



**CITY COMMISSION  
MEETING  
October 1, 2012**



# PRE-MEETING AGENDA

**ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
MONDAY,  
OCTOBER 1, 2012**

The City Commission will meet for a pre-meeting study session on Monday, October 1, 2012 at 5:30 p.m. at the City Wastewater Facility on Oakwood Road.

1. Site visit and tour of Wastewater Facility – Oakwood Road. (Transportation will not be provided).
2. Other items as time permits.



# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
OCTOBER 1, 2012  
7:00PM**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 17, 2012 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. PUBLIC COMMENT ON AGENDA ITEMS
- VI. CONSENT AGENDA
  1. **CR12-055. Assessing.** Resolution to approve the FY2012-13 Auto Parking Fund Financial Plan, and to set a public hearing date to hear and consider comments regarding the proposed Special Assessment District in the Downtown Development District.
  2. **CR12-056. Utilities.** Resolution to authorize the purchase of a new generator and automatic transfer switch for the City of Adrian Wellfield including installation.
  3. **CR12-057. City Commission.** Resolution to authorize the City Administrator to cast the vote for the election of members to the Board of Directors of the Michigan Municipal League Liability and Property Pool.
  4. **CR12-058. City Commission.** Resolution to appoint City Administrator Dane C. Nelson to continue as the City of Adrian representative on the Adrian Gas Rate Commission.
- VII. REGULAR AGENDA
  - A. ORDINANCES
    1. **Ord.12-007.** Second reading and adoption of a Pilot Ordinance for Maple Village.
  - B. RESOLUTIONS
    1. **R12-115. Information Technology.** Resolution to waive the bid process and approve the purchase of a HP HCL ProLiant DL Server from HP and a three year ProCare Service Contract.
    2. **R12-116. Transportation.** Resolution to award a bid for the purchase of bus tires for Adrian Dial-A-Ride buses.

3. **R12-117. Transportation.** Resolution to authorize a three (3) month extension of a contract between the City and Quick Service Transportation, Inc. for the operation of Dial-A-Ride services.
4. **R12-118. Parks & Recreation.** Resolution to award a bid for the purchase of a Mid-mount Mower for Oakwood Cemetery.

VIII. PUBLIC COMMENT

IX. COMMISSIONERS COMMENTS



# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
SEPTEMBER 17, 2012  
7:00 P.M.**

Official proceedings of the September 17, 2012 regular meeting of the City Commission, Adrian, Michigan.

The regular meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

PRESENT: Mayor DuMars and Commissioners Gallatin, Carrico, Warren, Jacobson, Faulhaber and Berryman Adams.

Mayor DuMars in the Chair.

Commissioner Faulhaber motioned to approve the minutes from the September 4, 2012 Commission meeting; seconded by Commissioner Jacobson, and the motion was carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher # 3670 through # 3679	\$186,600.30
General Fund Vouchers # 21087 through # 21112	\$389,604.90
Clearing Account Vouchers amounting to	<u>\$409,138.28</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$985,343.48</b></u>

On motion by Commissioner Carrico, seconded by Commissioner Warren, this resolution was adopted by a unanimous vote.

**PUBLIC COMMENT**

1. John Kuenzer of Inteva Products, LLC requested the Commission's approval for the (2) IFT's that are on tonight's agenda.
2. David Gerchak – 1<sup>st</sup> housing Corporation – thanked the Commission for their willingness to consider the PILOT Ordinance for Maple Village and then gave a summary of the improvements that would be made if the PILOT is approved.

**COMMUNICATIONS**

**C-1. FINANCE** – Downtown Development Authority – FY2011-12 Year-End (Audited) Financial Reports.

**C-2. FINANCE.** – Pending Legislation – House Bill 5302

**C-3. FINANCE.** – State Revenue Sharing – Update.

## CONSENT AGENDA

### CR12-049

**RE: UTILITIES DEPARTMENT – Wastewater Treatment Plant – Authorization to Purchase New 2012 ¾ -Ton Truck**

WHEREAS, the FY2012-13 Amended Budget includes \$30,000 (Account No. 497-554.00-977.520) to purchase a new 2012 ¾-ton truck, to be used at the Wastewater Treatment Plant; and

WHEREAS, on Thursday, September 6, 2012, the Purchasing Office received the six (6) bids for the aforementioned replacement vehicle (see attached bid tabulation), with the lowest qualified bidder that meets specifications necessary to perform job requirements identified as Dave Knapp Ford, Adrian, MI with the low bid of \$23,410.00 plus \$1,000.00 for the trade in vehicle for a total of \$22,410.00; and

WHEREAS, the Utilities Director and City Administrator recommend selection of the lowest qualified bidder, Dave Knapp Ford, Adrian, MI, for purposes of acquiring a new 2012 ¾-ton truck at a cost with trade-in not to exceed \$22,410.00; and

NOW, THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of a new ¾-ton truck from the lowest qualified bidder, Dave Knapp Ford, Adrian, MI at a cost with trade-in not to exceed \$22,410.00.

### CR12-050

**RE: UTILITIES DEPARTMENT – Water Treatment Plant – Authorization to Purchase Replacement Dust Collection System**

WHEREAS, the FY2012-13 Amended Budget includes \$60,000 (Account No. 496-558.00-977.513) to purchase a replacement dust collection system to be used at the Wastewater Treatment Plant; and

WHEREAS, on Thursday, September 6, 2012, the Purchasing Office received the five (5) bids for the aforementioned dust collection equipment replacement (see attached bid tabulation), with the lowest qualified bidder that meets specifications necessary to perform job requirements identified as Beckert & Hiester, Saginaw, MI with the low bid of \$23,090.00; and

WHEREAS, this dust collection equipment will replace the original 1949 equipment that is used to collect and ventilate dust during the off loading of bulk pebble lime used in the softening process; and

WHEREAS, the Utilities Director and City Administrator recommend selection of the lowest qualified bidder, Beckert & Hiester, Saginaw, MI, for purposes of acquiring a replacement dust collection system to be used at the Water Treatment Plant for a cost not

to exceed \$23,090.00. It is noted that this purchase is for equipment only and a subsequent resolution for installation of said equipment will occur at a later date.

NOW, THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of a replacement dust collection system from the lowest qualified bidder, Beckert & Hiester, Saginaw, MI at a cost not to exceed \$23,090.00.

**CR12-051**

**RE: CITY COMMISSION – Resolution to Re-Appoint Members to the Planning Commission**

WHEREAS, the terms of office of Marilyn Schebil and Mel Dye on the Planning Commission have expired; and

WHEREAS, both Marilyn Schebil and Mel Dye have expressed a willingness to serve another term; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of the above-named individuals.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does, hereby, approve the re-appointment of Marilyn Schebil and Mel Dye for another three year term.

**CR12-052**

**RE: CITY COMMISSION – Designating Representatives for Voting Purposes at the Michigan Municipal League Convention**

WHEREAS, the Michigan Municipal League's Annual Conference will be held in on October 3-5, 2012 on Mackinaw Island, at which time votes will be cast for election of trustees, policies and other business that may come before the meeting; and

WHEREAS, the Michigan Municipal League's by-laws state that governing bodies designate one official who will be in attendance at the conference to cast the vote on behalf of their municipality; and

WHEREAS, it further requires that one official be designated as an alternate in the event the other official is unable to cast the vote.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Mayor Greg DuMars as the official representative and Commissioner Milo Warren the alternate representative to cast the vote at the annual MML Conference to be held October 3-5, 2012 at the Grand Hotel on Mackinaw Island, Michigan.

