 31, 1999 to December 31, 2011

B. The Company has now acquired assets from Delphi Corporation including the personal property located in the City and will be operating the former Delphi Corporation industrial facility located within the City.

C. The Company wishes to take advantage of the Tax Abatements and seeks their transfer to the Company.

D. At its meeting of December 7, 2009, the City Council approved the transfer of the Certificates and the Tax Abatements conditioned upon the Company’s entering into this Agreement.

### TERMS AND CONDITIONS

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

1. The Company affirms the statements in each of the applications for the Certificates and agrees, as the successor of Delphi Corporation and Delphi Automotive Systems, to comply with the terms of the agreements attached as Exhibits A, B, C and D, as the successor of the “Company” as defined in each of those agreements.

2. Beginning on December 31, 2010, and each December 31 thereafter, until all of the Certificates have expired, the Company shall submit, upon the City’s annual written request, a letter to the City, stating:

(a) The number of current full-time equivalent employees working in the Company’s site in the City.

(b) The value of the personal property that is subject to the Tax Abatements.

3. The Company intends to continue operations within the City for the time period at least equal to two years beyond the expiration of the term of last of the Certificates.

(a) If, at any time during the term of a certificate or early termination of any of the Certificates, the City determines based on a Company announcement or other reasonably reliable information that the Company is intending to discontinue or substantially curtail its operations at

its facility located in the City, or the City determines that the Company has discontinued or substantially curtailed its operations at its facility located in the City:

(1) The City Council may, in its sole discretion, request revocation of the Certificates; and

(2) The City Council, in its sole discretion, may annually require the Company to pay the City a Shortfall amount following the year of the shortfall only, as calculated below:

((Estimated Jobs Created/Retained – Actual Jobs Created/Retained)/ Estimated Jobs Created/Retained) \* Actual tax savings benefit for the applicable tax year.

The annual Shortfall amount is the sole remedy in connection with this and the agreements attached as Exhibits A,B,C and D.

(b) In making any decision under the preceding subparagraph (a) the City Council shall consider whether:

(1) Due to events or conditions which were unforeseeable by either party on the date of this Agreement, and absent the fault of either party, it has become impossible or commercially impractical for the Company to continue its operation at its facility in the City; or

(2) The Company has substantially complied with all requirements of this Agreement, such that the Company's failure to comply fully with all requirements was neither willful nor intentional, and the City has reasonably received the benefits anticipated from granting the Tax Abatements.

(c) The City shall provide the Company written notice of and an opportunity to address the City Council prior to formally considering any such actions.

4. This Agreement is entered into according to Section 22 of Act 198, as amended, MCL 207.572, is in addition to the other requirements of Public Act 198, and does not modify or waive any requirements of Act 198.

5. This is the entire agreement between the parties as to its subject matter. No unwritten agreements shall have any effect. This Agreement may be modified only with a written agreement signed by both parties following approval of the City Council.

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

CITY OF WYOMING

GM COMPONENTS HOLDINGS, LLC

By: \_\_\_\_\_  
Jack Poll, Mayor

By: \_\_\_\_\_  
Troy D. Kennedy, Regional Tax Manager

By: \_\_\_\_\_  
Heidi A. Isakson, City Clerk

Date signed: \_\_\_\_\_, 2010

Date signed: \_\_\_\_\_, 2010

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

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

RESOLUTION TO AUTHORIZE MICHIGAN PAVEMENT MARKING  
TO PERFORM THE ANNUAL  
MAJOR STREET PAVEMENT MARKING FOR 2010

WHEREAS, it is necessary to repaint approximately 150 miles of major street lane lines within the City of Wyoming on an annual basis, and

WHEREAS, in March 2010, the Kent County Road Commission extended their contract with Michigan Pavement Marking to perform lane line painting throughout Kent County, and

WHEREAS, it is in the best interest of the City to authorize Michigan Pavement Marking to perform lane line painting in Wyoming in 2010, and

WHEREAS, the cost for pavement marking is estimated to be \$27,000 for 2010 which can be financed out of the Major Street Traffic Services, account 202-441-47400-930.000, now, therefore,

BE IT RESOLVED that the City Council hereby authorizes Michigan Pavement Marking to perform the annual major street pavement marking for 2010.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays.

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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HEIDI A. ISAKSON  
Wyoming City Clerk

Attachment

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

**PAVEMENT MARKING ESTIMATE**

<b>Item</b>	<b>No. of Miles</b>	<b>Unit Price</b>	<b>Subtotal</b>
4" Solid White Line	26.26	190.00	4,978.00
4" Skip White Line	16.29	250.00	4,050.00
4" Solid Yellow Line	86.90	190.00	16,511.00
4" Skip Yellow Line	3.70	250.00	925.00
		<b>Total</b>	26,464.00

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

A RESOLUTION TO AUTHORIZE A CONTRIBUTION TO THE MICHIGAN MUNICIPAL LEAGUE'S  
LEGAL DEFENSE FUND FOR OBTAINING INTERVENOR STATUS WITH THE MICHIGAN PUBLIC  
SERVICE COMMISSION REGARDING CASE NO. U-16191

WHEREAS, the City of Wyoming owns and operates the Donald K. Shine Drinking Water  
Treatment Plant located at 16700 New Holland Street, Holland, Michigan 49424, and the Clean Water Plant  
located at 2350 Ivanrest Avenue SW, Wyoming, Michigan 49418, and

WHEREAS, both facilities use a substantial amount of electricity for treatment and pumping of  
water and wastewater, respectively, and

WHEREAS, these two facilities have a combined electrical power purchasing budget in excess of  
\$2,500,000 for the current fiscal year, and

WHEREAS, the City of Wyoming has made capital investment in excess of \$10,000,000 in  
infrastructure at both facilities during the past seven years to manage electrical demand to reduce on-peak  
energy use, and

WHEREAS, Consumers Energy, on January 22, 2010, filed with the Michigan Public Service  
Commission (MPSC) Case No. U-16191 seeking significant revision to its electrical rate structure which  
will result in an approximate 8% increase in electrical-related operating expense to the City of Wyoming,  
and

WHEREAS, the City of Grand Rapids, the Michigan Municipal League (MML), the Michigan  
Townships Association (MTA), and other cities in the Western Michigan area have expressed a  
willingness to participate in an effort to intervene in the MPSC Rate Case through the MML's Legal  
Defense Fund; now, therefore,

BE IT RESOLVED that the Wyoming City Council does hereby authorize a contribution to this  
effort in the amount not to exceed \$35,000 to be apportioned as follows:

Sewer Fund	590-590-54300-801000	\$10,500
Water Fund	591-591-55300-801000	\$24,500

Councilmember \_\_\_\_\_ moved, seconded by Councilmember  
\_\_\_\_\_ that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for  
the City of Wyoming, Michigan, at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2010.

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

## MEMORANDUM

**TO:** Bill Dooley – Director of Public Works

**FROM:** Tom Kent – Deputy Director of Public Works

**DATE:** April 14, 2010

**RE:** Participation in MPSC Rate Case no. U-16191

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On January 22, 2010, Consumers Energy filed yet another rate case seeking to increase revenues by \$183,000,000 for the projected year ending June 30, 2011. On average, this would mean approximately a 5% rate increase for the City's utility plant operations but during high demand periods, this could result in more than an 8% increase. Our utility plant operations spend over \$2.5M annually on electricity. Consumers Energy is also proposing more than a 13% increase in rates for certain municipal street lighting services.

Generally, Consumers Energy submits a rate request to the Michigan Public Service Commission (MPSC) for the purpose of proposing rates that generate sufficient revenues for their operations. Since 2007, when a change was made in PA 295, Consumers Energy has been allowed to self-implement proposed rate increases after 180 days from the date of the filing if the MPSC has not issued an order either preventing or delaying the case. This change in procedure has created an incentive for Consumers to seek rate increases regularly and to propose initial rate increases that over-collect required revenues.

Since 2007, the City of Wyoming has joined together with the Michigan Municipal League (MML), the Michigan Townships Association (MTA) and 80+ other municipalities to form a coalition of interveners to challenge the rate increases submitted by Consumers Energy. Essentially, this process involves challenging the assertions and premises offered by Consumers Energy in the justifications of their increases. This process of intervening requires the assistance of specialized legal counsel and, typically involves contracting with a rate expert to review and evaluate the extensive information submitted by Consumers Energy.

Since initial participation in 2007, the City has spent over \$70,000 on intervention but the process has prevented the over-collection of well over \$600,000. All coalition members are currently being asked by the MML to help fund another rate challenge that is expected to cost \$150,000. Using the cost sharing plan based upon annual KW usage, the City's share is a not-to-exceed expense of \$35,000.

The goals of the coalition's intervention are to: (1) contain utility rate increases, (2) pursue a longer term strategy to lower municipal utility rates in the future, (3) continue efforts to salvage the municipal pumping credit which is being phased out, (4) propose a separate rate class for all municipal operations, and (5) secure true cost of service data regarding municipal rates.

We have prepared a resolution for the City Council consideration of this matter at their April 19, 2010 regular session meeting. Once again, we believe this is a necessary intervention that will result in greater savings than the investment of \$35,000 and additionally, we hope to achieve long term relief with this intervention and other concurrent legislative efforts to correct this situation.

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

RESOLUTION TO ENDORSE THE  
CITY OF WYOMING'S CONTINUED SUBSCRIPTION TO THE  
WATER RESEARCH FOUNDATION

WHEREAS, the Water Research Foundation (WRF), formally known as the American Water Works Association Research Foundation, is a non-profit organization comprised of public and private water supply utilities, and

WHEREAS, the City of Wyoming has been a member of WRF since 1986, and a full subscriber for the past 21 years, and

WHEREAS, the purpose of the WRF is to conduct science-based research of water supply problems common to the industry, and

WHEREAS, few utilities, large or small, public or private, are able to finance full scale research programs that address all their needs and interests, and

WHEREAS, the City of Wyoming has received direct benefit from WRF research activities and projects as described in the attached memorandum from the Drinking Water Plant Superintendent, and

WHEREAS, all participants in this program are asked to contribute an amount based on the volume of water produced and sold, both retail and wholesale, and

WHEREAS, the cost of participation for Wyoming for the 2009-2010 subscription totals \$24,522.75, of which approximately \$14,713.65 is attributable to our wholesale customers and will be recovered in the wholesale water rates, and

WHEREAS, the payment will be charged to account number 591-591-55300-956000, and

WHEREAS, participation in the WRF is deemed to be in the best interest of the residents of the City of Wyoming and the wholesale customers of the Wyoming water system, now therefore

BE IT RESOLVED, that the City Council of the City of Wyoming hereby endorses continued participation in the WRF for 2009-2010 and following two years and authorizes payment accordingly.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_ that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Attachment: Memorandum

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

## Memorandum

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**To:** Curtis Holt, City Manager  
**From:** Gerald Caron, Superintendent  
**Date:** April 6, 2010  
**Re:** Water Research Foundation Subscription Fee

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On April 16, 2007 the City Council of the City of Wyoming authorized a three-year commitment to continue supporting the subscription program for the American Water Works Association Research Foundation (AWWARF) now named the Water Research Foundation (WRF). The City of Wyoming has been a full subscribing member for the past 21 years. It is time to renew the annual subscription for 2009-10. This year the dues or subscription fees total \$24,522.75, of which approximately \$14,713.65 is attributable to our wholesale customers and will be recovered in the wholesale water rates. The subscription fee represents a decrease of \$2,271.25 over last year and is based on water production for the year. I continue to believe that participation in this program is a valuable and necessary investment in drinking water research.

The water industry continues to be impacted by more drinking water regulations from the US EPA. Examples of new regulations include the Stage II Disinfection By-Product Rule which will be implemented in 2012, the Total Coliform Rule, and the Long-Term 2 Enhanced Surface Water Treatment Rule. These rules will impact the City of Wyoming and the wholesale customer communities which purchase water from our system. These regulations and other pending regulations such as rules on pharmaceuticals and personal care products in drinking water may require us to evaluate and modify the treatment process or the sampling requirements of the system for compliance.

As the EPA continues to issue new regulations, it is extremely important that these regulations are based on sound science and research. The subscription fee for the City of Wyoming utilities is pooled with money from other water suppliers. This money is used to provide the necessary research to allow the water system to continue producing safe drinking water. We can not afford to perform all of the necessary research alone. We have recently participated in an WRF project titled "Integration of Worker Safety and Health into Water Utility Management, Operations, and Design."

In conclusion, I am seeking authorization for another three-year commitment to continue our subscription and support of the Water Research Foundation. Funding for this expenditure is specifically included in our Water Department budget, account # 591-591-55300-956000.

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

A RESOLUTION TO AUTHORIZE  
THE SALE OF ONE STREET SWEEPER

WHEREAS, the City's Motor Pool Supervisor has requested bids be accepted for the sale of two one-ton dump trucks, one fire truck and one street sweeper that have been taken out of service, and

WHEREAS, as detailed in the attached memorandum from the City's Public Works Supervisor it is recommended the bid for the street sweeper be awarded to the highest bidder Bell Equipment in the amount of \$30,600.00 and recommends rejecting the bid for the two one-ton dump trucks and fire truck, now therefore,

BE IT RESOLVED, that the Wyoming City Council does hereby authorize the sale of the street sweeper to Bell Equipment in the amount of \$30,600.00.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Attachment: Memorandum

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

MEMORANDUM

DATE: April 5, 2010  
TO: William D. Dooley, Director of Public Works  
FROM: Ted Seil Motor Pool Supervisor  
SUBJECT: Sale of Out of Service Vehicles

On Tuesday March 30, 2010 the City received five (5) bid responses for the purchase of four (4) vehicles which are out of service. One hundred and eighty (180) invitations to bid were sent to prospective bidders.

Upon reviewing the bids, I recommend that the City sell the 2003 Elgin Sweeper in the amount of \$30,600.00 to Bell Equipment. The bids for the two (2) one ton trucks and the Fire Truck were to low compared to the market value; therefore, I recommend that those three bids be rejected and rebid.

Vehicle	2009 Ford 1 ton dump	2009 Ford 1 ton dump	1987 Spartan Monarch Fire Truck	2003 Elgin Whirlwind Sweeper
Market Value	\$32,900.00	\$32,900.00	\$10,000.00	\$29,000.00
Bell Equipment				\$30,600.00
Used Sweepers of America				\$18,111.11
Weller Salvage	\$20,100.00	\$20,100.00	\$3,100.00	\$7,650.00
Wilson Brothers Sweeping				\$10,285.00
Thomas Saladino			\$2,500.00	

The funds from the sale of the 2003 Elgin Sweeper will be place in the Motor Pool Other Revenues Account, 661 673 026.

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

RESOLUTION TO AUTHORIZE INSPECTION OF THE  
LOW SERVICE INTAKES AND PIPELINE

WHEREAS, the City of Wyoming owns and operates the Donald K. Shine Water Treatment Plant, and

WHEREAS, as detailed in the attached memorandum from the City's Water Plant Superintendent the annual inspection of the intake and pipeline is necessary, and

WHEREAS, a proposal was received from Seabrex Marine in the amount of \$10,000.00 to complete the necessary inspection, and

WHEREAS, funds for the inspection are available in the Water Fund Pumping & Treatment Repairs and Maintenance Account #591-591-55300-930000, now therefore,

BE IT RESOLVED, the City Council of the City of Wyoming does hereby authorize Seabrex Marine in the amount of \$10,000.00 to perform the intake and pipeline inspection located at the Low Service Station.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Attachments: Memorandum  
Proposal

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

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

# Memorandum

---

**To:** Kim Oostindie, Purchasing Director  
**From:** Gerald Caron, Water Superintendent  
**Date:** April 12, 2010  
**Re:** Low Service Diving Services

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As you are aware, every spring we have contracted with a diving company to perform an inspection of our intake crib, pipeline, and wet wells. Last year the inspections took place on June 3, 2009, with follow-up repairs to the intake diffuser system in September.

Due to the construction activities currently taking place at our Low Service Station (raw water main and carbon feed system), I have asked Seabrex Marine, Inc., to quote only inspection of the intakes and pipeline out in Lake Michigan.

I chose to obtain a quote from Seabrex Marine since they have performed almost all of our inspections over the last 15 years. They have routinely provided the low quote for the work, and, more importantly, they know what needs to be repaired and how to repair it. They have made all of the repairs in the past on the zebra mussel control system. The one time that we used another diving service for our inspection we were unhappy with their performance. They were not able to follow up on needed repairs due to other commitments. In fact, we ended up hiring Seabrex Marine to complete the repairs.

The quote from Seabrex Marine is \$10,000.00 (see attached quote).

In conclusion, I recommend that we authorize Seabrex Marine, Inc., to perform the diving services per their quote of April 7, 2010. The total cost of the services, including inspection of the north and south intake cribs and 2,400 feet of intake pipe is \$10,000.00. Funds are available in budget account number 591-591-55300-930000.

cc: Bill Dooley, Director of Public Works

Attachment



# Sea Brex Marine, Inc.

4610 Red Arrow Hwy., Stevensville, MI 49127  
Office 269.429.6100 Tel. 269.408.1725 Fax 269.408.1729

APRIL 7, 2010

TO: MR. GERALD CARON  
CITY OF WYOMING WATER TREATMENT PLANT  
16700 NEW HOLLAND ROAD  
HOLLAND, MICHIGAN 49424

FROM: ALLEN J. SEBRECHTS  
SEA BREX MARINE, INC.  
3121 OAK LANE  
STEVENSVILLE, MICHIGAN 49127

RE: DIVING SERVICES  
(underwater inspections)

Dear Sir,

As per our conversation, I have enclosed the lump sum price for the following inspections.