**CR12-053**

**RE: DEPARTMENT OF PARKS & RECREATION – PARKS & FORESTRY DIVISION- Tree Purchase Bid Recommendation**

WHEREAS, the City of Adrian Purchasing Office, in conjunction with the Parks & Recreation Department – Parks and Forestry Division, solicited bids from six (6) nurseries

and received sealed bids from three (3) On Tuesday, September 11, 2012 for the purchase of trees to be planted in the fall of 2012; and

WHEREAS, the bid tabulation follows:

ITEM	ACORN FARMS GALENA OH	R & W Nursery Morenci MI	Christensen's Plants Plymouth MI	Lake County Perry, OH
Cercis Canadensis (single stem) 10 ea	\$ 640.00	\$ 839.00	\$ 900.00	\$1,050.00
Malus 'Royal Raindrops' 20 ea	\$ 1,080.00	\$ 2,060.00	\$ 2,200.00	
Malus 'Spring Snow' 20 ea	\$ 1,080.00	\$ 1,960.00		
Acer griseum 10 ea	\$ 980.00	\$ 1,170.00	\$ 1,510.00	
Pyrus calleryana 'Canticeer' 20 ea	\$ 1,280.00	\$ 1,789.00	\$ 1,800.00	\$1,640.00
Ulmus Frontier 20 ea	\$ 1,500.00		\$ 1,800.00	
Aesculus Xarnoidiana 'Automn Splendor' 20 ea	\$ 1,680.00			
Liriodendron Tulipifera 40 ea	\$ 640.00	\$ 796.50	\$ 900.00	
Gleditsia triacanthos 'Skyline' 20 ea	\$ 1,280.00	\$ 1,566.00	\$ 2,400.00	

; and

WHEREAS, the Parks and Recreation Director and City Administrator recommend that all bid items be awarded to Acorn Farms Inc., of Galena, OH.as the low bidder in the amount of \$10,160; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Budget in the following accounts:

(205-699.00-776.000) Fee Estate – Maintenance Supplies

NOW, THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the recommended selections and award of bid for all items to Acorn Farms Inc., of Galena, OH. in the amount of \$10,160.

**CR12-054**

**RE: POLICE DEPARTMENT – Authorization to Award Bid for Police Officer Personal Equipment Accessories**

WHEREAS, the FY2012-13 Budget provides \$8,500 for the purchase of Police Department personal equipment accessories; and

WHEREAS, the Purchasing Office solicited and received seven (7) bids on Tuesday, September 11, 2012 with the following results:

	CPR Savers & First Aid Supply LLC Scottsdale AZ	Mich Police Equip Charlotte MI	Brownells Inc Montezuma, IA	North East Uniforms Saline, MI	Gall's LLC Lexington, KY	Time Emergency Roscommon, MI	Sentinel Manchester MI
Flashlight 28 ea	\$ 100.30 \$ 2,808.29	\$ 83.00 \$2,324.00	\$ 109.99 \$3,079.72	\$117.00 \$3,276.00	\$106.24 \$2,974.72	\$109.95 \$3,078.60	\$ 99.86 \$2,796.08
Duty Holster 30 ea	\$109.28 \$ 3,278.35	\$ 102.50 \$3,075.00 \$70.00 \$2,100.00		\$139.00 \$4,170.00	\$151.29 \$4,538.70	\$133.95 \$4,018.50	\$123.40 \$3,702.00
Conceal- ment Holster 5 ea	\$70.56 \$ 352.80	\$70.00 \$ 350.00 \$62.00 \$ 310.00		\$98.00 \$490.00	\$106.25 \$531.25	\$84.95 \$424.75	\$66.63 \$333.15
Collapsible Baton 10-30 ea	\$ 112.06 ea	\$83.00		\$99.99	\$101.99	\$104.95	\$86.90
Baton Holster 30 ea	\$ 21.06 \$ 631.68	\$19.00 \$570.00		\$12.95 \$388.50	\$21.25 \$637.50	\$22.95 \$688.50	\$21.42 \$642.60
Delivery	30 days	20 days	30 days	30 days	4 weeks	6-8 wks	30 days

;and

WHEREAS, the Police Chief and City Administrator recommend that Michigan Police Equipment, Inc. Charlotte, MI be awarded the bid as the lowest qualified bidder, and that authorization be given to purchase the following equipment:

Flashlights \$83.00 x 30 units = \$2,490.00  
 Duty holster \$102.50 x 30 units = \$3,075.00  
 Extendable baton \$83.00 x 28 units = \$2,324.00  
 Baton holster \$19.00 x 30 units = \$570.00  
 Total cost: \$8,459.00; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2012-13 General Fund Police Department Operating Budget (101-301.00-977.000) for this purpose.

NOW, THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the selection of Michigan Police Equipment, Inc. Charlotte, MI as the preferred vendor to supply the Adrian Police Department with Police Officer Personal Equipment Accessories in an amount not to exceed \$8,459.00.

On motion by Commissioner Carrico, seconded by Commissioner Berryman Adams, Consent Agenda resolutions CR12-049 and CR12-054 were adopted by a unanimous vote.

## REGULAR AGENDA

### ORDINANCES

**Ordinance 12-003.** Second reading and adoption of an ordinance to amend Article II- Definitions, Article XIV – B-2 Community Business District, Article XVII – WH Warehouse and Wholesale District and Article XXI – I-2 General Industrial District of the Zoning/Development Regulations. Eff. Date 10/2/2012

On motion by Commissioner Carrico, seconded by Commissioner Warren, this ordinance was adopted by a unanimous vote.

**Ordinance 12-004.** Second reading and adoption of an ordinance to amend Article II – Definitions, Article XIV – B-2 Community Business, Article XV – B-3 Central Business District, Article XIX – I-1 Light Industrial District of the Zoning/Development Regulations. Eff. Date 10/2/2012

On motion by Commissioner Warren, seconded by Commissioner Berryman Adams, this ordinance was adopted by a unanimous vote.

**Ordinance 12-005.** Second reading and adoption of an ordinance amendment to Section 90-2, to allow the City to prosecute MCLA 257.625(1)(c) (operating with a high B.A.C.) locally. Eff. Date 10/2/2012

On motion by Commissioner Gallatin, seconded by Commissioner Jacobson, this ordinance was adopted by a unanimous vote.

**Ordinance 12-006.** – Second reading and adoption of an ordinance amendment to Section 58-12 to impose more specific regulations in regard to fireworks. Eff. Date 10/2/2012

On motion by Commissioner Berryman Adams, seconded by Commissioner Warren, this ordinance was adopted by a unanimous vote.

**Ordinance. 12-007.** – Introduction of an ordinance to provide for a service charge in lieu of taxes for a proposed project for persons of low income to be financed or assisted pursuant to the provisions of the State Housing Development Act of 1966 as amended.

### SPECIAL ORDERS

**SO-1.** – Public hearing to hear and consider comments regarding applications for two Industrial Facilities Tax Exemption Certificates by Inteva Products.

The first IFT is for Project # 4628 – **there were no public comments**

The second IFT is for Project # 4625 – **Chris Miller, DDA Director, thanked the Commission for their consideration of both IFT's and thanked Inteva for investing in our community.**

## **RESOLUTIONS**

### **RESOLUTION R12-110**

#### **RESOLUTION APPROVING INTEVA IFT APPLICATION – PROJECT # 4628**

Minutes of a regular meeting of the City Commission of Adrian, held on September 17 2012, at City Chambers Building, 159 E. Maumee in Adrian, Mi, at 7pm.

The following preamble and resolution were offered by: Commissioner Faulhaber, and supported by Commissioner Carrico.

#### **Resolution Approving Application of Inteva Products LLC for Industrial Facilities Exemption Certificate for Personal Property**

**WHEREAS**, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on 15<sup>th</sup> day of March, 1993, this Commission by resolution established Industrial Development District #29; and

**WHEREAS**, Inteva Products LLC has filed an application for an Industrial Facilities Exemption Certificate with respect to a new Personal Property to be acquired and installed within the Industrial Development # 29; and

**WHEREAS**, before acting on said application, the City of Adrian held a hearing on September 17, 2012, at the City Chambers Building, 159 E. Maumee, in Adrian, MI, at 7pm, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

**WHEREAS**, installation of new machinery and equipment had not begun earlier than six (6) months before August 24, 2012, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

**WHEREAS**, completion of the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Adrian; and

**WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Adrian, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Commission of the City of Adrian that:

1. The City Commission finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under PA 198 of 1974, as amended and

PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of City of Adrian, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in City of Adrian.