- a) North & South intake cribs. This includes the interior and exterior.
- b) Intake manifold
- c) Intake risers
- d) 2400 feet of intake pipe from the cribs inward.
- e) Chemical feed line.
- f) Chemical feed line diffusers.
- g) Chemical feed line hangers & supports.
- h) All expansion brackets and pipe supports.

LUMP SUM: \$ 10,000.00

If you have any questions or need more information, please call me at any time.

SINCERELY,  
  
ALLEN J. SEBRECHTS  
PRESIDENT

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

RESOLUTION TO AUTHORIZE THE PURCHASE OF  
COMPUTER HARDWARE & SOFTWARE AND TO  
CONCUR WITH THE PURCHASE OF BACKUP/DEDUPLICATION STORAGE  
AND BS&A SOFTWARE UPGRADE

WHEREAS, on Tuesday, March 30, 2010 bids were received in answer to the City's invitation to bid on computer hardware and software, and

WHEREAS, the City's Director of Information Technology has detailed in the attached memorandum and tabulation sheets the justification for the purchase of computer hardware and software from Tele-Rad, CDW-G and NeTech Corporation, and

WHEREAS, it is also recommended purchasing the backup/deduplication storage from HP under the WSCA Contract approved by Council via Resolution #23409 on September 21, 2009, and

WHEREAS, BS&A Software has also presented with their bid an upgrade to .NET for existing Assessing and Treasurer BS&A applications, and

WHEREAS, the upgrade to .NET allows BS&A to accomplish many more tasks in an efficient manner, and

WHEREAS, funds for the purchase of the computer equipment, backup/deduplication storage and .NET upgrade are budgeted and available in account number 101-258-25800-984017, now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby authorize the purchase of computer equipment from Tele-Rad, CDW-G and Netech Corporation for the purchase of computer equipment, and

BE IT FURTHER RESOLVED, that the Wyoming City Council does hereby authorize the purchase of the backup/deduplication storage from HP, and

BE IT FURTHER RESOLVED, that the Wyoming City Council does hereby authorize the .NET upgrade from BS&A Software, and

BE IT FURTHER RESOLVED, that 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 for the purchase of the backup/deduplication storage from HP and upgrade of the .NET software from BS&A Software.

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above Resolution be adopted.

Motion carried: \_\_\_\_\_ Yeas, \_\_\_\_\_ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

Attachments: Memorandum  
Executive Summary  
Bid Recommendation  
Tabulation Sheets  
BS&A Software Quotation  
HP Price Quotation

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



**TO:** Curtis Holt, City Manager

**Cc:** James Kohmescher, Director of Administrative Services  
Kim Oostindie, Human Resources Supervisor  
Tim Smith, Finance Director

**FROM:** Gail Sheppard, Director of Information Technology

**DATE:** April 06, 2010

**SUBJECT:** City Software/Hardware Bid Specification Results

On Tuesday, March 30, 2010, 11 responses were received in answer to our one hundred and ninety six invitations to bid on various computer software and/or hardware components not available through WSCA. A review and evaluation of the bids received (refer to attachments) resulted with 3 of the vendors (Tele-Rad, CDW-G, and NeTech Corporation) being recommended for specific portions of the bid.

The justification for the request to the City Council to award the bid to Tele-Rad for the Mobile Unit Replacements; to award the bid to CDW-G for the Scanner Replacement; to award the bid to NeTech Corporation for the Infrastructure Upgrades and Replacements; to award the bid to CDW-G for the Miscellaneous Equipment Replacements; to not award the bid for the Backup/Deduplication Storage, but purchase the Backup/Deduplication Storage from HP under the WSCA Contract as approved by Council on Resolution 23409, approved 9/21/09; to award the bid to CDW-G for the Backup/Deduplication Software; is based upon the lowest complete bid received in respective areas.

Justification for computer hardware/software is based upon maintaining our IT infrastructure to support enterprise technology solutions, facilitate interoperability and connectivity and support technologies and processes that increase service to our employees and/or citizens. Replacement/upgrade is generally completed on an as needed basis; specific to communication/speed, obsolesce and/or changes in technology.

In addition to the bid items, the following BS&A Software is presented as an upgrade to .NET for existing Assessing and Treasurer BS&A applications and is detailed below.

The upgrade to .NET allows BS&A to accomplish many more tasks in an efficient manner. BS&A has offered substantial savings to upgrade (move from Pervasive database engine to SQL database engine) all remaining modules utilized by the City of Wyoming. One of the most desirable features is the integration of the entire suite of BS&A applications. Therefore, it is recommended that we upgrade to the .NET systems as quoted by BS&A Software.

Funding for the purchase of the computer hardware/software listed on the 'Bid Recommendation' sheet, 'BS&A Software' proposal, and the 'HP Price Quotation' for Backup/Deduplication Storage is budgeted and available in the **General Fund - Information Technology** - Computer Equipment account #101-258-25800-984017 for (\$159,260.81).

**Attachments:** Executive Summary  
Bid Recommendation  
Bid Tabulation for Computer Hardware and Software  
BS&A Software Proposal  
HP Price Quotation for Backup/Deduplication Storage

City of Wyoming  
 Spring 2010 - Information Technology  
 Executive Summary

4/6/2010  
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Citywide Initiatives	Costing
<b>Assessor &amp; Treasurer</b>	
BS&A Software Upgrade	\$ 32,280.00
<b>Enterprise</b>	
Backup/Deduplication Software	\$ 1,688.72
<b>Enterprise</b>	
Backup/Deduplication Storage	\$ 64,586.00
<b>Enterprise</b>	
Infrastructure Upgrades & Replacements	\$ 26,261.00
<b>Enterprise</b>	
Miscellaneous Equipment	\$ 1,900.73
<b>Finance Department</b>	
Scanner Replacement	\$ 2,432.44
<b>Police Department</b>	
Mobile Unit Replacements	\$ 30,111.92
<b>Totals</b>	<b>\$ 159,260.81</b>

Award to Vendor	Qty	Part Number	Hardware Item Description	Price	Extended Total	Enterprise		Enterprise		Enterprise		Finance		Police	
						Qty	Amount	Qty	Amount	Qty	Amount	Qty	Amount	Qty	Amount
<b>Mobile Unit Replacements</b>															
Tele-Rad	8	CF-30KAPAX2B	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 - 1.6GHZ (Centrino), 13.3" Touch Screen, Emissive Backlit keys, 160 GB Hard - 2GB RAM, Drive, Intel 802.11 abgn, Windows 7.0 license.	\$ 3,763.99	\$30,111.92		\$ -		\$ -		\$ -		\$ -	8	\$ 30,111.92
<b>Scanner Replacement</b>															
CDW-G	1	fj-5530C2	Fujitsu Color Departmental Scanner, includes a 100-page automatic document feeder (ADF), and a 90-day, on-site Limited Warranty	\$ 2,432.44	\$ 2,432.44		\$ -		\$ -		\$ -	1	\$ 2,432.44		\$ -
<b>Infrastructure Upgrades &amp; Replacement</b>															
NeTech Corporation	5	* WS-C2960S-48LPS-L	Cisco Catalyst 2960S - switch - 48 ports, GigE PoE 370W, 4 x SFP LAN Base	\$ 3,085.00	\$15,425.00		\$ -	5	\$ 15,425.00		\$ -		\$ -		\$ -
	1	WS-C3560-12PC-S	Cisco Catalyst 3560-12PC - switch - 12 ports; 12PC - Switch - 12 ports - Ethernet, Fast Ethernet - 10Base-T, 100Base-TX + 1x10/100/1000Base-T/SFP (mini-GBIC) - 1U - PoE - external	\$ 948.00	\$ 948.00		\$ -	1	\$ 948.00		\$ -		\$ -		\$ -
	1	* WS-C2960S-24PS-L	Cisco Catalyst 2960S - switch - 24 ports, GigE PoE 370W, 4 x SFP LAN Base	\$ 1,898.00	\$ 1,898.00		\$ -	1	\$ 1,898.00		\$ -		\$ -		\$ -
	6	MGBT1	Cisco MGBT1 Gigabit 1000 Base-T Mini-GBIC SFP Transceiver	\$ 188.00	\$ 1,128.00		\$ -	6	\$ 1,128.00		\$ -		\$ -		\$ -
	1	AIR-LAP1252AG-A-K9	Cisco 802.11a/g/n 2.4/5GHz Modular Unified Access Point	\$ 617.00	\$ 617.00		\$ -	1	\$ 617.00		\$ -		\$ -		\$ -
	3	AIR-ANT3422DB-R	Cisco 2.4Ghz 2.2 Dbi Black Dipole Antenna RP-TNC Black	\$ 9.00	\$ 27.00		\$ -	3	\$ 27.00		\$ -		\$ -		\$ -
	3	AIR-ANT3135DB-R	Cisco 5Ghz 3.5DBI Black Dipole Antenna	\$ 9.00	\$ 27.00		\$ -	3	\$ 27.00		\$ -		\$ -		\$ -
	3	AIR-PWRINJ4-	Cisco Power Injector	\$ 71.00	\$ 213.00		\$ -	3	\$ 213.00		\$ -		\$ -		\$ -
	2	AIR-LAP1142N-A-K9	Cisco Aironet 1140 Series Access Point-Dual band 802.11a/g/n	\$ 617.00	\$ 1,234.00		\$ -	2	\$ 1,234.00		\$ -		\$ -		\$ -
	4	HWIC-1DSU-T1-	Cisco 1-Port T1/Fractional T1 DSU/CSU WAN Interface Card	\$ 475.00	\$ 1,900.00		\$ -	4	\$ 1,900.00		\$ -		\$ -		\$ -
3	CISCO2901/K9	Cisco 2901 Integrated Services Router, Cisco IOS IP Base - 1U external	\$ 948.00	\$ 2,844.00		\$ -	3	\$ 2,844.00		\$ -		\$ -		\$ -	
<b>Miscellaneous Equipment Replacements</b>															
CDW-G	4	PSA500MT3-120U	Liebert PSA 500MT, UPS, External, 500 VA power capacity, 5 min battery run time (up to); 300 Watt power provided, AC 120 V, 2 years warranty	\$ 83.57	\$ 334.28		\$ -		\$ -	4	\$ 334.28		\$ -		\$ -
	1	REKF	Hubbell Rack Fan Kit, Hubbell Fan Kit for REBOX Cabinets	\$ 114.33	\$ 114.33		\$ -		\$ -	1	\$ 114.33		\$ -		\$ -
	2	PDU/MV15	Tripp Lite Digital Power Distribution Unit Metered PDU 16 NEMA5-15R 15A; Power distribution strip (rack mountable) - AC 120V - 1800 VA - 16 output connector(s) - OU	\$ 68.16	\$ 136.32		\$ -		\$ -	2	\$ 136.32		\$ -		\$ -
	60	LTX400GWW	Sony LTX400G - LTO Ultrium 3 - storage media; 400 GB / 800 GB	\$ 21.93	\$ 1,315.80		\$ -		\$ -	60	\$ 1,315.80		\$ -		\$ -
<b>Backup/Deduplication Storage</b>															
HP / MI-REMC (WSCA Contract)			Recommend Option 3, to purchase the Backup/Deduplication storage from Hewlett Packard (see separate HP Price Quotation for pricing). City Council previously approved HP WSCA Contract purchases with Resolution # 23409, approved 9/2/09.				\$ -		\$ -		\$ -		\$ -		\$ -
<b>Backup/Deduplication Software</b>															
CDW-G	4	VBU-PS-A	VEEM - Backup & Replication for VMW per CPU	\$ 422.18	\$ 1,688.72	4	\$ 1,688.72		\$ -		\$ -		\$ -		\$ -
Total of Extended Amounts					\$ 62,394.81		\$ -		\$ -		\$ -		\$ -		\$ -
<b>Grand Total</b>					<b>\$ 62,394.81</b>		<b>\$ 1,688.72</b>		<b>\$ 28,281.00</b>		<b>\$ 1,900.73</b>		<b>\$ 2,432.44</b>		<b>\$ 30,111.92</b>
							Backup/Deduplication Software		Infrastructure Upgrades & Replacements		Miscellaneous Equipment		Scanner Replacement		Mobile Unit Replacements

\* New Product Announcements from Cisco change the specific switch models being recommended.

City of Wyoming  
Spring 2010 - Information Technology  
Bid Tabulation for Computer Hardware and Software

4/6/2010  
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Quantity	Mfg. Part Number	Hardware / Software Item Description	CDW-G		CPR / Corporate Technologies		DISYS		Global Computer		Global GovEd Solutions, Inc.	
			Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt
<b>Mobile Unit Replacements</b>												
8	CF-30KAPAX2M	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 - 1.6GH, (Centrino), 13.3" Touch, Emissive Backlit keys, 160 GB Hard - 2GB RAM, Drive, Intel 802.11 abgn, Windows XP Professional downgrade (selecting model with Windows 7.0 license).	3,757.25	30,058.00	4,067.00	32,536.00	3,799.81	30,398.48	3,778.97	30,231.76	3,877.28	31,018.24
8	CF-30KAPAX2B	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 - 1.6GH, (Centrino), 13.3" Touch Screen, Emissive Backlit keys, 160 GB Hard - 2GB RAM, Drive, Intel 802.11 abgn, Windows 7.0 license.	3,824.63	30,597.04	4,067.00	32,536.00	0.00	0.00	3,778.97	30,231.76		0.00
<b>Mobile Unit Replacements Subtotal - Not Applicable</b>												
<b>Scanner Replacement</b>												
1	fi-5530C2	Fujitsu Color Departmental Scanner, includes a 100-page automatic document feeder (ADF), and a 90-day, on-site Limited Warranty	2,432.44	2,432.44	2,816.00	2,816.00	2,458.56	2,458.56	2,492.57	2,492.57	2,505.48	2,505.48
<b>Scanner Replacement Subtotal</b>				\$2,432.44		\$2,816.00		\$2,458.56		\$2,492.57		\$2,505.48
<b>Infrastructure Upgrades &amp; Replacements</b>												
5	WS-C3560G-48PS-S	Cisco Catalyst 3560G-48PS - switch - 48 ports; 48-port 10/100/1000BASE-T Gigabit Ethernet managed rackmountable switch with 4 SFP-based ports and PoE	5,747.25	28,736.25	6,225.00	31,125.00	4,937.40	24,687.00	5,848.39	29,241.95	5,848.39	29,241.95
1	WS-C3560-12PC-S	Cisco Catalyst 3560-12PC - switch - 12 ports; 12PC - Switch - 12 ports - Ethernet, Fast Ethernet - 10Base-T, 100Base-TX + 1x10/100/1000Base-T/SFP (mini-GBIC) - 1U - PoE - external	1,210.56	1,210.56	1,308.00	1,308.00	1,037.40	1,037.40	1,228.72	1,228.72	1,228.72	1,228.72
1	WS-C3560G-24PS-S	Cisco Catalyst 3560G-24PS - switch - 24 ports; Ethernet, Fast Ethernet, Gigabit Ethernet - 10Base-T, 100Base-TX, 1000Base-T - 4 x SFP (empty) - 1U - PoE - external	3,360.47	3,360.47	3,668.00	3,668.00	2,909.40	2,909.40	2,337.44	2,337.44	3,446.16	3,446.16
6	MGBT1	Cisco MGBT1 Gigabit 1000 Base-T Mini-GBIC SFP Transceiver	104.66	627.96	118.00	708.00	82.68	496.08	107.79	646.74	108.92	653.52
1	AIR-LAP1252AG-A-K9	Cisco 802.11a/g/n 2.4/5GHz Modular Unified Access Point	782.61	782.61	852.00	852.00	675.48	675.48	799.68	799.68	799.68	799.68
3	AIR-ANT2422DB-R	Cisco 2.4GHz 2.2 Dbi Black Dipole Antenna RP-TNC Black	11.49	34.47	19.00	57.00	9.88	29.64	11.68	35.04	14.16	42.48
3	AIR-ANT5135DB-R	Cisco 5GHz 3.5DBI Black Dipole Antenna	11.84	35.52	19.00	57.00	9.88	29.64	11.68	35.04	14.16	42.48
3	AIR-PWRINJ4-	Cisco Power Injector	89.59	268.77	98.00	294.00	77.48	232.44	91.33	273.99	92.28	276.84
2	AIR-LAP1142N-A-K9	Cisco Aironet 1140 Series Access Point-Dual-band 802.11a/g/n	714.70	1,429.40	794.00	1,588.00	675.48	1,350.96	733.15	1,466.30	799.68	1,599.36
4	HWIC-1DSU-T1=	Cisco 1-Port T1/Fractional T1 DSU/CSU WAN Interface Card	600.77	2,403.08	656.00	2,624.00	520.00	2,080.00	615.96	2,463.84	615.96	2,463.84
3	CISCO2901/K9	Cisco 2901 Integrated Services Router; Cisco IOS IP Base - 1U - external	1,199.15	3,597.45	1,308.00	3,924.00	1,037.40	3,112.20	1,228.72	3,686.16	1,228.72	3,686.16
<b>Infrastructure Upgrades &amp; Replacements Subtotal</b>				\$42,486.54		\$46,205.00		\$36,640.24		\$42,214.90		\$43,481.19

City of Wyoming  
 Spring 2010 - Information Technology  
 Bid Tabulation for Computer Hardware and Software

4/6/2010  
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Quantity	Mfg. Part Number	Hardware / Software Item Description	CDW-G		CPR / Corporate Technologies		DISYS		Global Computer		Global GovEd Solutions, Inc.	
			Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt
<b>Miscellaneous Equipment Replacements</b>												
4	PSA500MT3-12OU	Liebert PSA 500MT; UPS, External, 500 VA power capacity, 5 min battery run time (up to), 300 Watt power provided, AC 120 V, 2 years warranty	83.57	334.28	95.00	380.00	78.07	312.28	81.73	326.92	83.71	334.84
1	REKF	Hubbell Rack Fan Kit; Hubbell Fan Kit for REBOX Cabinets	114.33	114.33	0.00	0.00	162.05	162.05	128.87	128.87	0.00	0.00
2	PDUMV15	Tripp Lite Digital Power Distribution Unit Metered PDU 16 NEMA 5-15R 15A; Power distribution strip (rack mountable) - AC 120V - 1800 VA - 16 output connector(s) - OU	68.16	136.32	78.00	156.00	70.38	140.76	68.27	136.54	71.20	142.40
60	LTX400GWW	Sony LTX400G - LTO Ultrium 3 - storage media, 400 GB / 800 GB	21.93	1,315.80	29.00	1,740.00	23.39	1,403.40	25.91	1,554.60	25.79	1,547.40
**	<b>Miscellaneous Equipment Replacements Subtotal</b>			<b>11,500.73</b>	<b>Incomplete</b>	<b>\$2,276.00</b>		<b>\$2,018.49</b>		<b>\$2,146.93</b>	<b>Incomplete</b>	<b>\$2,024.64</b>
<b>Backup/Deduplication Storage (Option 1)</b>												
1	DD610-12-6TB	Data Domain System, DD610-12x5, 6T, NFS CIFS (ROHS)	36,428.54	36,428.54	27,660.00	27,660.00	36,655.54	36,655.54	35,831.42	35,831.42	0.00	0.00
1	S-PLAT-610-12-5	Data Domain - 5YR Platinum Support	15,091.92	15,091.92	14,400.00	14,400.00	13,691.73	13,691.73	13,383.90	13,383.90	0.00	0.00
1	S-INST-APPLIANCE	Data Domain - Installation Service for Appliance - DD610-12-6TB	2,594.93	2,594.93	2,500.00	2,500.00	2,377.03	2,377.03	2,323.60	2,323.60	0.00	0.00
1	C-NIC-LPPCIE-2P-CU	Data Domain Option, NIC, GBE, LP PCIe, 1X, 2-port, Copper	840.76	840.76	639.00	639.00	845.90	845.90	826.88	826.88	0.00	0.00
1	LIC-REP-610	Data Domain License, Replicator, DD610	2,636.14	2,636.14	1,802.00	1,802.00	2,387.31	2,387.31	2,333.64	2,333.64	0.00	0.00
1	SR-PLAT-610-5	Data Domain - 5 YR Platinum Support	1,971.94	1,971.94	1,900.00	1,900.00	1,806.54	1,806.54	1,765.93	1,765.93	0.00	0.00
1	DD140	Data Domain - NFS System DD140 CIFS Replicator ROHS	12,983.54	12,983.54	11,447.00	11,447.00	13,064.41	13,064.41	12,770.68	12,770.68	0.00	0.00
1	S-INST-APPLIANCE	Data Domain Installation Services for Appliances - DD140	2,594.93	2,594.93	2,500.00	2,500.00	2,377.03	2,377.03	2,323.60	2,323.60	0.00	0.00
1	S-PLAT-140-5	Data Domain - 5YR NBD 24x7 Platinum SVC DD140 1.5T	5,396.92	5,396.92	5,200.00	5,200.00	4,944.24	4,944.24	4,833.07	4,833.07	0.00	0.00
	<b>Backup/Deduplication Storage (Option 1) Subtotal</b>			<b>\$80,539.62</b>		<b>\$68,048.00</b>		<b>\$78,149.73</b>		<b>\$76,392.72</b>	<b>* No Bid</b>	<b>\$0.00</b>
<b>Backup/Deduplication Storage (Option 2)</b>												
1	EXD-EX2-1TB-S1	ExaGrid 1 TB Disk-based Backup Appliance with Data Deduplication (Dedupe)	12,536.27	12,536.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-1TB-S1-4YR	ExaGrid 1 TB Appliance - 4 YR 5x8 Support & Maintenance	5,300.26	5,300.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-4TB-S1	ExaGrid SINGL Site 4TB	26,540.33	26,540.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-4TB-S1-4YR	ExaGrid 4TB Appliance - 4 YR 5x8 Support & Maintenance	12,208.10	12,208.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-5TB-S1	ExaGrid SINGL Site 5TB	35,740.22	35,740.22	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-5TB-S1-4YR	ExaGrid 5TB Appliance - 4 YR 5x8 Support & Maintenance	14,385.07	14,385.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<b>Backup/Deduplication Storage (Option 2) Subtotal</b>			<b>\$106,710.25</b>	<b>* No Bid</b>	<b>\$0.00</b>	<b>* No Bid</b>	<b>\$0.00</b>	<b>* No Bid</b>	<b>\$0.00</b>	<b>* No Bid</b>	<b>\$0.00</b>
<b>Backup/Deduplication Software</b>												
4	VBU-PS-A	VEEAM - Backup & Replication for VMW per CPU	422.18	1,688.72	456.00	1,824.00	539.92	2,159.68	0.00	0.00	0.00	0.00
4	VRANGEPRO-FLEX1	Vizioncore vRanger Pro v 4.0 DDP - License with 1 Year Support	439.93	1,759.72	399.00	1,596.00	381.98	1,527.92	0.00	0.00	0.00	0.00
	<b>Backup/Deduplication Software Subtotal-Not Applicable</b>								<b>* No Bid</b>		<b>* No Bid</b>	

Quantity	Mfg. Part Number	Hardware / Software Item Description	ISI		NeTech Corporation		Next I.T.		OfficeMax		Secant Technologies	
			Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt
<b>Mobile Unit Replacements</b>												
8	CF-30KAPAX2M	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 – 1.6GH, (Centrino), 13.3" Touch, Emissive Backlit keys, 160 GB Hard – 2GB RAM, Drive, Intel 802.11 abgn, Windows XP Professional downgrade (selecting model with Windows 7.0 license).	3,315.06	26,520.48	0.00	0.00	3,795.28	30,362.24	3,544.96	28,359.68	3,684.90	29,479.20
8	CF-30KAPAX2B	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 – 1.6GH, (Centrino), 13.3" Touch Screen, Emissive Backlit keys, 160 GB Hard – 2GB RAM, Drive, Intel 802.11 abgn, Windows 7.0 license.		0.00	0.00	0.00	0.00	0.00	3,788.34	30,306.72	*Part Number Quoted without required touch screen	#VALUE!
<b>Mobile Unit Replacements Subtotal - Not Applicable</b>					* No Bid							
<b>Scanner Replacement</b>												
1	fi-5530C2	Fujitsu Color Departmental Scanner, includes a 100-page automatic document feeder (ADF), and a 90-day, on-site Limited Warranty	2,610.30	2,610.30	0.00	0.00	2,674.97	2,674.97	2,437.70	2,437.70	2,676.04	2,676.04
<b>Scanner Replacement Subtotal</b>				<b>\$2,610.30</b>	<b>* No Bid</b>	<b>\$0.00</b>	<b>\$2,674.97</b>	<b>\$2,437.70</b>	<b>\$2,437.70</b>			<b>\$2,676.04</b>
<b>Infrastructure Upgrades &amp; Replacements</b>												
5	WS-C3560G-48PS-S	Cisco Catalyst 3560G-48PS – switch – 48 ports; 48-port 10/100/1000BASE-T Gigabit Ethernet managed rackmountable switch with 4 SFP-based ports and PoE	4,652.55	23,262.75	4,510.00	22,550.00	6,209.62	31,048.10	5,321.43	26,607.15	4,842.45	24,212.25
1	WS-C3560-12PC-S	Cisco Catalyst 3560-12PC – switch – 12 ports; 12PC - Switch – 12 ports - Ethernet, Fast Ethernet - 10Base-T, 100Base-TX + 1x10/100/1000Base-T/SFP (mini-GBIC) - 1U - PoE - external	977.55	977.55	948.00	948.00	1,351.71	1,351.71	1,107.14	1,107.14	1,017.45	1,017.45
1	WS-C3560G-24PS-S	Cisco Catalyst 3560G-24PS – switch – 24 ports; Ethernet, Fast Ethernet, Gigabit Ethernet - 10Base-T, 100Base-TX, 1000Base-T + 4 x SFP (empty) - 1U - PoE - external	2,741.55	2,741.55	2,658.00	2,658.00	3,723.37	3,723.37	3,112.24	3,112.24	2,853.45	2,853.45
6	MGBT1	Cisco MGBT1 Gigabit 1000 Base-T Mini-GBIC SFP Transceiver	57.34	344.04	188.00	1,128.00	114.38	686.28	110.22	661.32	81.09	486.54
1	AIR-LAP1252AG-A-K9	Cisco 802.11a/g/n 2.4/5GHz Modular Unified Access Point	636.51	636.51	617.00	617.00	824.75	824.75	801.72	801.72	662.49	662.49
3	AIR-ANT2422DB-R	Cisco 2.4GHz 2.2 Dbi Black Dipole Antenna RP-TNC Black	9.31	27.93	9.00	27.00	12.63	37.89	13.59	40.77	12.75	38.25
3	AIR-ANT5135DB-R	Cisco 5GHz 3.5DBI Black Dipole Antenna	9.31	27.93	9.00	27.00	12.63	37.89	13.59	40.77	12.75	38.25
3	AIR-PWRINJ4=	Cisco Power Injector	73.01	219.03	71.00	213.00	98.70	296.10	92.68	278.04	75.99	227.97
2	AIR-LAP1142N-A-K9	Cisco Aironet 1140 Series Access Point-Dual-band 802.11a/g/n	636.51	1,273.02	617.00	1,234.00	771.42	1,542.84	716.49	1,432.98	662.49	1,324.98
4	HWIC-1DSU-TI=	Cisco 1-Port T1/Fractional T1 DSU/CSU WAN Interface Card	490.00	1,960.00	475.00	1,900.00	647.35	2,589.40	567.01	2,268.04	510.00	2,040.00
3	CISCO2901/K9	Cisco 2901 Integrated Services Router; Cisco IOS IP Base - 1U – external	977.55	2,932.65	948.00	2,844.00	1,267.22	3,801.66	1,128.87	3,386.61	1,017.45	3,052.35
<b>Infrastructure Upgrades &amp; Replacements Subtotal</b>				<b>\$34,402.96</b>	<b>\$34,146.00</b>		<b>\$45,939.99</b>	<b>\$39,736.78</b>				<b>\$35,953.98</b>

Quantity	Mfg. Part Number	Hardware / Software Item Description	ISI		NeTech Corporation		Next I.T.		OfficeMax		Secant Technologies	
			Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt	Unit Cost	Ext. Amt
<b>Miscellaneous Equipment Replacements</b>												
4	PSA500MT3-12OU	Liebert PSA 500MT, UPS, External, 500 VA power capacity, 5 min battery run time (up to), 300 Watt power provided, AC 120 V, 2 years warranty	101.01	404.04	70.00	280.00	0.00	0.00	79.39	317.56	88.45	353.80
1	REKF	Hubbell Rack Fan Kit; Hubbell Fan Kit for REBOX Cabinets	149.00	149.00	0.00	0.00	0.00	0.00	0.00	0.00	130.00	130.00
2	PDUMV15	Tripp Lite Digital Power Distribution Unit Metered PDU 16 NEMA5-15R 15A; Power distribution strip (rack mountable) - AC 120V - 1800 VA - 16 output connector(s) - OU	69.67	139.34	0.00	0.00	77.57	155.14	70.03	140.06	72.47	144.94
60	LTX400GWW	Sony LTX400G - LTO Ultrium 3 - storage media; 400 GB / 800 GB	25.30	1,518.00	0.00	0.00	29.52	1,771.20	24.02	1,441.20	26.51	1,590.60
**		<b>Miscellaneous Equipment Replacements Subtotal</b>		<b>\$2,210.38</b>	*incomplete	<b>\$280.00</b>	*incomplete	<b>\$1,926.34</b>	*incomplete	<b>\$1,898.82</b>		<b>\$2,219.34</b>
<b>Backup/Deduplication Storage (Option 1)</b>												
1	DD610-12-6TB	Data Domain System, DD610-12x5, 6T, NFS CIFS (ROHS)	36,152.80	36,152.80	36,504.00	36,504.00	0.00	0.00	0.00	0.00	36,185.57	36,185.57
1	S-PLAT-610-12-5	Data Domain - 5YR Platinum Support	13,503.94	13,503.94	10,782.00	10,782.00	0.00	0.00	0.00	0.00	10,688.66	10,688.66
1	S-INST-APPLIANCE	Data Domain - Installation Service for Appliance - DD610-12 6TB	2,291.85	2,291.85	2,340.00	2,340.00	0.00	0.00	0.00	0.00	2,500.00	2,500.00
1	C-NIC-LPPCIE-2P-CU	Data Domain Option, NIC, GBE, LP PCIe, TX, 2-port, Copper	833.33	833.33	842.00	842.00	0.00	0.00	0.00	0.00	835.05	835.05
1	LIC-REP-610	Data Domain License, Replicator, DD610	2,354.57	2,354.57	2,377.00	2,377.00	0.00	0.00	0.00	0.00	2,356.70	2,356.70
1	SR-PLAT-610-5	Data Domain - 5 YR Platinum Support	1,781.77	1,781.77	1,422.00	1,422.00	0.00	0.00	0.00	0.00	1,410.31	1,410.31
1	DD140	Data Domain - NFS System DD140 CIFS Replicator ROHS	12,885.23	12,885.23	13,010.00	13,010.00	0.00	0.00	0.00	0.00	12,896.91	12,896.91
1	S-INST-APPLIANCE	Data Domain Installation Services for Appliances - DD140	2,291.85	2,291.85	2,340.00	2,340.00	0.00	0.00	0.00	0.00	2,500.00	2,500.00
1	S-PLAT-140-5	Data Domain - 5YR NBD 24x7 Platinum SVC DD140 L5T	4,876.42	4,876.42	4,056.00	4,056.00	0.00	0.00	0.00	0.00	3,859.79	3,859.79
		<b>Backup/Deduplication Storage (Option 1) Subtotal</b>		<b>\$76,971.76</b>		<b>\$73,673.00</b>	* No Bid	<b>\$0.00</b>	* No Bid	<b>\$0.00</b>		<b>\$73,232.99</b>
<b>Backup/Deduplication Storage (Option 2)</b>												
1	EXD-EX2-1TB-S1	ExaGrid 1 TB Disk-based Backup Appliance with Data Deduplication (Dedupe)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-1TB-S1-4YR	ExaGrid 1 TB Appliance - 4 YR 5x8 Support & Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-4TB-S1	ExaGrid SNGL Site 4TB	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-4TB-S1-4YR	ExaGrid 4TB Appliance - 4 YR 5x8 Support & Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-5TB-S1	ExaGrid SNGL Site 5TB	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1	EXD-EX2-5TB-S1-4YR	ExaGrid 5TB Appliance - 4 YR 5x8 Support & Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
		<b>Backup/Deduplication Storage (Option 2) Subtotal</b>	* No Bid	<b>\$0.00</b>	* No Bid	<b>\$0.00</b>	* No Bid	<b>\$0.00</b>	* No Bid	<b>\$0.00</b>	* No Bid	<b>\$0.00</b>
<b>Backup/Deduplication Software</b>												
4	VBU-PS-A	VEEAM - Backup & Replication for VMW per CPU	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	460.40	1,841.60
4	VRANGEPRO-FLEX1	Vizioncore vRanger Pro v 4.0 DDP - License with 1 Year Support	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	402.38	1,609.52
		<b>Backup/Deduplication Software Subtotal-Not Applicable</b>	* No Bid		* No Bid		* No Bid		* No Bid			

City of Wyoming  
Spring 2010 - Information Technology  
Bid Tabulation for Computer Hardware and Software