2. The application from Inteva Products LLC for an Industrial Facilities Exemption Certificate (Project #4628), with respect to New Personal Property on Industrial Development District #29 be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of 12 years.

**AYES: Mayor DuMars & Commissioners Gallatin, Warren, Jacobson, Faulhaber, Berryman Adams, and Carrico**

**NAYS: None**

**RESOLUTION DECLARED ADOPTED.**

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Adrian, County of Lenawee, Michigan, at a regular meeting held on September 17, 2012.

Pat Baker  
City Clerk

## **RESOLUTION R12-111**

### **RESOLUTION APPROVING INTEVA IFT APPLICATION – PROJECT # 4625**

Minutes of a regular meeting of the City Commission of Adrian, held on September 17 2012, at City Chambers Building, 159 E. Maumee in Adrian, Mi, at 7pm.

The following preamble and resolution were offered by: Commissioner Warren, and supported by: Commissioner Faulhaber.

### **Resolution Approving Application of Inteva Products LLC for Industrial Facilities Exemption Certificate for Personal Property**

**WHEREAS**, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on 15<sup>th</sup> day of March, 1993, this Commission by resolution established Industrial Development District #29; and

**WHEREAS**, Inteva Products LLC has filed an application for an Industrial Facilities Exemption Certificate with respect to a new Personal Property to be acquired and installed within the Industrial Development #29; and

**WHEREAS**, before acting on said application, the City of Adrian held a hearing on September 17, 2012, at the City Chambers Building, 159 E. Maumee, in Adrian, MI, at 7pm, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

**WHEREAS**, installation of new machinery and equipment had not begun earlier than six (6) months before August 24, 2012, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

**WHEREAS**, completion of the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Adrian; and

**WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Adrian, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Commission of the City of Adrian that:

1. The City Commission finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under PA 198 of 1974, as amended and PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of City of Adrian, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in City of Adrian.

2. The application from Inteva Products LLC for an Industrial Facilities Exemption Certificate (Project #4625), with respect to New Personal Property on Industrial Development District #29 be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of 12 years.

**AYES: Mayor DuMars & Commissioners Gallatin, Warren, Jacobson, Faulhaber, Berryman Adams, & Carrico**

**NAYS: None**

**RESOLUTION DECLARED ADOPTED.**

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Adrian, County of Lenawee, Michigan, at a regular meeting held on September 17, 2012.

Pat Baker  
City Clerk

#### **RESOLUTION R12-112**

**RE: TRANSPORTATION– Resolution accepting a proposal for a one year contract with Nora’s Transportation for transportation services.**

WHEREAS, the City of Adrian has solicited bids for the operation of the Dial-A-Ride services within the City of Adrian; and

WHEREAS, three proposals were received and evaluated; and

WHEREAS, the proposal of James Ruff and Gail Ohlman on behalf of a limited liability company to be formed and named as Nora's Transportation, LLC, be accepted.

NOW, THEREFORE, BE IT RESOLVED the proposal of James Ruff and Gail Ohlman on behalf of an entity to be formed in the name of Nora's Transportation, LLC is hereby accepted and that a new one year contract between the City of Adrian and said entity be executed for a period ending September 30, 2013 pending approval of the Michigan Department of Transportation.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute said contract on behalf of the City.

On motion by Commissioner Carrico, seconded by Commissioner Berryman Adams, this resolution was adopted by a unanimous vote.

#### **RESOLUTION R12-113**

**RE: ADMINISTRATION– Resolution confirming the appointment of Cindy L. Prue as the Director of Finance**

WHEREAS, a vacancy will exist on January 25, 2013 in the position of Director of Finance; and

WHEREAS, the City Charter provides that the appointment for this position shall be made by the City Administrator, subject to confirmation by the Adrian City Commission; and

WHEREAS, the City Administrator has reached the decision to appoint Cindy L. Prue as the Director of Finance, effective January 28, 2013.

NOW, THEREFORE, BE IT RESOLVED that the appointment of Cindy L. Prue as Director of Finance for an indefinite period effective January 28, 2013 is hereby confirmed, being also subject to an employment agreement to be entered into with the City Administrator.

On motion by Commissioner Faulhaber, seconded by Commissioner Warren, this resolution was adopted by a unanimous vote.

#### **RESOLUTION R12-114**

**RE: CITY ENGINEER – MAJOR STREETS – Operational Analysis of N. Winter Street and W. Maple Avenue**

WHEREAS the City of Adrian Purchasing Office, in collaboration with the City Engineer's Office, prepared and issued a Quality Based Bid solicitation, for an Operational and Traffic Analysis of N. Winter Street and W. Maple Avenue, and received six (6) proposals on Thursday, September 6, from the following traffic engineering service firms:

Vendor

Location

The Mannik & Smith Group, Inc.	Monroe, MI
Wade Trim Associates, Inc.	Taylor, MI
Tetra Tech	Ann Arbor, MI
URS Corporation	Grand Rapids, MI
Wilcox Professional Services	Farmington Hills, MI
Progressive AE	Grand Rapids, MI

; and

WHEREAS the Quality Based Selection Process, utilized by the State and Federal Governments, involves the separate but simultaneous submission of Project Proposals and Competitive Bid Responses; the number of bidders is narrowed based on evaluation of the Project Proposals and only those determined to best qualified have their Competitive Bid Responses opened and compared; the top three (3) proposers and bid prices are listed as follows:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
The Mannik & Smith Group, Inc.	Monroe, MI	\$16,057.20
Wade Trim Associates, Inc.	Taylor, MI	\$11,500.00
Tetra Tech	Ann Arbor, MI	\$17,700.00 ; and

WHEREAS the City Administrator and City Engineer recommend selection of the lowest qualified bidder, Wade Trim Associates, Inc., Taylor, MI and engagement in the City's Standard Professional Services Contract for purposes of performing an Operational Analysis of N. Winter Street and W. Maple Avenue at a cost not to exceed \$11,500.00.

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the Major Street Fund Unreserved/Unassigned Fund Balance Account (202-000.00-390.000) and recommends that the FY2012-13 Budget be amended, accordingly.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the lowest qualified bidder, Wade Trim Associates, Inc., Taylor, MI and engagement in the City's Standard Professional Services Contract for purposes of performing an Operational Analysis of N. Winter Street and W. Maple Avenue at a cost not to exceed \$11,500.00.

BE IT FURTHER RESOLVED that \$11,500.00 be appropriated from the Major Street Fund Unreserved/Unassigned Fund Balance Account (202-000.00-390.000) and that the FY2012-13 Budget be amended as follows:

<b>Major Street Fund (202)</b>		
Revenue:		
(202-000.00-697.00)	Prior Years' Revenue	\$11,500
Expenditures:		
(202-474.00-801.000)	Traffic Service Maint.-Contract Services	<u>11,500</u>
	Total	<u>\$ -0-</u>

**Commissioner Faulhaber was concerned about how safe that corner was and felt that there was plenty of room to at least make a left turn only lane on Maple Ave.**

**Commissioners Carrico, Gallatin, and Jacobson preferred to not spend the money and would rather see us solve the issue on our own.**

On motion by Commissioner Carrico, seconded by Commissioner Berryman Adams, this resolution was denied by a 1-6-0 vote.

Ayes: Commissioner Faulhaber

Nays: Mayor DuMars & Commissioners Gallatin, Warren, Jacobson, Berryman Adams, and Carrico

Abstained: None

### **MISCELLANEOUS**

1. Adrian Fire Department Report.
2. Departmental Report.
3. D.A.R.T. Passenger Ridership Report.

### **PUBLIC COMMENTS**

1. Jeff Pardee congratulated Cindy Prue on her appointment as the next Finance Director of the City.
2. John Kuenzer from Inteva, thanked the Commission for their approval of the 2 IFT's.