4/6/2010  
3:33 PM

Quantity	Mfg. Part Number	Hardware / Software Item Description	Tele-Rad	
			Unit Cost	Ext. Amt
<b>Mobile Unit Replacements</b>				
8	CF-30KAPAX2M	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 – 1.6GH, (Centrino), 13.3" Touch, Emissive Backlit keys, 160 GB Hard – 2GB RAM, Drive, Intel 802.11 abgn, Windows XP Professional downgrade (selecting model with Windows 7.0 license).	0.00	0.00
8	CF-30KAPAX2B	Panasonic Toughbook 30, Intel Core 2 Duo SL9300 – 1.6GH, (Centrino), 13.3" Touch Screen, Emissive Backlit keys, 160 GB Hard – 2GB RAM, Drive, Intel 802.11 abgn, Windows 7.0 license.	3,763.99	30,111.92
<b>Mobile Unit Replacements Subtotal - Not Applicable</b>				
<b>Scanner Replacement</b>				
1	fi-5530C2	Fujitsu Color Departmental Scanner, includes a 100-page automatic document feeder (ADF), and a 90-day, on-site Limited Warranty	0.00	0.00
<b>Scanner Replacement Subtotal</b>			* No Bid	\$0.00
<b>Infrastructure Upgrades &amp; Replacements</b>				
5	WS-C3560G-48PS-S	Cisco Catalyst 3560G-48PS – switch – 48 ports; 48-port 10/100/1000BASE-T Gigabit Ethernet managed rackmountable switch with 4 SFP-based ports and PoE	0.00	0.00
1	WS-C3560-12PC-S	Cisco Catalyst 3560-12PC – switch – 12 ports; 12PC - Switch - 12 ports - Ethernet, Fast Ethernet - 10Base-T, 100Base-TX + 1x10/100/1000Base-T/SFP (mini-GBIC) - 1U - PoE - external	0.00	0.00
1	WS-C3560G-24PS-S	Cisco Catalyst 3560G-24PS – switch – 24 ports; Ethernet, Fast Ethernet, Gigabit Ethernet - 10Base-T, 100Base-TX, 1000Base-T + 4 x SFP (empty) - 1U - PoE - external	0.00	0.00
6	MGBT1	Cisco MGBT1 Gigabit 1000 Base-T Mini-GBIC SFP Transceiver	0.00	0.00
1	AIR-LAP1252AG-A-K9	Cisco 802.11a/g/n 2.4/5GHz Modular Unified Access Point	0.00	0.00
3	AIR-ANT2422DB-R	Cisco 2.4Ghz 2.2 Dbi Black Dipole Antenna RP-TNC Black	0.00	0.00
3	AIR-ANT5135DB-R	Cisco 5Ghz 3.5DBI Black Dipole Antenna	0.00	0.00
3	AIR-PWRINJ4=	Cisco Power Injector	0.00	0.00
2	AIR-LAP1142N-A-K9	Cisco Aironet 1140 Series Access Point-Dual-band 802.11a/g/n	0.00	0.00
4	HWIC-1DSU-T1=	Cisco 1-Port T1/Fractional T1 DSU/CSU WAN Interface Card	0.00	0.00
3	CISCO2901/K9	Cisco 2901 Integrated Services Router, Cisco IOS IP Base - 1U – external	0.00	0.00
<b>Infrastructure Upgrades &amp; Replacements Subtotal</b>			* No Bid	\$0.00

City of Wyoming  
 Spring 2010 - Information Technology  
 Bid Tabulation for Computer Hardware and Software

4/6/2010  
 3:33 PM

Quantity	Mfg. Part Number	Hardware / Software Item Description	Tele-Rad	
			Unit Cost	Ext. Amt
<b>Miscellaneous Equipment Replacements</b>				
4	PSA500MT3-120U	Liebert PSA 500MT; UPS, External, 500 VA power capacity, 5 min battery run time (up to), 300 Watt power provided, AC 120 V, 2 years warranty	0.00	0.00
1	REKF	Hubbell Rack Fan Kit; Hubbell Fan Kit for REBOX Cabinets	0.00	0.00
2	PDUMV15	Tripp Lite Digital Power Distribution Unit Metered PDU 16 NEMA5-15R 15A; Power distribution strip (rack mountable) - AC 120V - 1800 VA - 16 output connector(s) - OU	0.00	0.00
60	LTX400GWW	Sony LTX400G - LTO Ultrium 3 - storage media; 400 GB / 800 GB	0.00	0.00
**		<b>Miscellaneous Equipment Replacements Subtotal</b>	* No Bid	\$0.00
<b>Backup/Deduplication Storage (Option 1)</b>				
1	DD610-12-6TB	Data Domain System, DD610-12x5, 6T, NFS CIFS (ROHS)	0.00	0.00
1	S-PLAT-610-12-5	Data Domain - 5YR Platinum Support	0.00	0.00
1	S-INST-APPLIANCE	Data Domain - Installation Service for Appliance - DD610-12 6TB	0.00	0.00
1	C-NIC-LPPCIE-2P-CU	Data Domain Optron, NIC, GBE, LP PCIe, 1X, 2-port, Copper	0.00	0.00
1	LIC-REP-610	Data Domain License, Replicator, DD610	0.00	0.00
1	SR-PLAT-610-5	Data Domain - 5 YR Platinum Support	0.00	0.00
1	DD140	Data Domain - NFS System DD140 CIFS Replicator ROHS	0.00	0.00
1	S-INST-APPLIANCE	Data Domain Installation Services for Appliances - DD140	0.00	0.00
1	S-PLAT-140-5	Data Domain - 5YR NBD 24x7 Platinum SVC DD140 1.5T	0.00	0.00
		<b>Backup/Deduplication Storage (Option 1) Subtotal</b>	* No Bid	\$0.00
<b>Backup/Deduplication Storage (Option 2)</b>				
1	EXD-EX2-1TB-S1	ExaGrid 1 TB Disk-based Backup Appliance with Data Deduplication (Dedupe)	0.00	0.00
1	EXD-EX2-1TB-S1-4YR	ExaGrid 1 TB Appliance - 4 YR 5x8 Support & Maintenance	0.00	0.00
1	EXD-EX2-4TB-S1	ExaGrid SNGL Site 4TB	0.00	0.00
1	EXD-EX2-4TB-S1-4YR	ExaGrid 4TB Appliance - 4 YR 5x8 Support & Maintenance	0.00	0.00
1	EXD-EX2-5TB-S1	ExaGrid SNGL Site 5TB	0.00	0.00
1	EXD-EX2-5TB-S1-4YR	ExaGrid 5TB Appliance - 4 YR 5x8 Support & Maintenance	0.00	0.00
		<b>Backup/Deduplication Storage (Option 2) Subtotal</b>	* No Bid	\$0.00
<b>Backup/Deduplication Software</b>				
4	VBU-PS-A	VEEAM - Backup & Replication for VMW per CPU	0.00	0.00
4	VRANGPRO-FLEX1	Vizioncore vRanger Pro v 4.0 DDP - License with 1 Year Support	0.00	0.00
		<b>Backup/Deduplication Software Subtotal-Not Applicable</b>	* No Bid	\$0.00



BS&A SOFTWARE  
 14965 ABBEY LANE  
 BATH, MI 48808  
 PHONE: 517-641-8900  
 FAX: 517-641-8960  
 www.bsasoftware.com

**PROPOSAL FOR  
 CITY OF WYOMING, KENT COUNTY**

**EQUALIZER PROPERTY-BASED .NET SYSTEMS  
 NETWORK VERSION**

Prices based on approximately 25,628 parcels.

*Please Note: To efficiently run these applications the Hardware requirements have increased. Please review our required specifications prior to ordering these applications.*

<b>Equalizer Assessing.Net</b> <i>Windows customer since 10/2003</i>	\$16,660
<b>Equalizer Tax.Net</b> <i>Windows customer since 4/2005</i> 25% credit applied	\$14,095 - \$3,525
<i>Note: After 4/2010 program cost will be 100% of listed price.</i>	
<b>Equalizer Special Assessment.Net</b> <i>Windows customer since 4/2005</i> 75% credit applied	\$7,495 -\$5,620
<b>Equalizer Delinquent Personal Property.Net</b> <i>Windows customer since 4/2005</i> 75% credit applied	\$5,495 -\$4,120

**Remote Installation - Requires high-speed Internet connection** \$0

BS&A will make every attempt to perform the installation remotely. If necessary for installation to be completed on-site, an additional charge will apply.

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**Total (Does not include below training fee or possible installation fee)** **\$30,480**

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**Recommended Training Option:**

- **On-site Training & Implementation**  
 Est. 2 days @ \$900/day \$1,800

**Possible Program Installation Fee:**

- **On-site Installation** (only required if a high-speed internet connection is not available)  
 Est. 1 day @ \$900/day \$900

*Prices good for a period of 90 days from date on proposal.  
 Page 1 of 4*



**BS&A SOFTWARE**  
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Please mark the box if you wish to take advantage of our payment plan. Payment will be spread over multiple budget years, interest free.	<input type="checkbox"/> 2 - year
Please mark the box if you are interested in on-site training. We will schedule this with you during the time of installation.	<input checked="" type="checkbox"/> On-site Training

**ANNUAL SERVICE AND SUPPORT - (Below fees are effective at your next renewal period)**

Assessing System	\$3,330
Tax System	\$2,820
Special Assessment System	\$1,500
Delinquent Personal Property	\$1,100
<hr/>	
<b>Total:</b>	<b>\$8,750</b>

BS&A Software reserves the right to increase the annual fee by no more than the yearly Consumers Price Index (CPI).

**IMPORTANT PROPOSAL NOTES:**

\* While it is our intention to install and implement the software for all customers desiring to upgrade to the .Net applications as soon as the signed proposal is received, due to high demand, we cannot guarantee that your installation will be completed immediately. However, by signing the proposal your price will be 'locked in,' and we will execute your installation as soon as possible.

\* Note: Client has option to pay for programs over multiple budget years if desired.

\* Note: this proposal does not include costs for Training, or the APEX sketching software (800-858-9958). The Assessing .NET System is compatible with Apex Version 3 Pro & Medina.

*BS&A Software promises that if you are not satisfied with our products or services after the first year, you may return the program and we will fully refund the purchase price of your software.*



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PHONE: 517-641-8900  
FAX: 517-641-8960  
www.bsasoftware.com

SQL Server - Based on user count, the version of SQL that BS&A Software recommends is as follows. Please see the attached Microsoft SQL pricing list which includes Governmental Reseller contact information.

- Recommendation:**  
 Workgroup Edition

**Internet & Server Considerations:**

\*We strongly recommend you have Internet Access. This allows you to:

- A) Download Equalizer.NET Program Updates as soon as they become available. This can save you several days of transit time when you are waiting for a new feature you may have requested.
- B) Send email to our web site when you have questions or comments about our software and service.

\*We strongly recommend you have a network with a dedicated file Server...not a Peer to Peer Network. Peer to Peer Networks are typically less stable and more prone to problems as compared to networks with dedicated file servers. Our software runs much more efficiently on networks with a dedicated file server. See our Hardware Specifications for more details.

**Signature below constitutes:**

- 1) An order for products & services as quoted in this proposal
- 2) That you have reviewed the proposed support/service fee amounts since they may have increased from your previous agreement
- 3) That you have read and concur with the hardware specifications required to efficiently operate the .Net applications.

Quoted by: Ted Droste February 1, 2010

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_



BS&A SOFTWARE  
14965 ABBEY LANE  
BATH, MI 48808  
PHONE: 517-641-8900  
FAX: 517-641-8960  
[www.bsasoftware.com](http://www.bsasoftware.com)

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**PLEASE COMPLETE THE FOLLOWING FOR OUR RECORDS**

**Contact Person for SUPPORT & NEWSLETTERS:**

Contact Name \_\_\_\_\_ Title \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
(if PO Box, please provide Street Address for UPS or Overnight Mail Shipments)  
Street Address \_\_\_\_\_  
City, State Zip \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_  
Email \_\_\_\_\_

**Contact Person for PROGRAM UPDATES:**

Contact Name \_\_\_\_\_ Title \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Email \_\_\_\_\_

**IT Contact Person:**

Contact Name \_\_\_\_\_ Title \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Email \_\_\_\_\_

Do you have a high speed Internet connection? \_\_\_\_\_

**PLEASE FAX BACK ALL PAGES**



# PRICE QUOTATION

Quote Number: 4952674-2

Page 1 of 2

April 01, 2010

Provided by: Chuck Kenney

B Strazisar

Contract: MI - REMC (WSCA/NASPO) (HP-WSCA-09)

Product availability and product discontinuation is subject to change without notice. The prices in this quotation are valid for 30 days from quote date above. Please include the quote number and contract from this quote on the corresponding purchase order.

Item	Part No.	Description	Qty.	Unit Price	Extended
<b>Group:</b>					
1.	EH939A	<b>HP StorageWorks D2D4009i Backup System</b> Product - HP StorageWorks D2D4009i Backup System Form factor - 2U Rack Performance - Up to 90MB/s transfer rate Drive interface - (2) 1Gb Ethernet iSCSI interfaces Maximum number of servers supported per D2D system - Supports up to 16 servers Total Raw Capacity - 9TB raw capacity Total Usable Capacity - 7.5TB usable capacity Disk Type - Uses 750GB SATA drives Deduplication - Includes Dynamic deduplication	1	\$24,699.00	\$24,699.00
2.	US839E	<b>HP 5y Nbd D2D4009 Backup Sys HW Supp</b>	1	\$1,745.00	\$1,745.00
3.	EH991A	<b>HP StorageWorks D2D4000 Replication LTU</b>	1	\$4,224.00	\$4,224.00
4.	EH942A	<b>HP StorageWorks D2D4009fc Backup System</b> Product - HP StorageWorks D2D4009fc Backup System Form factor - 2U Rack Performance - Up to 90MB/s transfer rate Drive interface - (2) 4Gb Fibre Channel interfaces Maximum number of servers supported per D2D system - Supports up to 16 servers Total Raw Capacity - 9TB raw capacity Total Usable Capacity - 7.5TB usable capacity Disk Type - Uses 750GB SATA drives Deduplication - Includes Dynamic deduplication	1	\$27,949.00	\$27,949.00
5.	US839E	<b>HP 5y Nbd D2D4009 Backup Sys HW Supp</b>	1	\$1,745.00	\$1,745.00
6.	EH991A	<b>HP StorageWorks D2D4000 Replication LTU</b>	1	\$4,224.00	\$4,224.00
<b>SUB TOTAL :</b>					<b>\$64,586.00</b>

**TOTAL PRICE :**

**\$64,586.00**

**GET MORE FOR YOUR MONEY**

Note: For detailed warranty information, please link to "URL" for more information [www.hp.com/go/specificwarrantyinfo](http://www.hp.com/go/specificwarrantyinfo).  
Sales taxes added where applicable. Freight is FOB Destination.



## PRICE QUOTATION

Page 2 of 2

Quote Number: 4952674-2

April 01, 2010

B Strazisar

Provided by: Chuck Kenney

Contract: MI - REMC (WSCA/NASPO) (HP-WSCA-09)

Product availability and product discontinuation is subject to change without notice. The prices in this quotation are valid for 30 days from quote date above. Please include the quote number and contract from this quote on the corresponding purchase order.

Item	Part No.	Description	Qty.	Unit Price	Extended
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Make the most of your budget and protect against technology obsolescence. Lease these HP products with a purchase price of \$64,586.00 for 36 months for as little as \$2,005.40 per month. At the end of the lease, send the equipment back to HP Financial Services and upgrade to new technology or purchase the equipment at its fair market value.\*

### GET MORE WITH HP FINANCIAL SERVICES

For more information, call Hewlett-Packard Financial Services Company at 1-888-277-5942 and talk to a financial services representative who specializes in supporting government and education entities.

\* The monthly payment amount is for a lease commencing on or before 5/1/2010 with a term of 36 months and a fair market value purchase option at the end of the lease term. This and other leasing and financing options are available through Hewlett-Packard Financial Service Company (HPFSC) or one of its affiliates to qualified education and state and local customers in the U.S. and subject to credit approval and execution of standard HPFSC documentation. Fees and other restrictions may apply. This is not a commitment to lease. Rates and payments are subject to change at any time without notice. Leasing and financing options for Federal governmental agencies (subject to a \$50,000 minimum) are available from Hewlett-Packard Company.

Comments:

Note: For detailed warranty information, please link to "URL" for more information [www.hp.com/go/specificwarrantyinfo](http://www.hp.com/go/specificwarrantyinfo). Sales taxes added where applicable. Freight is FOB Destination.

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

RESOLUTION FOR AWARD OF BIDS

WHEREAS, formal bids have been obtained on the below listed items, and

WHEREAS, the bids received have been reviewed and evaluated as per the attached memorandums, now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby award the bids for the purchase of the listed items as recommended in the attached memorandums and summarized below:

<u>ITEM</u>	<u>RECOMMENDED BIDDER</u>	<u>COST</u>
1. Gasoline & Diesel Fuel	J&H Oil Company	Bid prices as shown on the attached tabulation sheet
2. Ammunition	CMP Distributors and Vance Outdoors	Bid prices as shown on the attached tabulation sheet

Councilmember \_\_\_\_\_ moved, seconded by Councilmember \_\_\_\_\_, that the above resolution be adopted.

Motioned carried: \_\_\_\_ Yeas, \_\_\_\_ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a \_\_\_\_\_ session held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Attachments: Memorandums  
Tabulation Sheets

\_\_\_\_\_  
Heidi Ann Isakson  
Wyoming City Clerk

## MEMORANDUM

DATE: April 6, 2010

TO: William D. Dooley, Director of Public Works

FROM: Ted Seil, Motor Pool Supervisor

SUBJECT: Bid on Gasoline and Diesel Fuel

On Tuesday March 30, 2010 the City received six (6) bid responses for the supply of gasoline and diesel fuel. Eighteen (18) invitations to bid were sent to prospective bidders.

The City of Wyoming pays for fuel at what is known as the Rack Price plus transportation expenses. Rack Price is established as the market price of fuel at the time fuel is picked up at the fuel terminal.

Fuel is used by both the City's vehicles and the back-up generators located at the City's Utility facilities. Due to critical operations, it is required that the City receives the delivery of gasoline or diesel fuel within 12 hours.

As the fuel price is based on Rack Pricing, the lowest bidders have been determined by the delivery cost of fuel to the different City facilities. Delivery costs of the qualified bidders are shown on the attached tabulation sheet.

It is recommended that the bid be awarded to J&H Oil Company for delivery of gasoline and diesel fuels to the Public Works Building, Clean Water Plant, Water Treatment Plant and Gezon Pumping Station.

Sufficient funds are available in the following accounts 661-441-58200-741000, 590-590-54300-740000, 591-591-55300-740000, 591-591-55900-740000. We anticipate spending approximately \$425,000.00 for fuel over a one (1) year period.