### **COMMISSIONER COMMENTS**

1. Commissioner Faulhaber thanked Inteva and John Kuenzer for their commitment to the community.
2. Mayor DuMars reminded everyone about Art-a-licious this weekend and hoped that everyone would come and enjoy themselves as it promised to be a great time.

The next regular meeting of the Adrian City Commission will be held on Monday, October 1, 2012 at 7:00 p.m. in the City Chambers Building, 159 E. Maumee St, Adrian, MI 49221.

Greg DuMars  
Mayor

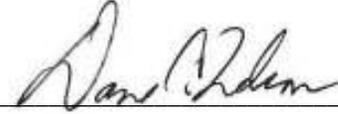
Pat Baker  
City Clerk



# CHECK REGISTER

October 1, 2012

I have examined the attached vouchers and recommend approval of them for payment.



Dane C. Nelson  
City Administrator

DCN:mlD

RESOLVED, that disbursements be and they are hereby authorized for warrants directed to be drawn on the City Treasurer for the following:

Utility Department Vouchers	
Vouchers # 3680 through # 3686 .....	\$102,117.98
General Fund	
Vouchers # 21113 through # 21129 .....	\$224,410.13
Clearing Account Vouchers	
amounting to.....	<u>\$488,925.80</u>
TOTAL EXPENDITURES .....	<u>\$815,453.91</u>

On motion by Commissioner \_\_\_\_\_, seconded by  
Commissioner \_\_\_\_\_, this resolution was \_\_\_\_\_  
by a \_\_\_\_\_ vote.

1-Oct-12

UTILITIES FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
3680	\$63,891.90	City of Adrian: Payroll	Payroll for Sept 14
3681	\$149,899.96	City of Adrian: Clearing Acct	Sept 17 CK Register
3682	\$34,783.54	City of Adrian: General Fund	August Expenses
3683	\$3,156.92	City of Adrian: Motor Veh Pool	August Expenses
3684	\$223.49	Citizens Gas Fuel Co	Various Heat Bills
3685	\$48.51	Frontier	Water Plant Phone
3686	\$13.62	City of Adrian: Utilities	WW Water Bill
	<b>\$252,017.94</b>		
	<b>-\$149,899.96</b>	<b>Less: CK3681</b>	
	<b>\$102,117.98</b>	<b>TOTAL</b>	

WW = \$151,308.31  
WAT= \$100,709.63

Oct. 1, 2012

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
21113	\$ 195,315.69	City of Adrian: Payroll	Payroll for Sept 14
21114	\$ 14,783.13	First Federal Bank	Soc Security for Sept 14
21115	\$ 103.34	City of Adrian: Local St	Printing of Checks
21116	\$ 215,849.31	City of Adrian: Clearing Acct	Sept 17 Check Register
21117	\$ 75.00	Hispanic Heritage Month	Dinner Sept 17
21118	\$ 130.00	Jason Matlek	Recreation Refund
21119	\$ 20.00	Nathan McNicol	Dart Book Refund
21120		City of Adrian: Utilities	Transfer State of MI Funds
21121	\$ 2,620.51	Citizens Gas Fuel Co	Various Heat Bills
21122	\$ 1,756.03	Lenawee Fuels Inc	Cemetery Fuel
21123	\$ 4,250.83	Quick Service Transportation	Payroll W/E Sept 15
21124		City of Adrian: Utilities	Transfer State of MI Funds
21125	\$ 33.00	Linda Compau	Recreation Refund
21126	\$ 18.00	Amber Goll	Recreation Refund
21127	\$ 261.10	Frontier	Various Phone Bills
21128	\$ 4,450.11	Quick Service Transportation	Payroll W/E Sept 22
21129	\$ 593.39	City of Adrian: Utilities	Bohn Pool Water Bill

\$ 440,259.44

\$ (215,849.31) Less: Ck 21116

\$ 224,410.13

EXP CHECK RUN DATES 09/28/2012 - 10/01/2012  
BOTH JOURNALIZED AND UNJOURNALIZED  
BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
1. ADRIAN COMMUNICATIONS	5,431.00		
2. ADRIAN FABRICARE CENTER INC.	674.70		
3. ADRIAN LOCKSMITH & CYCLERY	115.15		
4. ADRIAN MECHANICAL SERVICES CO	597.61		
5. ADRIAN PUBLIC SCHOOLS	5,355.61		
6. ADVANCE AUTO PARTS COMMERCIAL CHR	56.34		
7. AIRGAS USA, LLC	225.20		
8. ALERE TOXICOLOGY SERVICES INC	386.00		
9. ALL METALS INC.	164.67		
10. AMERICAN OFFICE SOLUTIONS, INC.	76.75		
11. ANTIBUS SCALES & SYSTEMS, INC	365.00		
12. APOLLO FIRE EQUIPMENT CO.	73.00		
13. APPLE MAT RENTAL	192.85		
14. APPLIED SPECIALTIES INC	4,432.00		
15. ARCH WIRELESS	34.67		
16. ARROW UNIFORM	688.90		
17. AUTO ZONE COMMERCIAL	319.56		
18. AWAD, MAHMOUD	25.00		
19. BAKER & TAYLOR BOOKS	540.48		
20. BATTERY WHOLESALE	143.64		
21. BEAUBIEN INC.	987.00		
22. MICHELLE BEDDINGFIELD	103.45		
23. GREG BELL CHEVROLET CADILLAC INC	61.67		
24. JOHN BIRDWELL	12.00		
25. BLACK SWAMP EQUIPMENT	947.59		
26. BLUES & BREWS GROUP INC	1,500.00		
27. BONNER, JR., LARRY	150.00		
28. BOOK OF THE MONTH CLUB	38.87		
29. BUCK & KNOBBY EQUIP CO INC	10,140.08		
30. BWI	4,171.25		
31. CALIFORNIA CONTRACTORS SUPPLIES INC	797.40		
32. CARGILL SALT, INC.	8,176.67		
33. CARIS HEATING & COOLING INC	274.00		
34. CARUS CORPORATION	5,661.00		
35. MARIO CHIESA	475.00		
36. CLIFT BUICK-GMC	106.46		
37. COAST TO COAST DELI	279.39		
38. COMPUTER CARE COMPANY, INC.	229.85		
39. CONTINENTAL CARBONIC PRODUCTS INC	736.00		
40. CORDER, DAVID	25.00		
41. CORE TECHNOLOGY CORP.	4,097.00		
42. CUTLER DICKERSON CO	189.45		
43. DEMCO INC	131.61		
44. DEXTER'S INC.	15.84		
45. DIGITAL ALLY, INC,	420.00		
46. DOAN COMPANIES	846.01		
47. H. DOMINE ENTERPRISES INC	740.63		
48. E & B SALVAGE LLC	318.58		
49. ENGLEWOOD ELECTRICAL SUPPLY	313.15		

EXP CHECK RUN DATES 09/28/2012 - 10/01/2012  
BOTH JOURNALIZED AND UNJOURNALIZED  
BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
50. FASTENAL COMPANY	1,088.05		
51. FEDERAL EXPRESS	48.03		
52. FIRSTLAB	17.95		
53. FISHER SCIENTIFIC COMPANY LLC	56.81		
54. FLOWERS & SUCH	25.00		
55. GALE	209.21		
56. GALLANT & SON	3.78		
57. J.O. GALLOUP COMPANY	1,455.00		
58. GASPAR, YOLANDA	25.00		
59. GAYLORD BROS INC	44.44		
60. GFS CHEMICALS INC.	56.34		
61. GOODREMONT'S INC	47.05		
62. GORDON FOOD SERVICE	1,227.51		
63. GRAINGER INC.	119.10		
64. GREAT LAKES IRRIGATION SERVICE	244.99		
65. HADDEN TIRE COMPANY	10.00		
66. JON HARRIS	94.34		
67. SHANE HORN	46.26		
68. HORN, SHANE	75.00		
69. HUBBARD'S AUTO CENTER INC	629.63		
70. HYDRODYNAMICS, INC.	5,069.95		
71. ICMA RETIREMENT CORPORATION	158.68		
72. IDEXX LABORATORIES, INC.	150.60		
73. IMAGE GALLERY	147.40		
74. JACKSON TRUCK SERVICE INC.	44.16		
75. JOHN DEERE LANDSCAPES	1,380.00		
76. JOHNSON CONTROLS INC	0.00		
77. JOHNSON'S SPORTING GOODS	185.14		
78. JONES & HENRY ENGINEERS, LTD.	1,547.71		
79. KELLER THOMA, P.C.	617.90		
80. KEMIRA WATER SOLUTIONS INC	3,237.62		
81. DAVE KNAPP FORD LINCOLN	22,410.00		
82. KONICA MINOLTA BUSINESS SOLUTIONS	36.93		
83. KUHLMAN CORP.	33.13		
84. WALTER GREG LANFORD	42.40		
85. LANSING SANITARY SUPPLY INC	1,764.70		
86. LAYS AUTOMATIC TRANSMISSION	998.00		
87. LEGACY PRINTING	168.00		
88. LENAWEE COUNTY COMMUNITY	70.00		
89. LENAWEE COUNTY FAIR	750.00		
90. LENAWEE COUNTY TREASURER	3,237.41		
91. LENAWEE TIRE & SUPPLY CO, INC.	1,223.11		
92. LEXIS NEXIS RM INC	150.00		
93. LIBRARY DESIGN ASSOCIATES INC	8,092.00		
94. LJ CONSTRUCTION, INC.	152,000.00		
95. DOUG LOLLEY	53.00		
96. LYDEN OIL COMPANY	334.95		
97. M B ELECTRIC LLC	258.00		

EXP CHECK RUN DATES 09/28/2012 - 10/01/2012  
BOTH JOURNALIZED AND UNJOURNALIZED  
BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
98. MANPOWER OF LANSING MI INC.	526.50		
99. MCGOWAN ELECTRIC SUPPLY INC	236.41		
100. MICHIGAN AMATEUR SOFTBALL	588.00		
101. MICHIGAN DEPARTMENT OF	4,856.85		
102. STATE OF MICHIGAN	2,443.50		
103. MICHIGAN WATER ENVIROMENT ASSOC.	460.00		
104. MICROMARKETING LLC	1,005.57		
105. MIDWEST COLLABORATIVE FOR	3,046.80		
106. MIDWEST TAPE	306.84		
107. MUNICIPAL WEB SERVICES	490.00		
108. NATURAL SAND COMPANY	2,142.50		
109. NELSON TREE SERVICE INC	9,134.58		
110. OFFICEMAX CONTRACT INC.	849.90		
111. OROURKE, SEAN	25.00		
112. PEERLESS SUPPLY INC	344.11		
113. PERSONNEL CONCEPTS	52.89		
114. PETERSON'S	30.48		
115. PINNACLE IRRIGATION INC.	85.00		
116. PLATINUM PLUS	2,762.38		
117. POLARIS LIBRARY SYSTEMS, INC	3,946.56		
118. POLLUTION CONTROL SERVICES	2,955.00		
119. PRINTCOMM	1,832.00		
120. PROMEDICA PHYSICIANS GROUP	663.00		
121. QUICK SERVICE TRANSPORTATION	1,214.37		
122. QUILL CORPORATION	374.10		
123. RECORDED BOOKS LLC.	181.20		
124. RED PAINT PRINTING LLC	344.50		
125. TIM RITCHIE	32.37		
126. RIVERSHORE READING STORE	76.50		
127. SAFETY SYSTEMS INC.	120.00		
128. CHARLES SCHMENK	80.00		
129. SCHUG CONCRETE CONSTRUCTION INC	33,168.68		
130. SIGNAL 88 SECURITY, INC	2,593.15		
131. SLUSARSKI EXCAVATING & PAVING INC	66,750.18		
132. STAPLES CREDIT PLAN	70.51		
133. STATE INDUSTRIAL PRODUCTS	215.48		
134. STEVENS DISPOSAL	39,840.74		
135. STEVENSON LUMBER, INC.	76.96		
136. THOMSON WEST	404.31		
137. T-MOBILE	29.99		
138. TRACTOR SUPPLY COMPANY	719.33		
139. TRAFFIC & PARKING CONTROL CO INC	98.37		
140. TRAFFIC SIGNAL COMPANY	2,176.83		
141. UIS PROGRAMMABLE	7,890.00		
142. UNUM LIFE INSURANCE COMPANY	2,294.56		
143. UTILITIES REDUCTION SPECIALISTS INC	149.04		
144. VAN BRUNT TRANSPORT INC	532.52		
145. VERIZON WIRELESS	85.42		
146. VISION PERFORMANCE GROUP	170.00		

EXP CHECK RUN DATES 09/28/2012 - 10/01/2012  
BOTH JOURNALIZED AND UNJOURNALIZED  
BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
147. WESTERN LIME CORPORATION	10,560.00		
148. WESTFALL SEALCOATING	7,640.11		
149. KRISTEN WETZEL	239.51		
150. YOUNG, FRED	184.04		
151. ZEP MANUFACTURING CO	301.80		
***TOTAL ALL CLAIMS***	488,925.80		



# CONSENT AGENDA

**RE: ASSESSING OFFICE – Downtown Parking Special Assessment – Notice of Intent****RESOLUTION**

WHEREAS, in accordance with the recommendations of the Blueprint for Downtown Adrian, short-term parking meters were removed from streets and parking lots in June, 2004; and

WHEREAS, after several meetings of the Ad-Hoc Downtown Parking Advisory Committee to review the Auto Fund Parking Budget and Parking Enforcement Operations, the following Financial Plan and Special Assessment proposal has been developed; and

WHEREAS, the cost to maintain parking lots in the Downtown Development District for FY2012-13 amount to \$679,795, detailed as follows:

Operating Budget	\$121,091
Capital Budget	<u>558,704</u>
Total Expenses	<u>\$679,795</u> ; and

WHEREAS, estimated Revenue for FY2012-13 is detailed as follows:

Parking Permits	\$ 1,000
Parking Fines	1,000
Late Fees	100
Fee Estate Contribution	25,000
Contribution-DDA	60,000
Contribution-General Fund	60,000
Special Assessment	60,000
Loan Proceeds	<u>472,595</u>
Total Revenue	<u>\$679,795</u> ; and

WHEREAS, the City Administrator recommends that a \$60,000 special assessment be levied upon the taxable value of real and personal property of downtown business owners who benefit from the removal of parking meters and maintenance of a viable downtown parking system for the purpose of revitalizing the central business district; and

WHEREAS, required plans, reports and recommendations have been filed pursuant to the provisions of Article I, Section 70-6 of the Adrian City Code of Ordinances; and

WHEREAS, such plans include the Auto Parking Fund Financial Plan, purpose of the Special Assessment, the Special Assessment District, and the methodology utilized by the City Assessor to apportion the Special Assessment to property owners within the District.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution:

1. APPROVES the FY2012-13 Auto Parking Fund Financial Plan, including:  
AUTO PARKING FUND (585)

REVENUE:

652.312	PARKING PERMITS	\$ 1,000
656.000	PARKING FINES	1,000
656.001	LATE FEES	100
698.000	LOAN PROCEEDS	472,595
699.101	TRANSFER IN-GENERAL FUND	60,000
699.281	TRANSFER IN-DDA/TIFA FUND	60,000
699.599	CONTRIB.-SPECIAL ASSESSMENT	60,000
699.699	CONTRIB.-FEE ESTATE	<u>25,000</u>
	TOTAL ESTIMATED REVENUE	<u>\$ 679,795</u>

EXPENSES:

702.000	WAGES	\$ 4,436
702.110	WAGES-PAVEMENT MARKING	1,750
702.111	WAGES-SNOW REMOVAL	5,000
702.291	WAGES-GENERAL LOT MAINTENANCE	2,000
704.111	OVERTIME	4,000
708.000	OVERHEAD	1,800
708.111	OVERHEAD-SNOW REMOVAL	4,320
715.000	SOCIAL SECURITY	339
716.000	HOSPITALIZATION	268
717.000	LIFE INSURANCE	11
718.000	RETIREMENT CONTRIBUTION	548
719.000	ENEMPLOYMENT COMPENSATION	25
741.000	OPERATING SUPPLIES	500
776.110	SUPPLIES-PAVEMENT MARKING	1,000
776.111	SUPPLIES-SNOW REMOVAL	5,600
776.291	SUPPLIES-GEN LOT MAINT.	600
801.000	CONTRACT SERVICES	10,000
801.291	CONTRACTED-GEN LOT MAINT.	17,000
802.000	AUDIT FEES	1,000
912.000	LIABILITY INSURANCE	200
914.000	WORKERS' COMPENSATION	62
921.000	ELECTRICAL	12,000
943.110	VEHICLE RENT-PAVEMENT MARKING	600
943.111	VEHICLE RENT-SNOW REMOVAL	20,000
943.291	VEH RENT-GEN LOT MAINT.	250
951.000	TAXES	1,500
969.133	CONTRIB.INDIRECT COST PLAN	10,282
967.000	DEPRECIATON EXPENSE	16,000
975.000	CAPITAL IMPROVEMENTS	<u>558,704</u>
	TOTAL EXPENSES	<u>\$ 679,795</u>

2. As indicated in the aforementioned Financial Plan, the City intends to levy a Special Assessment in the amount of \$60,000.

3. The Special Assessment proposed to partially defray the operating expenses detailed in the Auto Parking Fund Financial Plan and, in addition, provide an accumulated fund balance to draw upon for future capital improvements, shall be levied on the lands and premises within the proposed Special Assessment District according to the methodology employed by the City Assessor and on file with the City Clerk.
4. The Report, including the Proposed Special Assessment, shall be filed with the City Clerk forthwith to be available for public examination.
5. The City Commission will meet at a Public Hearing in the Adrian City Commission Chambers (159 E. Maumee Street) at 7:00 p.m. on Monday, October 15, 2012, for the purpose of hearing and considering comments regarding the Proposed Special Assessment District, or to the inclusion of any property within the proposed Special Assessment District.
6. The City Clerk shall mail notice of the intention to adopt said Special Assessment to all interested parties pursuant to the provisions of Article I, Section 70-6 of the Adrian City Code of Ordinances.

On motion by Commissioner \_\_\_\_\_, seconded by  
Commissioner \_\_\_\_\_, this resolution was adopted by a  
\_\_\_\_\_ vote.



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## MEMORANDUM – UTILITIES DEPARTMENT

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DATE: September 25, 2012

TO: Dane C. Nelson, City Administrator

FROM: Shane A. Horn, Utilities Director

SUBJECT: Wellfield Backup Generator Project

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I concur with the recommendation of the Utilities Director to award the bid for a Wellfield backup generator and automatic transfer switch from Michigan State Electric of Charlotte, Michigan.

Eight bidders responded with Michigan State Electric being the low bidder. Funds for this purchase are available in the Westside Wellfield Generator fund (496-548.00-977.569), as well as the Valve/Actuator Replacement fund (496-548.00-977.555).

A handwritten signature in black ink, appearing to read 'Dane Nelson', written over a horizontal line.

Dane C. Nelson  
City Administrator

DCN:mlld

Sealed bids were received by the purchasing department on Thursday September 13, 2012 at 2:00 pm for the purchase of a backup generator and automatic transfer switch for the wellfield. There were eight bidders that submitted proposals for this project.

I respectfully recommend that we proceed with the purchase of a backup generator and automatic transfer switch and award the bid to the low bidder, Michigan State Electric of Charlotte, MI for \$65,980.00. We had budgeted \$60,000 for this project (496-548.00-977.513). To date we have spent \$2,938.17 on engineering costs for a balance of \$57,061.83. I recommend that we take \$8,918.17 from capital item 496-548.00-977.555 (Valve/Actuator Replacement) to make up the difference.

cc: Jeff Pardee, Finance Director  
Tim Ritchie, WTP Superintendent

RE: UTILITIES DEPARTMENT –Water Treatment Plant – Authorization to Purchase New Backup Generator and Automatic Transfer Switch for the Wellfield.

RESOLUTION

WHEREAS, the FY2012-13 Amended Budget includes \$60,000 (Account No. 496-548.00-977.569) to purchase a new backup generator and automatic transfer switch, to be used at the Wellfield; and

WHEREAS, on Thursday, September 13, 2012, the Purchasing Office received eight (8) bids for the aforementioned backup generator with the following results:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Michigan State Electric	Charlotte, MI	\$65,980.00
J. Ranck Electric	Mt. Pleasant, MI	\$76,446.00
Rauhorn Electric	Macomb, MI	\$79,888.00
MB Electric LLC	Adrian, MI	\$80,000.00
Britt Electric	Toledo, OH	\$80,250.00
Great Lakes Power & Lighting	Casco, MI	\$83,000.00
Laibe Electric Company	Toledo, OH	\$98,130.00
Regent Electric	Toledo, OH	\$99,377.00

WHEREAS, the Utilities Director and City Administrator recommend selection of the lowest qualified bidder, Michigan State Electric, Charlotte, MI, for purposes of acquiring and installing a new backup generator and automatic transfer switch to be used at the City of Adrian Wellfield at a cost not to exceed \$65,980.00; and

WHEREAS, the Finance Director indicates that funds are available for this purpose as follows:

(496-548.00-977.569) Westside Wellfield Generator	\$57,061.83
(496-548.00-977.555) Valve/Actuator Replacement	<u>8,918.17</u>
Total	\$65,980.00

;and

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of a new generator and automatic transfer switch including installation from the lowest qualified bidder, Michigan State Electric, Charlotte, MI at a cost not to exceed \$65,980.

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.

# MEMO

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DATE: September 27, 2012

TO: Hon. Mayor DuMars and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Michigan Municipal League Liability and Property Pool Board of Directors

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The City is a member of the Michigan Municipal League Liability and Property Pool, which has a board of directors. Two incumbent directors, Robert Clark, Mayor of the City of Monroe, and Paula Zelenko, Mayor of the City of Burton, have agreed to seek re-election to the board for three year terms commencing January 1, 2013. The Pool has requested that these two candidates be re-elected at a vote to be held later this fall. I have prepared a proposed resolution to authorize the City's vote on behalf of these two individuals. If, for whatever reason, either or both of these candidates are not agreeable to the commission, write-in candidates are also acceptable.

Respectfully Submitted,



Dane C. Nelson

## THE CANDIDATES

Three-year terms beginning January 1, 2013



*Robert Clark, Mayor, City of Monroe*

Robert has served as a municipal official for more than four years, and as mayor of the City of Monroe since 2010. Mayor Clark retired as a Michigan State Police Major after thirty years of service. He is active in several local civic organizations and is a member of the Michigan Association of Mayors. He was appointed to the Michigan Municipal League Liability and Property Pool Board of Directors in March and is seeking election to his first term.



*Paula Zelenko, Mayor, City of Burton*

Paula has served more than twenty-one years as a municipal official, and has been the mayor of the City of Burton since 2010. She was a member of the Burton city council from 1991 – 2000 and 2008–2010. From 2001–2006 Paula was the 50th District State Representative. She is active in several local civic organizations. Paula was appointed to the Michigan Municipal League Liability and Property Pool Board of Directors in March and is seeking election to her first term.

**CR12-057**

October 1, 2012

**RE: CITY COMMISSION – Authorize City Administrator to cast the vote for the election of members to the Board of Directors of the Michigan Municipal League Liability and Property Pool**

**RESOLUTION**

WHEREAS, the City of Adrian is a member of the Michigan Municipal League Liability and Property Pool; and

WHEREAS, an election will be held this fall to select two directors for three year terms commencing January 1, 2013; and

WHEREAS, the nominating committee for the organization has recommended Robert Clark, Mayor of the City of Monroe, and Paula Zelenko, Mayor of the City of Burton, to be elected to said terms.