**CITY OF WYOMING, MICHIGAN**  
**TABULATION OF BIDS**  
**On Gasoline & Diesel Fuel**  
**Opened By City Clerk On March 30, 2010 At 11:00 a.m.**

	<b>Delivery Site: Public Works Building</b>					
	<b>J&amp;H Oil Co.</b>	<b>VanManen Petroleum Group</b>	<b>Crystal Flash Energy</b>	<b>Brenner Oil Co.</b>	<b>Brenner Oil Co. (10% ETH Gasoline)</b>	<b>Petroleum Traders Corp</b>
<b>REGULAR UNLEADED GASOLINE</b>	1.90500	1.91350	1.87900	1.91050	1.90820	1.90600
Environmental Fee/Per Gallon	0.00875	0.00875	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.02250	0.02450	1.92070	0.01950	0.02750	0.03470
<b>Total</b>	<b>1.93625</b>	<b>1.94675</b>	<b>3.80845</b>	<b>1.93875</b>	<b>1.94445</b>	<b>1.94945</b>
<b>#2 DIESEL FUEL (Winter Additive)</b>	1.95150	1.95300	1.99300	1.95900	1.95410	1.97150
Winter Diesel Fuel Additive	0.01250	0.01500		0.01000	0.01000	0.01500
Environmental Fee/Per Gallon	0.00875	0.00875	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.02250	0.02450	<b>2.03400</b>	0.01950	0.02750	0.03880
<b>Total</b>	<b>1.99525</b>	<b>2.00125</b>	<b>4.03575</b>	<b>1.99725</b>	<b>2.00035</b>	<b>2.03405</b>
	<b>Delivery Site: Water Treatment Plant</b>					
<b>REGULAR UNLEADED GASOLINE</b>	1.90950	1.91350	1.87900	1.91050	1.90820	1.90600
Environmental Fee/Per Gallon	0.00875	\$2.75/delivery	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.08500	0.14000	2.04900	0.08500	0.08500	No Bid
<b>Total</b>	<b>2.00325</b>	<b>2.05350</b>	<b>3.93675</b>	<b>2.00425</b>	<b>2.00195</b>	<b>1.91475</b>
<b>PREMIUM DIESEL FUEL (Winter Additive)</b>	1.96650	1.95300	2.01300	1.96900	1.96410	1.98650
Winter Diesel Fuel Additive	0.01250	0.04500		0.01000	0.01000	0.01500
Environmental Fee/Per Gallon	0.00875	0.00875	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.02250	0.02450	2.04700	0.01950	0.02750	0.03880
<b>Total</b>	<b>2.01025</b>	<b>2.03125</b>	<b>4.06875</b>	<b>2.00725</b>	<b>2.01035</b>	<b>2.04905</b>
<b>#2 DIESEL FUEL (Winter Additive)</b>	1.95150	1.95300	1.99000	1.95900	1.95410	1.97150
Winter Diesel Fuel Additive	0.01250	0.01500		0.01000	0.01000	0.01500
Environmental Fee/Per Gallon	0.00875	\$2.75/delivery	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.08500	0.20000	2.02700	0.08500	0.08500	No Bid
<b>Total</b>	<b>2.05775</b>	<b>2.16800</b>	<b>4.02575</b>	<b>2.06275</b>	<b>2.05785</b>	<b>1.99525</b>
	<b>Delivery Site: Clean Water Plant</b>					
<b>PREMIUM DIESEL FUEL (Winter Additive)</b>	1.96650	1.95300	2.01300	1.96900	1.96410	1.98650
Winter Diesel Fuel Additive	0.01250	0.04500		0.01000	0.01000	0.01500
Environmental Fee/Per Gallon	0.00875	0.00875	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.02250	0.02450	2.05400	0.01950	0.02750	0.03880
<b>Total</b>	<b>2.01025</b>	<b>2.03125</b>	<b>4.07575</b>	<b>2.00725</b>	<b>2.01035</b>	<b>2.04905</b>
	<b>Delivery Site: Gezon Pumping Station</b>					
<b>PREMIUM DIESEL FUEL (Winter Additive)</b>	1.96650	1.95300	2.01300	1.96900	1.96410	1.98650
Winter Diesel Fuel Additive	0.01250	0.04500		0.01000	0.01000	0.01500
Environmental Fee/Per Gallon	0.00875	\$2.75/delivery	0.00875	0.00875	0.00875	0.00875
Delivery Cost Price/Per Gallon	0.08500	0.12000	2.19100	0.08500	0.08500	No Bid
<b>Total</b>	<b>2.07275</b>	<b>2.11800</b>	<b>4.21275</b>	<b>2.07275</b>	<b>2.06785</b>	<b>2.01025</b>

**Interdepartmental Correspondence**



**TO:** Kim Oostindie, Administrative Assistant  
**FROM:** Captain Brad Schutter  
**DATE:** April 14, 2010  
**SUBJECT:** Patrol / Bid Specification Results (Ammunition)

Administration Services

---

Please begin the process and necessary paperwork to establish the annual purchases of Ammunition. On March 30, 2010, three responses were received in answer to our invitation to bid on the Police Department's ammunition (twenty-six bids mailed). The justification for the award of the bid is based upon the lowest bids received for each item, dealing with two vendors for the quantity. The following list details the vendors that participated:

CMP Distributors	\$9,152.00 total, see "Totals" sheet
Vance Outdoors	\$11,220.50 total, see "Totals" sheet
Michigan Police Equipment	Did not bid to specifications

(Note: Tabulation of Bids is attached, along with "Totals" sheet)

It is the recommendation of Sgt. Kirt Zuiderveen, to award the bid to CMP Distributors and Vance Outdoors.

It is anticipated that the Police Department will expend approximately \$20,380 on ammunition during the fiscal year.

Funding is allocated and available in the following accounts: 101-305-31500-740000

Please advise if additional information is required to continue processing this request.

Attachments: Totals Sheet  
Tabulation Sheet

CITY OF WYOMING, MICHIGAN  
 AMMUNITION TOTALS, BASED ON "TABULATION OF BIDS"

low bid =

<u>Est. Annual Qty.</u>		<u>bid per</u>	<u>CMP</u>	<u>Vance</u>	<u>MPE</u>	<u>\$</u>
40,000	Winchester .40 caliber pistol target ammunition (for practice)	1,000	229.75	203.50	n/a	8,140.00
4,000	CCI Speer Gold Dot Hollow Point, .40 caliber, 180gr. (for carry)	1,000	379.00	did not bid	n/a	1,516.00
1,500	Winchester Ranger Low Recoil/High Brass, 12 gauge 00 Buck	250	did not bid	84.00	n/a	126.00
250	Winchester Ranger Low Recoil/High Brass, 12 gauge 1 oz Slug	250	did not bid	99.50	n/a	99.50
500	Federal Tactical Duty, .308 caliber, 165gr bonded Soft Point Bullet	500	775.00	bid	n/a	775.00
10000	Winchester 9mm, 124gr total metal jacket – lead free	1,000	179.00	167.00	n/a	1,670.00
1000	CCI Speer Gold Dot Hollow Point 9mm, 147gr	1,000	360.00	did not bid	n/a	360.00
3000	Federal Tactical Duty .223 caliber, 55gr bonded Soft Point	1,000	1,375.00	bid	n/a	4,125.00
5000	.223 caliber, 55gr full metal jacket	1,000	375.00	237.00	250.00	1,185.00
3000	Federal Gold Metal Match .308 168gr Sierra Match King BTHP	1,000	780.00	did not bid	n/a	2,340.00
100	CCI 38 Special Speer Gold Dot Hollow Point Duty 125gr	1,000	360.00	bid	n/a	36.00
			9,152.00	11,220.50		20,372.50

**CITY OF WYOMING, MICHIGAN  
TABULATION OF BIDS**

**On Ammunition**

Opened By City Clerk On March 30, 2010 At 11:00 O'clock A.M.

All bid prices reduced to net. All bid prices shown are firm for  
orders placed within one year from date of award of bid.

Description	Est. Annual Qty.	Brand (No Substitutions)	C.M.P. Distributors	Vance Outdoors	Michigan Police Equipment*	
.40 caliber pistol target ammunition,	40,000 rounds	Winchester		\$ 203.50	\$ 233.00	Per 1,000 rounds if
		Federal	\$ 229.75			purchased in lots of
Speer Gold Dot Hollow Point, .40 caliber, 180 gr.	4,000 rounds	CCI	\$ 379.00		\$ 305.00	Per 1,000 rounds
Ranger Low Recoil/High Brass, 12 gauge 00 Buck	1,500 rounds	Winchester		\$ 84.00	\$ 96.00	Per 250 rounds
Ranger Low Recoil/High Brass, 12 gauge 1oz Slug	250 rounds	Winchester		\$ 99.50	\$ 106.00	Per 250 rounds
Tactical Duty, .308 Caliber, 165gr bonded Soft Point Bullet	500 rounds	Federal	\$ 775.00		\$ 410.00	Per 500 rounds
9mm, 124 grain total metal jacket – lead free	10,000 rounds	Winchester		\$ 167.00	\$ 213.00	
		Federal	\$ 179.00			Per 1,000 rounds
Speer Gold Dot Hollow Point 9mm, 147gr.	1,000 rounds	CCI	\$ 360.00		\$ 305.00	Per 1,000 rounds
Tactical Duty .223 cal., 55 gr. bonded soft point	3,000 rounds	Federal	\$ 1,375.00		\$ 600.00	Per 1,000 rounds
.223 Caliber, 55 grain full metal jacket	5,000 rounds	Federal	\$ 375.00			Per 1,000 rounds
		Winchester		\$ 288.00		Per 1,000 rounds
		Homady		\$ 237.00	\$ 250.00	Per 1,000 rounds
Gold Metal Match .308 Winchester 168 Grain Sierra Match King BTHP	3,000 rounds	Federal	\$ 780.00		\$ 819.00	Per 1,000 rounds
38 Special Speer Gold Dot Hollow Point Duty 125 Grain	100 rounds	CCI	\$ 360.00			Per 1,000 rounds

\* Bid substitution ammunition. See bid proposal form submitted by Michigan Police Equipment for substitution details.

ORDINANCE NO. 1-10

AN ORDINANCE TO AMEND SECTION 30-35  
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 30-35 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 30-35. Open Burning. The following provisions shall govern open burning within the city:

(1) The term “*open burning*” shall also include burning in any container which is not an approved incinerator.

(2) No open burning of leaves and/or refuse is permitted within the city limits at any time.

(3) The following burning uses are permitted without a permit:

a. The burning of wood, charcoal, coke or other acceptable fuel for the sole purpose of preparing food in an approved container or utensil that is designed exclusively for cooking and that has a mechanism capable of completely enclosing or confining the fire, while being used in a safe and sanitary manner.

b. The use of approved gaseous or liquid-fired salamanders commonly employed in conjunction with building and construction operations when being used in accordance with accepted safety standards.

c. Roofers, plumbers, tanners or other mechanics pursuing a business requiring the use of fire, or for the purpose of boiling tar, pitch or oil used in the course of an approved business or trade and while being used in a safe and sanitary manner.

d. Open burning for Fire Department and/or Emergency Management purposes shall be permitted only under the following conditions:

i. The area is adequately protected by Fire Department personnel

ii. The fire will be of short duration.

iii. The ambient air, at the time of burning is relatively free of pollutants.

iv. The Fire Chief provides written authorization for such burning.

(4) The use of outdoor fireplaces (as hereinafter defined), which are purchased by homeowners for use outside of a dwelling or residence is permitted, provided such outdoor fireplaces are used for preparation of food or for recreation, are used on noncombustible surfaces including, but not limited to, brick, flagstone, or concrete and are kept away from any flammable liquids and other combustible materials. Outdoor fireplaces shall be used

only for burning of clean wood or other solid fuel and shall not be used for the burning of waste materials or other materials including, but not limited to, grass clippings, brush, leaves and paper.

(5) An “outdoor fireplace” as used in this section is defined as a portable and/or site built commercially-produced device that is designed, manufactured and purchased for the sole purpose of burning wood or solid fuel. All outdoor fireplaces shall conform to the following:

(a) Outdoor fireplaces shall not be placed closer than 20 feet to any combustible material and not closer than 20 feet to adjoining lot lines.

(b) A noncombustible barrier at least 18 inches in width shall surround the outdoor fireplace. This provision shall also be required under a portable unit.

(c) The “fire pot” of the outdoor fireplace shall not exceed four feet in diameter and include a spark arrestor component.

(d) Permitted open fires and cooking fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to a water supply or other fire extinguishing equipment readily available for use.

(e) Fire Rings are prohibited.

(6) Fire or Police Department personnel are authorized to require any open burning be immediately discontinued if it is determined that the smoke emissions are offensive to occupants of surrounding property or determined to constitute a hazardous condition (i.e. dry conditions)

(7) The Fire Chief or designee or a sworn police officer are hereby authorized to issue citations for any violation for this section.

Section 2. This ordinance shall be in full force and effect on the 4th day of May, 2010.

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 19th day of April, 2010.

---

Heidi A. Isakson  
Wyoming City Clerk

Ordinance No. 1-10

JRS/sjd  
03/08/10

ORDINANCE NO. 2-10

AN ORDINANCE TO ADD DIVISION 1 TO  
ARTICLE 1 OF CHAPTER 2 OF THE CODE OF THE CITY  
OF WYOMING ENTITLED CONFLICT OF INTEREST POLICY

THE CITY OF WYOMING ORDAINS:

Section 1: That Division 1 is hereby added to Article 1 of Chapter 2 of the Code of the City of Wyoming to read as follows:

DIVISION 1. CONFLICT OF INTEREST POLICY

**Sec. 2-1 Application.**

Except as specifically provided in Section 6.7(c) of the City Charter or any specific code provision, the conflict of interest policy established hereunder shall apply to the City Council and all boards and commissions of the City of Wyoming.

**Sec. 2-2 Definition.**

Conflict of interest shall be defined as any issue upon which a member or any member of his immediate family (defined as spouse, parent, child, grandchild, or sibling) has a potential financial interest or benefit.

**Sec. 2-3 Disclosure.**

In the event any member has a conflict of interest, that member shall disclose that conflict of interest or potential conflict of interest prior to participation in deliberation or vote on the subject matter on which the conflict of interest exists.

**Sec. 2-4 Determination of Conflict of Interest.**

In the event of a question of whether a conflict of interest exists for a member, a final determination shall be made by a majority vote of the remaining members.

**Sec. 2-5 Participation and Voting.**

No member shall participate in deliberation or vote on an issue on which that member has or is determined to have a conflict of interest. On all other issues the member shall be required to vote.

**Sec. 2-6 Abstention; Meeting Minutes**

Should a member be required to abstain due to a conflict of interest, that abstention and the reason for the abstention shall be recorded in the official minutes of the meeting.

Section 2. This ordinance shall be in full force and effect on the 4th day of May, 2010.

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 19th day of April, 2010.

---

Heidi A. Isakson  
Wyoming City Clerk

## MEMORANDUM

TO: Curtis L. Holt  
City Manager

FROM: Jack R. Sluiter  
Wyoming City Attorney

DATE: February 19, 2010

RE: Conflict of Interest Policy - Ordinance

The new state Planning Enabling Act requires the Planning Commission to have a Conflict of Interest Policy in its bylaws unless such a policy is established in an Ordinance by the legislative body.

In discussing this matter with the City Clerk and City Planner we believe it would be more appropriate to establish a general conflict of interest policy which applies to all boards and commissions and to the City Council to make uniform the conflict of interest policy and to clarify when members must abstain or must vote on various issues.

I have therefore prepared a proposed ordinance amendment to add a division to chapter 2 of the City Code, the Administrative provisions. That proposed ordinance is attached.

I would request that the ordinance be placed on a future work session agenda for discussion by the Council. If you wish to discuss the matter prior to that time please contact me at your convenience.

cc: Barb VanDuren  
Heidi Isakson  
Tim Cochran

ORDINANCE NO. 3-10

AN ORDINANCE TO AMEND SECTIONS 90-45(3), THE FIRST PARAGRAPH OF SECTION 90-50, SECTION 90-50(2) AND THAT PORTION OF THE SCHEDULE OF REGULATIONS IN SECTION 90-891 REGULATING SIDE YARD SETBACKS IN THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-45(3) is hereby amended to read as follows:

**Sec. 90-45(3).** Any premanufactured accessory building larger than 120 square feet shall be in character with the primary building. Exterior building and roof materials shall be of a finished character with no visible exterior fastening system.

Section 2. That the first paragraph of Section 90-50 is hereby amended to read as follows:

The following provisions shall apply to repairs to, parking and storage of motor vehicles, recreational vehicles, all trailers, or other vehicles in residential districts:

Section 3. That Section 90-50(2) is hereby amended to read as follows:

**Sec. 90-50(2).** No recreational vehicle including, but not limited to, special-purpose automobiles, boats, floats, rafts, camping or travel trailers or detachable travel equipment adaptable to light-duty trucks, excluding bicycles, motor bikes and motorcycles, unless attached to a licensed motor vehicle, shall be stored or parked anywhere on a public street or utility right-of-way or easement. Motor homes may be parked on a street not to exceed three days.

Section 4. That the portion of the Schedule of Regulations in Section 90-891 regulating minimum side yard setback in the R-2 single family residential district is hereby amended to read as follows:

Minimum Side Yard (feet)

1 ½ story                      7

2 story                         7

Section 5. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

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 \_\_\_\_\_, 2010.

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



MAYOR  
Jack A. Poll

AT-LARGE COUNCILMEMBER  
Sam Bolt

AT-LARGE COUNCILMEMBER  
Dan Burrill

AT-LARGE COUNCILMEMBER  
Kent Vanderwood

1ST WARD COUNCILMEMBER  
William A. VerHulst

2ND WARD COUNCILMEMBER  
Richard K. Pastoor

3RD WARD COUNCILMEMBER  
Joanne M. Voorhees

CITY MANAGER  
Curtis L. Holt

April 6, 2010

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

**Subject:** Request to amend Zoning Code Chapter 90 Section 90-45  
(3) Accessory Buildings and Uses. This amendment pertains  
to exterior building materials.

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

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 16, 2010. Staff had the following comments:

The City Zoning Code requires that premanufactured accessory buildings exceeding 120 square feet have a roof design similar to the primary building on the property. In addition, the exterior building material must be of a finished character. This standard has been in place for several decades and is intended to primarily prohibit pole barns or other buildings of low quality construction. Staff believes the ordinance should be modified to allow the alternative buildings materials and still maintain our quality community standards.

Existing Zoning Code Section 90-45 (3):

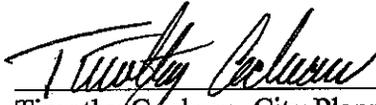
“Any premanufactured accessory building larger than 120 square feet shall be required to have a roof design in character with the primary building and the exterior building material shall be of a finished character.”

Proposed amended Zoning Code Section 90-45 (3):

“Any premanufactured accessory building larger than 120 square feet shall be in character with the primary building. Exterior building and roof materials shall be of a finished character with no visible exterior fastening system.”

There were no comments received at the public hearing. A motion was made by Postema, supported by Micele, to recommend to City Council the Zoning Code amendment as recommended by staff. After discussion, the motion carried unanimously. Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of March 16, 2010.

Respectfully submitted,

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

Timothy Cochran, City Planner  
Planning and Development Department

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



MAYOR  
Jack A. Poll

AT-LARGE COUNCILMEMBER  
Sam Bolt

AT-LARGE COUNCILMEMBER  
Dan Burrill

AT-LARGE COUNCILMEMBER  
Kent Vanderwood

1ST WARD COUNCILMEMBER  
William A. VerHulst

2ND WARD COUNCILMEMBER  
Richard K. Pastoor

3RD WARD COUNCILMEMBER  
Joanne M. Voorhees

CITY MANAGER  
Curtis L. Holt

April 6, 2010

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

**Subject:** Request to amend Zoning Code Chapter 90 Section 90-50  
Repairs to: Parking and Storage of Vehicles in Residential  
Districts. This amendment pertains to clarification of the  
number of trailers stored per property.

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

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 16, 2010. Staff had the following comments:

For decades the City has enforced Zoning Code Section 90-50 such that only one trailer, of any type, may be stored in the open on residential properties. A recent public contact brought into question whether the existing ordinance clearly states this intent. The concern is whether the statement "These provisions shall also apply to utility trailers or trailers" under Section 90-50 (2) precludes the regulation of trailers elsewhere in the Zoning Code. While staff does not believe the ordinance is ambiguous, we do acknowledge the Codes intent could be more direct. The following amendments are proposed to address this matter:

Existing regulations:

Introduction to Zoning Code Section 90-50:

"The following provisions shall apply to repairs to parking and storage of motor vehicles, recreational vehicles or other vehicles in residential districts:"

Zoning Code Section 90-50 (2):

"No recreational vehicle including, but not limited to, special-purpose automobiles, boats, floats, rafts, camping or travel trailers or detachable travel equipment adaptable to light-duty trucks, excluding bicycles, motor bikes and motorcycles,

unless attached to a licensed motor vehicle, shall be stored or parked anywhere on a public street or utility right-of-way or easement. These provisions shall also apply to utility trailers or trailers. Motor homes may be parked on a street not to exceed three days.”

Proposed amendments:

Introduction to Zoning Code Section 90-50:

“The following provisions shall apply to repairs to parking and storage of motor vehicles, recreational vehicles, all trailers, or other vehicles in residential districts.”

Zoning Code Section 90-50 (2):

“No recreational vehicle including, but not limited to, special-purpose automobiles, boats, floats, rafts, camping or travel trailers or detachable travel equipment adaptable to light-duty trucks, excluding bicycles, motor bikes and motorcycles, unless attached to a licensed motor vehicle, shall be stored or parked anywhere on a public street or utility right-of-way or easement. Motor homes may be parked on a street not to exceed three days.”

There were two residents at the public hearing who questioned whether there could be exceptions to allow more outdoor trailer storage. A motion was made by Bloomquist, supported by Goodheart, to recommend to City Council the Zoning Code amendment as recommended by staff. After discussion, the motion carried unanimously. Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of March 16, 2010.

Respectfully submitted,

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

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



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CITY MANAGER  
Curtis L. Holt

April 6, 2010

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

Subject: Request to amend Zoning Code Chapter 90 Section 90-891 Residential District Regulations. This amendment pertains to required side yard setbacks in the R-2 Single Family Residential District.

Recommendation: To approve the subject Zoning Code amendment.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 16, 2010. Staff had the following comments:

The R-2 Single Family Residential district allows homes of 1,040 square feet on properties of 8,400 square feet and 65 feet in width. The City has not had any new subdivisions developed to R-2 standards for some time. However, infill development of older subdivisions has progressed. Staff noticed an irregularity in the required R-2 district side yard setbacks for the different types of homes allowed. One-story, bilevel, split level, and trilevel homes are all required to provide a minimum seven (7) foot side yard setback. Homes of 1 ½ story or two story construction are permitted a six (6) foot setback. Staff cannot justify the rational for the different side yard setbacks. Comparatively, in the R-1 and the R-3 districts all homes, regardless of construction, are required to provide the same side yard setback. In those districts the side yard setback is increased to eight (8) feet due to the larger home, lot area and lot width requirements. Staff recommends the ordinance be amended to require a uniform side yard setback in the R-2 district.

Existing Zoning Code Section 90-891 Residential Districts (R-2 Zone):

	<u>Minimum Side Yard (feet)</u>
1 ½ -story	6
Two-story	6

Proposed amended Zoning Code Section 90-891 Residential Districts (R-2 Zone):

	<u>Minimum Side Yard (feet)</u>
1 ½ -story	7
Two-story	7

There were no comments made at the public hearing. A motion was made by Bueche, supported by Postema, to recommend to City Council the Zoning Code amendment as recommended by staff. After discussion, the motion carried unanimously. Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of March 16, 2010.

Respectfully submitted,



---

Timothy Cochran, City Planner  
Planning and Development Department

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

ORDINANCE NO. 4-10

AN ORDINANCE TO AMEND SECTION 90-796(5)(d),  
SECTION 90-799(4) FOOTNOTE (g), SECTION 90-800(5), AND  
SECTION 90-800(9)(a) OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-796(5)(d) is hereby amended to read as follows:

**Sec. 90-796(5)(d).** Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages. All signs shall be limited to a maximum brightness of 2,000 nits during daylight hours. In addition, they shall be reduced to a maximum of 500 nits from one half hour before sunset to one half hour after sunrise. Brightness shall be measured from the sign's face at maximum illumination.

Section 2. That Section 90-799-(4) footnote (g) is hereby amended to read as follows:

Trailer sign requirements. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.

Section 3. That Section 90-800(5) is hereby amended to read as follows:

**Sec. 90-800(5).** Except as noted in subsection (9)(a), below, no off-premises advertising sign structure shall be constructed closer than 750 feet to another off-premises advertising sign structure in any direction, except that no two off-premises advertising signs structures located on the same side of a freeway may be closer than 1,500 feet. Distances are to be measured along the freeway right-of-way line.

Section 4. That Section 90-800(9)(a) is hereby amended to read as follows:

**Sec. 90-800(9)(a).** No off-premises LED advertising sign structure utilizing a moving image display shall be constructed closer than 4,000 feet to another off-premises LED advertising sign structure utilizing a moving image display. Off-premises LED advertising signs may only be constructed to replace existing off-premises advertising signs.

Section 5. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

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 \_\_\_\_\_, 2010.

---

Heidi A. Isakson  
Wyoming City Clerk

Ordinance No. 4-10



Planning & Development Department  
 Telephone 616/530-7258  
 1155 - 28th Street, S.W., Box 905 Wyoming, Michigan 49509-0905

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



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 Joanne M. Voorhees  
  
 CITY MANAGER  
 Curtis L. Holt

April 6, 2010

Ms. Heidi A. Isakson  
 City Clerk  
 Wyoming, MI

Subject: Request to amend Zoning Code Chapter 90 Section 90-796 General Standards for Permitted Signs – Illumination; Section 90-799 Specific Sign Requirements: Nonresidential Districts – wall sign allowances, moving image signs, menu board allowances and permits; and Section 90-800 Off Premise Advertising Signs – clarification of billboard spacing.

Recommendation: To approve the subject Zoning Code amendments.

Dear Ms. Isakson:

The above referenced requests were reviewed by the Wyoming Planning Commission at its regular meeting on March 16, 2010. Staff had the following comments:

In January 2009 the City Council adopted substantial amendments to the sign regulations of the Zoning Code. These amendments had been brought forward from an appointed Sign Committee which were also reviewed and recommended to Council by the Planning Commission. During the past year staff has implemented the new regulations. As the standards were applied, we began to notice several provisions that were inconsistent with the ordinances intent. This has led us to recommend adjustments to the ordinance. The proposed amendments provide greater clarity as to the intent of the ordinance. In one instance, we believe prior standards may be more appropriate. The proposed amendments are primarily more accommodating to businesses.

Sign illumination:

The City has had numerous electronic moving freestanding signs constructed during the last year. During that time we have had several complaints from motorists regarding the signs brightness levels. The City of East Lansing limits electronic signs to a maximum of 2,000 nits during the daylight hours and 500 nits at night. Staff recommends we incorporate the same standards and apply them to

all electronic signs, other than billboards.

Existing Zoning Code Section 90-796 (5) (d) (General Standards for Permitted Signs – Illumination):

“Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages.”

Proposed amended Zoning Code Section 90-796 (5) (d):

“Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages. All signs shall be limited to a maximum brightness of 2,000 nits during the daylight hours. In addition, they shall be reduced to a maximum of 500 nits from a half hour before sunset to a half hour after sunrise. Brightness shall be measured from the sign’s face at maximum illumination.”

(For the following amendments refer to the attachments.)

Projecting signs:

Section 90-799 (Specific sign requirements: nonresidential districts) includes several references to projecting signs and implies their allowance. Projecting signs are those that are typically mounted at a 90 degree angle to a building wall. These have been prohibited in the City for a considerable time and continue to be so under Section 90-795 (Prohibited Signs). The proposed amendment removes all inappropriate references to projecting signs.

Number of wall signs:

Historically, the City allowed each commercial business to have one wall sign for each exterior wall. Wyoming has an extensive number of businesses with multiple wall signs. The pattern within the community is effectively set. Staff recommends we return to the previous standard of allowing one wall sign per exterior wall.

Electronic signs B-1 district:

In addition, in Section 90-799-2 (Secondary Sign Requirements – Nonresidential Districts) a moving image sign as part of a wall, pole or ground sign is not permitted in the B-1 Local Business and RO-1 Restricted Office Districts. They are permitted by-right in all other commercial and industrial zoning districts. Upon

further evaluation, staff believes that moving image signs are acceptable in the B-1 district as well.

Menu boards:

Also in Section 90-799-2 are provisions for menu boards. The ordinance limits businesses with drive up lanes to one menu board and one pre-menu board. Staff desires to amend this provision to one menu board and one pre-menu board per designated drive up lane. In addition, confusing and non-applicable language stating “maximum total area for window signs percent of window area” is proposed to be removed.

Trailer sign permits:

Also in Section 90-799-4 (g) are requirements for trailer sign permits. Past practice has been to limit the weekly sign permits from Monday through Sunday. Staff desires to provide greater flexibility to the business owners by allowing the permits for a seven day period beginning on any given day. Additional unnecessary language in this section is also proposed to be removed.

Existing Zoning Code Section 90-799-4 (g) (Trailer sign requirements):

“Trailer sign requirements. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.”

Proposed Zoning Code Section 90-799-4 (g):

“Trailer sign requirements. Permits shall be obtained for one seven day period or consecutive multiples thereof, except that no property shall contain trailer signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.”

LED billboard separation:

Zoning Code Section 90-800 establishes minimum distances between off-premise advertising signs (billboards). Since at least 1978, the distance between billboards has been measured from structure-to-structure. The pattern of billboards throughout the City reinforces this administration. Recently, legal action against

the City was brought in an attempt to have the distance measured only from billboard faces oriented in the same direction. To fully clarify the intent of the ordinance, it is recommended that the word "structure" be inserted into Zoning Code Sections 90-800 (5), and (9)(a).

Proposed amended Zoning Code Section 90-800 (Off-premise advertising signs):

"(5) Except as noted in subsection (9)(a), below, no off-premises advertising sign structure shall be constructed closer than 750 feet to another off-premises advertising structure in any direction. Except that no two off-premises advertising signs structures located on the same side of a freeway may be closer than 1,500 feet. Distances are to be measured along the freeway right-of-way line."

"(9)(a) No off-premises LED advertising sign structure utilizing a moving image display shall be constructed closer than 4,000 feet to another off-premises LED advertising sign structure utilizing a moving image display. Off premises LED advertising signs may only be constructed to replace existing off-premises advertising signs."

There were several public comments made at the public hearing pertaining to pedestrian signs and temporary signs such as banners, pennants and streamers. The Planning Commission decided to continue discussion on those matters at their April 20, 2010 meeting.

Motion by Bloomquist, supported by Goodheart, to recommend to the City Council the subject Zoning Code amendments as recommended by staff. The motion carried unanimously. Additional explanation regarding these proposals may be obtained from the Planning Commission minutes of March 16, 2010.

Respectfully submitted,

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

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

<i>TABLE 90-798: SIGNS IN RESIDENTIAL DISTRICTS</i>					
<i>Use</i>	<i>Sign Type</i>	<i>Maximum Area</i>	<i>Minimum Set-back</i>	<i>Maximum Height</i>	<i>Maximum Number of Signs</i>
Directional signs for non-residential uses	Freestanding	6 sq. ft.	Outside the clear vision corner	3 ft.	1 per driveway

<sup>1</sup> A trailer sign shall not be permitted if a changeable copy or moving image sign is located on the premises. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.

(Ord. No. 20-08, § 1, 1-5-09)

**Sec. 90-799. Specific sign requirements: nonresidential districts.**

(1) *Permitted sign types.*

- (a) *Permanent signs.* Each lot or use shall be permitted primary and secondary signs as listed in Tables 90-799 and 90-799-2. A sign permit is required for all permanent signs.
- (b) *Temporary signs:* See Table 90-799-4. A permit shall be required for temporary signs. Temporary signs may not be illuminated.

(2) *Specific sign requirements.*

(a) *Wall signs.* ~

- 1. One wall sign per principal building, occupied by one tenant, shall be permitted per street frontage on each parcel.
- 2. Multitenant building or shopping center:
  - (i) One wall sign shall be permitted for each tenant having an individual means of public access and shall be placed on the tenant's entry wall space.
  - (ii) Tenants occupying a corner space in a multitenant structure shall be permitted to have one sign on each of their wall frontages.
  - (iii) Where several tenants share a common entrance in a multitenant structure, only one wall sign shall be permitted, with the total permitted sign area being allocated among the tenants.

(b) *Awning signs.* An awning sign may be provided in lieu of a wall ~~or projecting~~ sign. The area of an awning sign shall be considered as part of the permitted area for wall signs as shown in Table 90-799.

(c) *Sloping roof signs.* A sloping roof sign may be provided in lieu of an awning or wall sign. The area of a sloping roof sign shall be the same as the permitted area for wall signs as shown in Table 90-799.

(d) *Directional signs:* Directional signs are permitted as necessary to direct the public to entrances and exits, parking areas and activity areas, as approved on the required site plan. No directional sign may exceed six square feet. A freestanding directional sign may not exceed four feet in height and shall not be located within the clear vision triangle (see subsection 90-799(2)).

- (e) *Marquees.* For the purposes of this article, any fascia of a marquee shall be considered a wall, and any sign affixed to a marquee shall be subject to the requirements for wall signs.
- (f) *Moving image signs and time and temperature signs.*
  1. Except as otherwise permitted in this article, a moving image sign or time and temperature sign shall be permitted only as a secondary sign, subject to the limitation in Table 90-799-2.
  2. Message changes may occur no less than seven seconds apart. The methods of change shall be limited to instantaneous, roll, splice, unveil, venetian, zoom and fade, as interpreted by the chief building official. Messages or images that scroll across the sign shall not be permitted.
  3. Messages may not advertise off-site locations, events or products.
- (g) *Off-premises advertising signs.* Off-premise advertising signs (billboards) shall only be permitted as outlined in section 90-800.

(3) *Permanent sign requirements:* Each use shall be permitted the primary and secondary signs as provided in Tables 90-799 and 90-799-2.

TABLE 90-799: PRIMARY SIGN REQUIREMENTS - NONRESIDENTIAL DISTRICTS									
Sign Type and Requirement (P = Permitted NP = Not Permitted)		Zoning District							
		B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Wall, Awning, <del>Projecting</del> and Sloping Roof Signs	Wall Sign	P	P	P	P	P	P	P	P
	Awning Sign	P	P	P	P	P	P	P	P
	Sloping Roof Sign	P	P	P	P	P	P	P	P
Maximum Number (for each frontage per tenant or use)		1	1	1	1	1	1	1	1
		No more than 1 wall sign, OR 1 awning sign, <del>OR 1 projecting sign</del> OR 1 sloping roof sign for each <del>frontage per</del> tenant <del>or use</del> . <i>wall area served.</i>							
Wall, Awning, <del>Projecting</del> and Sloping Roof Signs (cont.) Maximum Total Area Per Use (whichever is less) . . .	Percent of Wall area to which sign is attached	15%	15%	15%	15%	10%	5%	5%	5%
	Area Square Feet Max.	150	150	150	150	150	100	100	100
Maximum Height per sign		No wall, awning or sloping roof <del>projecting</del> sign shall extend above the wall, roof line, or fascia upon which is attached. A sloping roof sign shall not extend above the roof line.							
Note: If an awning sign is internally illuminated, the entire area of the awning shall be considered a sign.									