NOW, THEREFORE, BE IT RESOLVED that the City Administrator is hereby authorized to cast the vote for the City of Adrian for the election of Robert Clark, Mayor of the City of Monroe, and Paula Zelenko, Mayor of the City of Burton for the Board of Directors for the Michigan Municipal League Liability and Property Pool for three year terms commencing January 1, 2013.

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.

# MEMO

---



DATE: September 27, 2012

TO: Hon. Mayor DuMars and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Adrian Gas Rate Commission

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The voters in Adrian have granted Citizen's Gas Fuel a local franchise to operate a natural gas distribution system within the City. This franchise allows for rate adjustments by the convening of the Adrian Gas Rate Commission, which is composed of two representatives, one being appointed by the gas company, and the other by the Adrian City Commission. I have served as the Adrian Gas Rate Commissioner for as long as I can remember.

Some years ago, the gas company was required to do some environmental assessment for potential contamination that resulted from the operation of a manufactured gas plant, that was located behind the current Blue Flame Room on Winter Street, which operated from 1856-1942. Over the past several years, the company has incurred environmental assessment costs and is now moving towards remediation activities at the site. To address these costs, the gas rate commission agreed to follow a rate making treatment that has been utilized by the Michigan Public Service Commission for other companies in similar circumstances. The gas company is now asking to convene the gas rate commission to add these charges to current rates over a period of years.

I have prepared a resolution to continue my appointment on the Adrian Gas Rate Commission for the above purpose.

Respectfully Submitted,

Dane C. Nelson

**CR12-058**

October 1, 2012

**RE: CITY COMMISSION – Authorize City Administrator to continue as the City of Adrian Representative on the Adrian Gas Rate Commission.**

**RESOLUTION**

WHEREAS, the City of Adrian is party to a Home Rule Franchise with Citizen's Gas Fuel Company; and

WHEREAS, the company has incurred costs associated with environmental assessment and remediation for a manufactured gas plant that operated in the City of Adrian from 1856 to 1942; and

WHEREAS, the Adrian Gas Rate Commission previously approved a rate making treatment that had been earlier approved by the Michigan Public Service Commission to address such environmental costs; and

WHEREAS, the company has requested a meeting of the Adrian Gas Rate Commission to consider and approve a method to recover such costs.

NOW, THEREFORE, BE IT RESOLVED that the City Administrator, Dane C. Nelson is hereby appointed to continue as the City of Adrian representative on the Adrian Gas Rate Commission in order to consider the request of Citizen's Gas Fuel Company as set forth above.

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.



# REGULAR AGENDA

## ORDINANCE 12-007

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ADRIAN BY ADDING A NEW SECTION, WHICH SECTION SHALL BE DESIGNATED AS SECTION 82.38 OF CHAPTER 82 OF SAID CODE.

AN ORDINANCE TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED PROJECT FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT ACT OF 1966 AS AMENDED.

THE CITY OF ADRIAN ORDAINS:

- (a) This Section shall be known and cited as the "Maple Village Tax Exemption Ordinance."
- (b) *Preamble.* It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development and rehabilitation of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended, MCL 125.1401, et seq.). The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low income is a public necessity, and as the City will be benefitted and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this Section for tax exemption and the service charge in lieu of taxes during the period contemplated in this Section are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such tax exemption.

The City acknowledges that FHC Eight Limited Dividend Housing Association Limited Partnership, a Michigan limited partnership, (the "Sponsor") has offered, subject to receipt of a Mortgage Loan from the Michigan State Housing Development Authority, or a mortgage loan insured by the U.S. Department of Housing and Urban Development ("HUD") to own, rehabilitate and operate the housing development identified as Maple Village on certain property located in the 1200 block of South Main (see Attachment A) in the City to serve persons and families of low income, and that the Sponsor has offered to pay the City on account of this housing development an annual service charge for public services in lieu of all taxes.

- (c) *Definitions.*

*Authority* means the Michigan State Housing Development Authority.

*Act* means the State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan, as amended.

*Annual shelter rent* means the total collections during an agreed annual period from all occupants of the housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.

*Contract Rents* are as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to the U.S. Housing Act of 1937, as amended by the Housing and Community Development Act of 1974, so long as the Section 8 contract remains in effect and, in the event the Section 8 contract expires, the Annual Shelter Rents collected from the tenants.

*Housing development* means a development which contains a significant element of housing for persons and families of low income and such elements of other housing, commercial, recreational, communal, and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low income.

*Low income persons or families* as used herein shall be the same meaning as found in Section 15(a)(7) of the Act.

*Mortgage Loan* means a loan to be made by the Authority and/or insured by HUD to the Sponsor for the rehabilitation and/or permanent financing of the Housing Development.

*Sponsor* means the entity which has applied for low income housing tax credits or other financial assistance from the Authority for the housing development.

*Utilities* mean fuel, water, sanitary sewer service and/or electrical service which are paid by the housing development.

*HUD* means the U.S. Department of Housing and Urban Development acting through its Federal Housing Administration divisions.

- (d) *Class of housing developments.* It is determined that the class of housing development to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing which is for persons and families of low income and which is financed or assisted pursuant to the Act. It is further determined that Maple Village is of this class.
- (e) *Establishment of annual service charge.* Maple Village and the property on which it is constructed shall be exempt from all property taxes from and after the acquisition by Sponsor. The City, acknowledging that the Sponsor and the Authority and/or HUD have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this ordinance and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in this ordinance, and in consideration of the Sponsor's offer, subject to receipt of a Mortgage Loan from the Authority and/or loan insured by HUD, to rehabilitate, own and operate said housing development, agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service

charge shall be equal ten (10%) percent of the difference between the Annual Shelter Rent actually collected, less Utilities.

- (f) *Contractual effect of ordinance.* Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor, with the Authority and/or HUD as third party beneficiaries under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Section. Provided, however, that in the event the annual service charge is not fully paid as provided in the following paragraph, the provisions of Section 15(a)(5) apply and the contract shall have no further effect and shall terminate.
- (g) *Payment of service charge.* The annual service charge in lieu of taxes as determined under this ordinance shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be paid on or before February 14 of each year.
- (h) *Duration.* This Section shall remain in effect and shall not terminate so long as the Mortgage Loan remains outstanding and unpaid or the Authority or HUD has any interest in the property; provided, that acquisition of the Housing Development occurs within one year form the effective date of this Ordinance.
- (i) *Effective Date.* The latter of 15 days from this date or the date of acquisition of this property by FHC Eight Limited Dividend Housing Association Limited Partnership. In the event the acquisition does not occur by October 1, 2013, the ordinance shall not take effect.

INTRODUCTION..... September 17, 2012

SUMMARY PUBLISHED.....

ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

On motion by Commissioner \_\_\_\_\_, seconded by  
Commissioner \_\_\_\_\_, this Ordinance was \_\_\_\_\_ by a  
\_\_\_\_\_ vote.





# Memorandum

**To:** Mayor Greg DuMars, Adrian City Commission

**From:** Paul G. Trinka

**CC:** City Administrator Dane Nelson, Finance Director Jeff Pardee

**Date:** September 25, 2012

**Re:** File Server

---

As part of our hardware replacement plan we have budgeted for a new computer file server. This file server houses:

- Employees network folder with documents, spreadsheets, and electric data
- Shared data in folders that are accessible to everyone such as commission minutes, photos, documents from committees
- Data for shared programs such as the fire department records management software, keyless door software, inspection department plan analysis software, antivirus software host and many others
- Software that is stored for installation on city network workstations.
- Other data storage
- Print server

The current server is approximately 8 years old and the oldest in our compliment of servers.

Our selection for a new server is a HP HCL Server with 6 terabytes of disk storage. Cost of the server is \$13,688.30 directly from HP on the State of Michigan REMC contract. We would ask that the bid process be waived and permission given to purchase this computer.