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS - NONRESIDENTIAL DISTRICTS								
Sign Type & Requirement (P =Permitted NP = Not Permitted)	Zoning District							
	B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
<b>Manual changeable copy sign as part of a wall, pole or ground sign</b>	P	P	P	P	P	P	P	P
Maximum number (per use)	1	1	1	1	1	1	1	1
Maximum area	A manual changeable copy sign is not permitted on a sign that also has a moving image display or a time and temperature sign. No more than 40% of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
<b>Time &amp; temperature sign as a part of a wall, pole or ground sign</b>	P	P	P	P	P	P	P	P
Maximum number (per use)	1	1	1	1	1	1	1	1
Maximum time and temp. area	A time and temperature sign is not permitted on a sign that also has an moving image display or a manual changeable copy sign. No more than 40 percent of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
Minimum display time maximum time and temp. area	The time and/or temperature message shall be displayed for a minimum of seven seconds before changing. No more than 40 percent of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
<b>Moving image sign as a part of a wall, pole or ground sign</b>	<del>NP</del> P	P	P	P	NP	P	P	P
Maximum number per lot	<del>NP</del> 1	1	1	1	NP	1	1	1
Maximum moving image display area	No more than 40 percent of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
<b>Directional sign</b>	P	P	P	P	P	P	P	P
Maximum number (per entrance/exit)	Per drive-way	1	1	1	1	1	1	1
	Site interior	As approved on the site plan by the Building Official.						
Maximum area (square feet)	6	6	6	6	6	6	6	6
Maximum height (feet)	3	3	3	3	3	3	3	3
<b>Window sign (permanent)</b>	P	P	P	P	P	P	P	P
Maximum total area for window signs (temporary and permanent)	Percent of window area	The total of all window signs shall not exceed 25 percent of the total area of each window.						

**TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS - NONRESIDENTIAL DISTRICTS**

Sign Type & Requirement (P = Permitted NP = Not Permitted)	Zoning District							
	B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Menu board or options board	P	P	P	P	P	NP	NP	NP
Maximum number per <del>one</del> designated drive-up lane	One menu/options board and one pre-menu/options board.							
Maximum height (feet)	Seven							
Maximum area (square feet)	The menu/options board shall not exceed 44 square feet; the pre-menu/options board shall not exceed 16 square feet.							
Location <del>maximum total area for window signs percent of window area</del>	Signs shall not be located in the front yard; nor shall the display be visible from any principal street; nor shall the signs be closer than 100 feet to any residential district.							

(4) Temporary sign requirements. Temporary signs shall be permitted in the nonresidential districts per Table 90-799-4:

**TABLE 90-799-4: TEMPORARY SIGNS - NONRESIDENTIAL DISTRICTS**

Temporary Sign	Type of Sign Permitted	Max. Size	Max. Height	Max. Number	Setback	Permit Required	Permitted Duration
Trailer sign	As defined	40	6 ft.	1	(b)	Y	(g)
Construction sign	Ground or wall	32 sq. ft. (a)	10 ft.	1	(b)	Y	Date of building permit to 1 week after the last construction trade has left
Window sign (temporary)	Paper or fabric	(e)			(b)	N	No maximum 30 days (f)
Real estate; sale or lease of individual business or lot	Ground or Wall	32 sq. ft.	6 ft.	1 (c)	(b)	N	During periods of rent, lease, sale or availability
Real estate development sign	Ground	32 sq. ft.	10 ft.	1 (c)	(b)	N	Until 75 percent of the units or sq. ft. of project are sold and/or leased, whichever comes first

ORDINANCE NO. 5-10

AN ORDINANCE TO ADD ARTICLE XXIV, DIVISION I TO  
CHAPTER 90 OF THE CODE OF THE CITY OF WYOMING  
ENTITLED "ALTERNATIVE AND RENEWABLE ENERGIES,  
SOLAR ENERGY EQUIPMENT"

THE CITY OF WYOMING ORDAINS:

Section 1. That Article XXIV of Chapter 90 Entitled "Alternative and Renewable Energies" is hereby added to the Code of the City of Wyoming to read as follows:

**ARTICLE XXIV. ALTERNATIVE AND RENEWABLE ENERGIES**

**DIVISION I. SOLAR ENERGY EQUIPMENT**

**Sec. 90-985. PURPOSE.** The purpose of this Ordinance is to establish guidelines for siting Solar Energy Equipment (SEE). The goals are as follows:

- A. To promote the safe, effective and efficient use of SEE in order to reduce the consumption of fossil fuels in producing electricity.
- B. To preserve and protect public health, safety, welfare and quality of life by minimizing the potential adverse impacts of SEE.
- C. To establish standards and procedures by which the siting, design, engineering, installation, operation and maintenance of SEE shall be governed.

**Sec. 90-986. DEFINITION.**

Solar Energy Equipment (SEE) is defined as a solar photovoltaic panel, solar hot air or hot water panel collector device, or other type of energy system which relies upon solar radiation as a source for generation of electricity or transfer of stored heat.

**Sec. 90-987. PERMITTED USES**

SEE shall be permitted as an accessory use in all zoning districts subject to the following requirements:

- A. General:
  - 1. SEE shall be located in the least visibly obtrusive location where panels would be functional.
  - 2. SEE must comply with all setback and height requirements for the zoning district in which the property is located.
  - 3. Non-functioning SEE shall be repaired or replaced within three months of becoming inoperable.

4. The SEE and any electrical, plumbing, mechanical or other apparatus in connection with the device, shall be installed, operated and maintained in conformance with the manufacturers specifications. Applicable construction permits shall be required prior to installation.
5. The City shall not be held responsible for approving SEE which becomes nonfunctioning due to a blockage of solar access. SEE property owners are advised to obtain a Solar Access Easement from adjoining property owners if there is a possibility for solar access blockage.

B. Roof or wall mounted solar energy equipment

1. It is encouraged that roof mounted SEE shall be installed in the plane of the roof (flush mounted) or made a part of the roof (capping or framing is compatible with the color of the roof or structure). Mounting brackets shall be permitted if the applicant can demonstrate that the existing pitch of the roof would render the solar energy equipment ineffective.
2. SEE shall be located on a rear or side facing roof, as seen from the fronting street, unless the applicant can demonstrate that such installation would be ineffective.
3. SEE shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof.
4. All exterior electrical and/or plumbing lines must be painted in a color scheme that matches as closely as possible the color of the structure and the material adjacent to the lines.

C. Ground mounted solar energy equipment.

1. SEE shall only be located in the side or rear yard of a property.
2. SEE must be substantially screened from public view (including adjacent properties and public rights-of-way) by fencing, plantings or a combination thereof, as determined by the Building Official.
3. All exterior electrical and/or plumbing lines must be placed in a conduit and buried below the surface of the ground.
4. SEE shall not block any required parking areas, sidewalks or walkways.

Section 2. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

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 \_\_\_\_\_, 2010.

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

Ordinance No. 5-10



MAYOR  
Jack A. Poll

AT-LARGE COUNCILMEMBER  
Sam Bolt

AT-LARGE COUNCILMEMBER  
Dan Burrill

AT-LARGE COUNCILMEMBER  
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April 6, 2010

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

**Subject:** Request to amend Zoning Code Chapter 90 to establish standards for solar energy equipment.

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

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 16, 2010. Staff had the following comments:

The Zoning Code does not provide appropriate standards for regulating wind energy turbines (WET), solar energy equipment (SEE) or outdoor wood fired boilers, stoves, or furnaces (OWFBSF). Wyoming has been contacted by residents and business owners desiring to obtain energy production beyond the customary electric and gas utilities. Those seeking alternative energy production may desire reduced energy consumption, diminished energy costs, and a reduced environmental impact. Rapid advancements in new energy generating technologies, with subsequent affordability and availability, are also increasing the desire for these devices.

After discussion of each of the separate alternative energy devices, the Planning Commission decided to continue discussion regarding wind energy turbines and outdoor furnaces at their April 20, 2010 meeting.

The proposed Alternative Energies Ordinance pertaining to solar energy equipment (SEE) is attached. The following are the major requirements for locating a SEE:

SEE's are permitted by-right in all districts.

SEE's shall be located where least visibly obtrusive where functional.

Roof installations are preferred while maintaining the same roof plane.

Roof mounted SEE's are limited to the height of the peak, or up to five feet above if flat roof.

SEE's shall be located on side or rear facing roof unless proven ineffective.

Ground mounted SEE's shall be in the side or rear yard of the property and screened from public view.

Property owners are advised to obtain Solar Access Easements when appropriate.

There were no comments made at the public hearing pertaining to the proposed solar energy standards. A motion was made by Bueche, supported by Woodruff, to recommend to City Council the Zoning Code amendment as recommended by staff. After discussion, the motion carried unanimously. Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of March 16, 2010.

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

## **SECTION 90-986: PURPOSE**

The purpose of this Ordinance is to establish guidelines for siting Solar Energy Equipment (SEE). The goals are as follows:

- A. To promote the safe, effective, and efficient use of a SEE in order to reduce the consumption of fossil fuels in producing electricity.
- B. To preserve and protect public health, safety, welfare and quality of life by minimizing the potential adverse impacts of a SEE.
- C. To establish standards and procedures by which the siting, design, engineering, installation, operation and maintenance of a SEE shall be governed.

## **SECTION 90-987: DEFINITION**

Solar Energy Equipment (SEE) is defined as a solar photovoltaic panel, solar hot air or hot water panel collector device, or other type of energy system which relies upon solar radiation as a source for the generation of electricity or transfer of stored heat.

## **SECTION 90-988: PERMITTED USES**

A SEE shall be permitted as an accessory use in all zoning districts subject to the following requirements:

### **A. General:**

- 1. SEE shall be located in the least visibly obtrusive location where panels would be functional.
- 2. SEE must comply with all setback and height requirements for the zoning district in which the property is located.
- 3. Non-functioning SEE shall be repaired or replaced within three months of becoming unoperable.
- 4. The SEE, and any electrical, plumbing, mechanical or other apparatus in connection with the device, shall be installed, operated and maintained in conformance with the manufacturers specifications. Applicable construction permits shall be required prior to installation.
- 5. The City of Wyoming shall not be held responsible for approving a SEE which becomes nonfunctioning due to a blockage of solar access. SEE property owners are advised to obtain a Solar Access Easement from adjoining property owners if there is a possibility for solar access blockage.

**B. Roof or wall mounted solar energy equipment:**

1. It is encouraged that roof mounted SEE shall be installed in the plane of the roof (flush mounted) or made a part of the roof (capping or framing is compatible with the color of the roof or structure). Mounting brackets shall be permitted if the applicant can demonstrate that the existing pitch of the roof would render the solar energy equipment ineffective.
2. SEE shall be located on a rear or side facing roof, as seen from the fronting street, unless the applicant can demonstrate that such installation would be ineffective.
3. SEE shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof.
4. All exterior electrical and/or plumbing lines must be painted in a color scheme that matches as closely as possible the color of the structure and the material adjacent to the lines.

**C. Ground mounted solar energy equipment:**

1. SEE shall only be located in the side or rear yard of a property.
2. The SEE must be substantially screened from public view (including adjacent properties and public rights-of-way) by fencing, plantings or a combination thereof, as determined by the Building Official.
3. All exterior electrical and/or plumbing lines must be placed in a conduit and buried below the surface of the ground.
4. SEE shall not block any required parking areas, sidewalks or walkways.

ORDINANCE NO. 6-10

AN ORDINANCE TO AMEND SECTIONS 10-56, 10-77, 10-121  
AND 10-151 AND TO REPEAL SECTIONS 10-177(17) THROUGH  
10-177(22) OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 10-56 of the Code of the City of Wyoming is hereby amended to read as follows:

**Sec. 10-56. Adoption of Michigan Building Code and Michigan Residential Code.**

The City hereby adopts by reference the current Michigan Building Code and Michigan Residential Code promulgated by the State of Michigan under 1972 Public Act 230 and 1999 PA 245. One copy of each code has been and is on file with the city clerk. The code is subject, however, to the following subsections:

(1) Whenever the words “name of jurisdiction” appear, the word “city: shall be considered inserted.

(2) The amount of fee for service required by Chapter 1, Administration shall be paid as required by resolution of the city council from time to time and on file with the city clerk.

(3) All other fees, as required, shall be by resolution of the city council from time to time and on file with the city clerk.

Section 2. That Section 10-77 of the Code of the City of Wyoming is hereby amended to read as follows:

**Sec. 10-77. Adoption of Michigan Electrical Code.**

The City hereby adopts by reference as applicable within the city, the current Michigan Electrical Code, including Construction Codes Rules Part 8, promulgated by the State of Michigan under 1972 Public Act 230 and Electrical Administrative Act 217 of 1956 and by reference the National Electrical Code covering installations of electrical conductors and equipment within or on public and private buildings or other structures, including mobile homes, and other premises such as yards, carnivals, parking and other lots and industrial substations; and the installations of conductors that connect to the supply of electricity. One copy of each code has been and is on file with the city clerk.

Section 3. That Section 10-121 of the Code of the City of Wyoming is hereby amended to read as follows:

**Sec. 10-121. Adoption of the Michigan Plumbing Code.**

The city hereby adopts by reference the current Michigan Plumbing Code promulgated by the State of Michigan under 1972 Public Act 230 and 1999 PA 245. One copy of the code has been

and is on file with the city clerk. The code is however subject to the following subsections:

(1) Whenever the words “name of jurisdiction” appear, the word “city: shall be considered inserted.

(2) The schedule of permit fees indicated in Chapter 1, Administration of the Michigan Plumbing Code shall be the fees as established by resolution of the city council from time to time and on file with the city clerk.

(3) Legal offenses and fines as allowed in Chapter 1, Administration shall be as otherwise provided in the city code.

Section 4. That Section 10-151 of the Code of the City of Wyoming is hereby amended to read as follows:

**Sec. 10-151. Adoption of Michigan Mechanical Code.**

City hereby adopts by reference the current Michigan Mechanical Code, promulgated by the State of Michigan including Construction Codes Rule Part 9 under 1972 Public act 230 and 1999 PA 245. One copy of each code has been and is on file with the city clerk.

(1) Whenever the words “name of jurisdiction” appear, the word “city: shall be considered inserted.

(2) The schedule of permit fees indicated in Chapter 1, Administration shall be the fees as established by resolution of the city council from time to time and on file with the city clerk.

(3) The offenses and penalties indicated Chapter 1, Administration shall be as otherwise provided in the city code.

Section 5. That Sections 10-177(17) through 10-177(22) are hereby repealed.

Section 6. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

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 \_\_\_\_\_, 2010.

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

Ordinance 6-10

# Memorandum

**To:** Curtis Holt, City Manager

**From:** James. W. DeLange, Chief Building

**cc:** Rebecca Rynbrandt, Director Community Services/Inspections

**Date:** April 7, 2010

**Re:** Proposed Code Amendments

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Staff is proposing amendments to City Code Chapter 10 Buildings and Building Regulations for City Council review at the April 12, 2010 work session.

Following are justifications for the proposed City Code amendments.

City Code Chapter 10

Section 10-56 Building

Section 10-77 Electrical

Section 10-121 Plumbing

Section 10-151 Mechanical

Article VII Property Maintenance Code 10-179

In 1999, the State of Michigan under 1972 Public Act 230 and 1999 PA 245 implemented one set of standardized code in effect throughout the State. Municipalities formerly adopted new editions of the code approximately every three – four years. The proposed amendments are worded to clearly reference current State codes, the applicable Public Acts specific to each code and the authority to enact fees.

The proposed language will allow future promulgated Construction Codes to be automatically in effect without local reference to a specific code year.

Article VII – Property Maintenance Code

Insert 10-179 – Sections 111.3 through 111.9

These sections were inadvertently deleted from the City Code when changing from the former 1996 BOCA Property Maintenance Code to the current 2006 IPC (International Property Maintenance Code) with local amendment. These sections pertain to the Housing Board of Appeals procedures, powers, condition for variances and court review rights. The wording is unchanged from the previous code language.

ORDINANCE NO. 7-10

AN ORDINANCE TO AMEND SECTION 90-799(2)(b)  
TABLE 90-799 AND TABLE 90-799-2  
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS.

Section 1. That Sec. 90-799(2)(b) is hereby amended to read as follows:

(b) *Awning signs.* An awning sign may be provided in lieu of a wall sign. The area of an awning sign shall be considered as part of the permitted area for wall signs as shown in Table 90-799.

Section 2. That Table 90-799 of the Code is hereby amended to read as follows:

<b>TABLE 90-799: PRIMARY SIGN REQUIREMENTS – NONRESIDENTIAL DISTRICTS</b>									
<b>Sign Type &amp; Requirement</b> (P =Permitted NP = Not Permitted)		<b>Zoning District</b>							
		<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>DC</b>	<b>RO-1</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>
<b>Wall, Awning and Sloping Roof Signs</b>	Wall Sign	P	P	P	P	P	P	P	P
	Awning Sign	P	P	P	P	P	P	P	P
	Sloping Roof Sign	P	P	P	P	P	P	P	P
Maximum Number (for each frontage per tenant or use)		1	1	1	1	1	1	1	1
		No more than 1 wall sign, OR 1 awning sign, OR 1 sloping roof sign for each tenant wall area served.							
<b>Wall, Awning and Sloping Roof Signs (cont.)</b> Maximum Total Area Per Use (whichever is less).....	Percent of Wall area to which sign is attached	15%	15%	15%	15%	10%	5%	5%	5%
	Area Square Feet Max.	150	150	150	150	150	100	100	100
Maximum Height per sign		No wall, awning or sloping roof sign shall extend above the wall, roof line, or fascia upon which is attached. A sloping roof sign shall not extend above the roof line.							
Note: If an awning sign is internally illuminated, the entire area of the awning shall be considered a sign.									

Section 3. That Table 90799-2 is hereby amended to read as follows:

<b>TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS</b>								
<b>Sign Type &amp; Requirement</b> (P =Permitted NP = Not Permitted)	<b>Zoning District</b>							
	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>DC</b>	<b>RO-1</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>
<b>Manual Changeable Copy Sign as part of a Wall, Pole or Ground Sign</b>	P	P	P	P	P	P	P	P
Maximum Number (per use)	1	1	1	1	1	1	1	1
	A Manual Changeable Copy Sign is not permitted on a sign that also has a moving image display or a time and temperature sign.							
Maximum Area	No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall.							
<b>Time &amp; Temperature Sign as a part of a Wall, Pole or Ground Sign</b>	P	P	P	P	P	P	P	P
Maximum Number (per use)	1	1	1	1	1	1	1	1
	A Time and Temperature Sign is not permitted on a sign that also has an moving image display or a manual changeable copy sign.							
Maximum Time & Temp. Area	No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall.							
Minimum Display Time Maximum Time & Temp. Area	The time and/or temperature message shall be displayed for a minimum of seven (7) seconds before changing No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall.							
<b>Moving Image Sign as a part of a Wall, Pole or Ground Sign</b>	P	P	P	P	NP	P	P	P
Maximum Number per lot	1	1	1	1	NP	1	1	1
Maximum Moving Image Display Area	No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall.							

<b>TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS</b>								
<b>Sign Type &amp; Requirement</b> (P =Permitted NP = Not Permitted)		<b>Zoning District</b>						
		<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>DC</b>	<b>RO-1</b>	<b>I-1</b>	<b>I-2</b>
<b>Directional Sign</b>		P	P	P	P	P	P	P
<b>Maximum Number (per entrance/exit)</b>	Per Driveway	1	1	1	1	1	1	1
	Site Interior	As approved on the site plan by the Building Official						
<b>Maximum Area (square feet)</b>		6	6	6	6	6	6	6
<b>Maximum Height (feet)</b>		3	3	3	3	3	3	3
<b>Window Sign (Permanent)</b>		P	P	P	P	P	P	P
<b>Maximum Total Area for Window Signs</b> (temporary and permanent)	Percent of Window Area	The total of all window signs shall not exceed twenty-five (25) percent of the total area of each window.						
<b>Menu Board or Options Board</b>		P	P	P	P	P	NP	NP
Maximum number per designated drive-up lane		One menu/options board and one pre-menu/options board						
Maximum height (feet)		Seven (7)						
Maximum area (square feet)		The menu/options board shall not exceed 44 square feet; the pre-menu/options board shall not exceed 16 square feet.						
Location		Signs shall not be located in the front yard; nor shall the display be visible from any principal street; nor shall the signs be closer than 100 feet to any Residential District.						

Section 2. This ordinance shall be in full force and effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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 \_\_\_\_\_, 2010.

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



Planning & Development Department  
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Web: [www.wyomingmi.gov](http://www.wyomingmi.gov)



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- 2ND WARD COUNCILMEMBER  
Richard K. Pastoor
- 3RD WARD COUNCILMEMBER  
Joanne M. Voorhees
- CITY MANAGER  
Curtis L. Holt

April 6, 2010

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

**Subject:** Request to amend Zoning Code Chapter 90 Section 90-796 General Standards for Permitted Signs – Illumination; Section 90-799 Specific Sign Requirements: Nonresidential Districts – wall sign allowances, moving image signs, menu board allowances and permits; and Section 90-800 Off Premise Advertising Signs – clarification of billboard spacing.

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

Dear Ms. Isakson:

The above referenced requests were reviewed by the Wyoming Planning Commission at its regular meeting on March 16, 2010. Staff had the following comments:

In January 2009 the City Council adopted substantial amendments to the sign regulations of the Zoning Code. These amendments had been brought forward from an appointed Sign Committee which were also reviewed and recommended to Council by the Planning Commission. During the past year staff has implemented the new regulations. As the standards were applied, we began to notice several provisions that were inconsistent with the ordinances intent. This has led us to recommend adjustments to the ordinance. The proposed amendments provide greater clarity as to the intent of the ordinance. In one instance, we believe prior standards may be more appropriate. The proposed amendments are primarily more accommodating to businesses.

Sign illumination:

The City has had numerous electronic moving freestanding signs constructed during the last year. During that time we have had several complaints from motorists regarding the signs brightness levels. The City of East Lansing limits electronic signs to a maximum of 2,000 nits during the daylight hours and 500 nits at night. Staff recommends we incorporate the same standards and apply them to

all electronic signs, other than billboards.

Existing Zoning Code Section 90-796 (5) (d) (General Standards for Permitted Signs – Illumination):

“Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages.”

Proposed amended Zoning Code Section 90-796 (5) (d):

“Illumination by bare bulbs, neon, luminous tubing or flames is prohibited. Signs shall have no exposed or flashing bulbs. Except as otherwise permitted in this article, no sign shall contain any visible moving parts or messages. All signs shall be limited to a maximum brightness of 2,000 nits during the daylight hours. In addition, they shall be reduced to a maximum of 500 nits from a half hour before sunset to a half hour after sunrise. Brightness shall be measured from the sign’s face at maximum illumination.”

(For the following amendments refer to the attachments.)

Projecting signs:

Section 90-799 (Specific sign requirements: nonresidential districts) includes several references to projecting signs and implies their allowance. Projecting signs are those that are typically mounted at a 90 degree angle to a building wall. These have been prohibited in the City for a considerable time and continue to be so under Section 90-795 (Prohibited Signs). The proposed amendment removes all inappropriate references to projecting signs.

Number of wall signs:

Historically, the City allowed each commercial business to have one wall sign for each exterior wall. Wyoming has an extensive number of businesses with multiple wall signs. The pattern within the community is effectively set. Staff recommends we return to the previous standard of allowing one wall sign per exterior wall.

Electronic signs B-1 district:

In addition, in Section 90-799-2 (Secondary Sign Requirements – Nonresidential Districts) a moving image sign as part of a wall, pole or ground sign is not permitted in the B-1 Local Business and RO-1 Restricted Office Districts. They are permitted by-right in all other commercial and industrial zoning districts. Upon

further evaluation, staff believes that moving image signs are acceptable in the B-1 district as well.

Menu boards:

Also in Section 90-799-2 are provisions for menu boards. The ordinance limits businesses with drive up lanes to one menu board and one pre-menu board. Staff desires to amend this provision to one menu board and one pre-menu board per designated drive up lane. In addition, confusing and non-applicable language stating “maximum total area for window signs percent of window area” is proposed to be removed.

Trailer sign permits:

Also in Section 90-799-4 (g) are requirements for trailer sign permits. Past practice has been to limit the weekly sign permits from Monday through Sunday. Staff desires to provide greater flexibility to the business owners by allowing the permits for a seven day period beginning on any given day. Additional unnecessary language in this section is also proposed to be removed.

Existing Zoning Code Section 90-799-4 (g) (Trailer sign requirements):

“Trailer sign requirements. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.”

Proposed Zoning Code Section 90-799-4 (g):

“Trailer sign requirements. Permits shall be obtained for one seven day period or consecutive multiples thereof, except that no property shall contain trailer signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.”

LED billboard separation:

Zoning Code Section 90-800 establishes minimum distances between off-premise advertising signs (billboards). Since at least 1978, the distance between billboards has been measured from structure-to-structure. The pattern of billboards throughout the City reinforces this administration. Recently, legal action against

the City was brought in an attempt to have the distance measured only from billboard faces oriented in the same direction. To fully clarify the intent of the ordinance, it is recommended that the word "structure" be inserted into Zoning Code Sections 90-800 (5), and (9)(a).

Proposed amended Zoning Code Section 90-800 (Off-premise advertising signs):

"(5) Except as noted in subsection (9)(a), below, no off-premises advertising sign structure shall be constructed closer than 750 feet to another off-premises advertising structure in any direction. Except that no two off-premises advertising signs structures located on the same side of a freeway may be closer than 1,500 feet. Distances are to be measured along the freeway right-of-way line."

"(9)(a) No off-premises LED advertising sign structure utilizing a moving image display shall be constructed closer than 4,000 feet to another off-premises LED advertising sign structure utilizing a moving image display. Off premises LED advertising signs may only be constructed to replace existing off-premises advertising signs."

There were several public comments made at the public hearing pertaining to pedestrian signs and temporary signs such as banners, pennants and streamers. The Planning Commission decided to continue discussion on those matters at their April 20, 2010 meeting.

Motion by Bloomquist, supported by Goodheart, to recommend to the City Council the subject Zoning Code amendments as recommended by staff. The motion carried unanimously. Additional explanation regarding these proposals may be obtained from the Planning Commission minutes of March 16, 2010.

Respectfully submitted,

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

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

<i>TABLE 90-798: SIGNS IN RESIDENTIAL DISTRICTS</i>					
<i>Use</i>	<i>Sign Type</i>	<i>Maximum Area</i>	<i>Minimum Set-back</i>	<i>Maximum Height</i>	<i>Maximum Number of Signs</i>
Directional signs for non-residential uses	Freestanding	6 sq. ft.	Outside the clear vision corner	3 ft.	1 per driveway

<sup>1</sup> A trailer sign shall not be permitted if a changeable copy or moving image sign is located on the premises. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street.

(Ord. No. 20-08, § 1, 1-5-09)

**Sec. 90-799. Specific sign requirements: nonresidential districts.**

(1) *Permitted sign types.*

- (a) *Permanent signs.* Each lot or use shall be permitted primary and secondary signs as listed in Tables 90-799 and 90-799-2. A sign permit is required for all permanent signs.
- (b) *Temporary signs:* See Table 90-799-4. A permit shall be required for temporary signs. Temporary signs may not be illuminated.

(2) *Specific sign requirements.*

(a) *Wall signs.* ~

- 1. One wall sign per principal building, occupied by one tenant, shall be permitted per street frontage on each parcel.
- 2. Multitenant building or shopping center:
  - (i) One wall sign shall be permitted for each tenant having an individual means of public access and shall be placed on the tenant's entry wall space.
  - (ii) Tenants occupying a corner space in a multitenant structure shall be permitted to have one sign on each of their wall frontages.
  - (iii) Where several tenants share a common entrance in a multitenant structure, only one wall sign shall be permitted, with the total permitted sign area being allocated among the tenants.

(b) *Awning signs.* An awning sign may be provided in lieu of a wall ~~or projecting~~ sign. The area of an awning sign shall be considered as part of the permitted area for wall signs as shown in Table 90-799.

(c) *Sloping roof signs.* A sloping roof sign may be provided in lieu of an awning or wall sign. The area of a sloping roof sign shall be the same as the permitted area for wall signs as shown in Table 90-799.

(d) *Directional signs:* Directional signs are permitted as necessary to direct the public to entrances and exits, parking areas and activity areas, as approved on the required site plan. No directional sign may exceed six square feet. A freestanding directional sign may not exceed four feet in height and shall not be located within the clear vision triangle (see subsection 90-799(2)).

- (e) *Marquees.* For the purposes of this article, any fascia of a marquee shall be considered a wall, and any sign affixed to a marquee shall be subject to the requirements for wall signs.
- (f) *Moving image signs and time and temperature signs.*
  1. Except as otherwise permitted in this article, a moving image sign or time and temperature sign shall be permitted only as a secondary sign, subject to the limitation in Table 90-799-2.
  2. Message changes may occur no less than seven seconds apart. The methods of change shall be limited to instantaneous, roll, splice, unveil, venetian, zoom and fade, as interpreted by the chief building official. Messages or images that scroll across the sign shall not be permitted.
  3. Messages may not advertise off-site locations, events or products.
- (g) *Off-premises advertising signs.* Off-premise advertising signs (billboards) shall only be permitted as outlined in section 90-800.

(3) *Permanent sign requirements:* Each use shall be permitted the primary and secondary signs as provided in Tables 90-799 and 90-799-2.

TABLE 90-799: PRIMARY SIGN REQUIREMENTS - NONRESIDENTIAL DISTRICTS									
Sign Type and Requirement (P = Permitted NP = Not Permitted)		Zoning District							
		B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Wall, Awning, <del>Projecting</del> and Sloping Roof Signs	Wall Sign	P	P	P	P	P	P	P	P
	Awning Sign	P	P	P	P	P	P	P	P
	Sloping Roof Sign	P	P	P	P	P	P	P	P
Maximum Number (for each frontage per tenant or use)		1	1	1	1	1	1	1	1
		No more than 1 wall sign, OR 1 awning sign, <del>OR 1 projecting sign</del> OR 1 sloping roof sign for each <del>frontage per</del> tenant <del>or use</del> . <i>wall area served.</i>							
Wall, Awning, <del>Projecting</del> and Sloping Roof Signs (cont.) Maximum Total Area Per Use (whichever is less) . . .	Percent of Wall area to which sign is attached	15%	15%	15%	15%	10%	5%	5%	5%
	Area Square Feet Max.	150	150	150	150	150	100	100	100
Maximum Height per sign		No wall, awning or sloping roof <del>projecting</del> sign shall extend above the wall, roof line, or fascia upon which is attached. A sloping roof sign shall not extend above the roof line.							
Note: If an awning sign is internally illuminated, the entire area of the awning shall be considered a sign.									

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS - NONRESIDENTIAL DISTRICTS								
Sign Type & Requirement (P =Permitted NP = Not Permitted)	Zoning District							
	B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
<b>Manual changeable copy sign as part of a wall, pole or ground sign</b>	P	P	P	P	P	P	P	P
Maximum number (per use)	1	1	1	1	1	1	1	1
Maximum area	A manual changeable copy sign is not permitted on a sign that also has a moving image display or a time and temperature sign. No more than 40% of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
<b>Time &amp; temperature sign as a part of a wall, pole or ground sign</b>	P	P	P	P	P	P	P	P
Maximum number (per use)	1	1	1	1	1	1	1	1
Maximum time and temp. area	A time and temperature sign is not permitted on a sign that also has an moving image display or a manual changeable copy sign. No more than 40 percent of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
Minimum display time maximum time and temp. area	The time and/or temperature message shall be displayed for a minimum of seven seconds before changing. No more than 40 percent of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
<b>Moving image sign as a part of a wall, pole or ground sign</b>	<del>NP</del> P	P	P	P	NP	P	P	P
Maximum number per lot	<del>NP</del> 1	1	1	1	NP	1	1	1
Maximum moving image display area	No more than 40 percent of the allowed area of a pole or ground sign or 30 percent of the allowed area of a wall or projecting sign.							
<b>Directional sign</b>	P	P	P	P	P	P	P	P
Maximum number (per entrance/exit)	Per drive-way	1	1	1	1	1	1	1
	Site interior	As approved on the site plan by the Building Official.						
Maximum area (square feet)	6	6	6	6	6	6	6	6
Maximum height (feet)	3	3	3	3	3	3	3	3
<b>Window sign (permanent)</b>	P	P	P	P	P	P	P	P
Maximum total area for window signs (temporary and permanent)	Percent of window area	The total of all window signs shall not exceed 25 percent of the total area of each window.						

**TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS - NONRESIDENTIAL DISTRICTS**

Sign Type & Requirement (P = Permitted NP = Not Permitted)	Zoning District							
	B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Menu board or options board	P	P	P	P	P	NP	NP	NP
Maximum number per <del>one</del> designated drive-up lane	One menu/options board and one pre-menu/options board.							
Maximum height (feet)	Seven							
Maximum area (square feet)	The menu/options board shall not exceed 44 square feet; the pre-menu/options board shall not exceed 16 square feet.							
Location <del>maximum total area for window signs percent of window area</del>	Signs shall not be located in the front yard; nor shall the display be visible from any principal street; nor shall the signs be closer than 100 feet to any residential district.							

(4) Temporary sign requirements. Temporary signs shall be permitted in the nonresidential districts per Table 90-799-4:

**TABLE 90-799-4: TEMPORARY SIGNS - NONRESIDENTIAL DISTRICTS**

Temporary Sign	Type of Sign Permitted	Max. Size	Max. Height	Max. Number	Setback	Permit Required	Permitted Duration
Trailer sign	As defined	40	6 ft.	1	(b)	Y	(g)
Construction sign	Ground or wall	32 sq. ft. (a)	10 ft.	1	(b)	Y	Date of building permit to 1 week after the last construction trade has left
Window sign (temporary)	Paper or fabric	(e)			(b)	N	No maximum 30 days (f)
Real estate; sale or lease of individual business or lot	Ground or Wall	32 sq. ft.	6 ft.	1 (c)	(b)	N	During periods of rent, lease, sale or availability
Real estate development sign	Ground	32 sq. ft.	10 ft.	1 (c)	(b)	N	Until 75 percent of the units or sq. ft. of project are sold and/or leased, whichever comes first