Ladies and Gentlemen:

The following fax contains quotes for equipment that would be ordered by you, directly from HP. If you choose to accept any or all of the quotes, the procedure for placing the order is as follows.

Please cut a purchase order to Hewlett Packard Corporation for the items listed on the enclosed fax. In your purchase order please reference

Contract Number **(B27164)**  
The Quote Number (Enclosed)  
And HP Partner Location ID; **10032908**

The Purchase Order should be mailed to:  
**HP Government Sales**  
**10810 Farnam Dr.**  
**Omaha, NE 68154**

To expedite the order it should also be faxed to **1-800-825-2329**  
And/Or Emailed to [PSorderprocessing@hp.com](mailto:PSorderprocessing@hp.com)

If you want us to help you follow up on order and shipping status please fax a copy of the purchase order to our office as well. 517-318-0351.

If you have any questions or concerns about the items or the procedure for ordering please feel free to call our office. We would be glad to help. Thank you for your business!

Daniel Eggleston  
I.T. Right



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Dan Eggleston, Owner.



## ONLINE PRICE QUOTATION

Quote Number: 8041775

Today's Date : 9/27/2012 5:17:25 PM

Created By: sales@itright.com

Quote Name: Adrian Server Sept12

Quote Created Date : 9/27/2012 5:17:18 PM

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

**Product availability and product discontinuation are 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.**

*Use the File - Print option to print this form for your future reference.*

Items/description	Part no Base	Unit price	Qty	Ext price
<ul style="list-style-type: none"> <li>■ Supports up to two Quad-Core Intel® Xeon® processors: 5600/5500 sequence with 12MB Level 2 cache</li> <li>■ Supports up to 96GB of Registered PC3-10600 (DDR3-1067) or up to 24GB of Unregistered PC3-10600 (DDR3-1067)</li> <li>■ Internal storage capacity up to 25 SAS or SATA small form factor hard drives with addition of a Smart Array controller:</li> <li>■ Embedded HP NC362i Integrated Dual Port Gigabit Server Adapter</li> <li>■ Embedded LO100i with optional LO100i Advanced Licenses for Virtual KVM and Virtual Media.</li> <li>■ Protected by HP Services, including a one-year, limited warranty, Next Business Day one-year on-site limited Global warranty</li> </ul>		<b>\$12,005.93</b> \$12,005.93	1	\$12,005.93
HP ProLiant DL180 G6 Server	<b>594911-B21</b>			
Six-Core Intel® Xeon® Processor E5645 (2.40GHz, 12M L3 Cache, 80 Watts)	<b>636206-L21</b>			
HP 12GB PC3-10600E 6x2GB 2Rank Memory	<b>500670-12G</b>			
Six-Core Intel® Xeon® Processor E5645 (2.40GHz, 12M L3 Cache, 80 Watts)	<b>636206-B21</b>			
HP 12GB PC3-10600E 6x2GB 2Rank Memory	<b>500670-12G</b>			
Microsoft® Windows® Server 2008 R2 Standard Edition Factory Integrated Software	<b>589248-B21</b>			
<b>Storage controller</b>				
Embedded SATA Controller (does not support factory integrated RAID)				
HP P410/256 Smart Array Controller with battery	<b>491195-B21</b>			
HP 25-Bay Small Form Factor Drive Cage	<b>516011-B21</b>			

HP 300GB 6G Hot Plug 2.5 SAS Dual Port 15,000 rpm Enterprise Hard Drive	627117-B21			
HP 300GB 6G Hot Plug 2.5 SAS Dual Port 15,000 rpm Enterprise Hard Drive	627117-B21			
HP 600GB 6G Hot Plug 2.5 SAS Dual Port 10K rpm Enterprise Hard Drive	581286-B21			
HP 600GB 6G Hot Plug 2.5 SAS Dual Port 10K rpm Enterprise Hard Drive	581286-B21			
HP 600GB 6G Hot Plug 2.5 SAS Dual Port 10K rpm Enterprise Hard Drive	581286-B21			
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HP 600GB 6G Hot Plug 2.5 SAS Dual Port 10K rpm Enterprise Hard Drive	581286-B21			
HP 600GB 6G Hot Plug 2.5 SAS Dual Port 10K rpm Enterprise Hard Drive	581286-B21			
RAID 1 drive set (requires matching 2 hard drives)	339778-B21			
HP 200GB Logical Size Setting	436007-B21			
<b>Network card</b>				
Embedded HP NC362i Integrated Dual Port Gigabit Server Adapter				
2 HP 750W Common Slot Gold Hot Plug Power Supplies	512327-2PS			
HP Redundant Fan Kit	516009-B21			
<b>HP Integrated Lights-Out</b>				
HP Lights-Out 100i Remote Management				
<b>Warranty</b>				
Protected by HP Services, 3-Year Next Day Part Replacement, 0-Year Labor, 0-Year Onsite support with next business day response.				
HP 3y 4h 24x7 DL18x ProCare Service	U3A04E	\$1,378.40 \$1,378.40	1	\$1,378.40
HP Lights-Out 100i (LO100i) Advanced including 1yr 24x7 Support Single Server License - Electronic	TA859AAE	\$167.17 \$167.17	1	\$167.17

**Subtotal: \$13,551.50**

**Estimated Lease Cost: \$438.93**

The terms and conditions of the MI - REMC (WSCA/NASPO) will apply to any order placed as a result of this inquiry, no other terms or conditions shall apply.

To access the HP Public Sector Online Store where this quote was created, go to:  
<http://gem.compaq.com/gemstore/entry.asp?SiteID=11574>

\* The estimated lease cost is the monthly payment amount for a lease commencing on or before 10/27/2012 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. 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.

\* HP is not liable for pricing errors. If you place an order for a product that was incorrectly priced, we will cancel your order and credit you for any charges. In the event that we inadvertently ship an order based on a pricing error, we will issue a revised invoice to you for the correct price and contact you to obtain your authorization for the additional charge, or assist you with return of the product. If the pricing error results in an overcharge to you, HP will credit your account for the amount overcharged.

\* This quotation may contain open market products which are sold in accordance with HP's Standard Terms and Conditions. HP makes no representation regarding the TAA status for open market products. Third party items that may be included in this quote are covered under the terms of the manufacturer warranty, not the HP warranty.

\* Please contact HP Public Sector Sales with any questions or for additional information:

K12 Education:	800-888-3224	Higher Education:	877-480-4433
State Local Govt:	888-202-4682	Federal Govt:	800-727-5472
Fax:	800-825-2329	Returns:	800-888-3224

\* For detailed warranty information, please go to [www.hp.com/go/specificwarrantyinfo](http://www.hp.com/go/specificwarrantyinfo). Sales taxes added where applicable. Freight is FOB Destination.

**RE: INFORMATION TECHNOLOGY – Permission to purchase HP HCL Server on State of Michigan REMC Contract**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution # 12-045 dated May 7, 2012, adopted the FY2012-13 Budget and General Appropriations Act, which included funds for the purpose of purchasing a computer file server; and

WHEREAS, the Adrian Information Technology Director has reviewed requirements for a computer server for use in the City’s network; and

WHEREAS, the Information Technology Director has identified a HP HCL ProLiant DL 180 Server as the optimum computer for the needs of the users of the City’s computer network; and

WHEREAS, the REMC Association of Michigan solicits bids from manufactures of a wide variety of equipment for use by public and private schools, colleges and universities and state, county and local government including computer hardware, and therefore the City Administrator and IT Director recommend the bid process be waived; and

WHEREAS, the REMC Association of Michigan has a contract for HP HCL ProLiant DL Servers; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the Information Technology (290) FY2012-13 Budget (661.290.00-977.000).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, waives the bid process and approves the purchase of a HP HCL ProLiant DL Server from HP and a three year ProCare Service Contract based on Michigan REMC quote # 8019426 in the amount of \$13,668.30.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, this resolution was \_\_\_\_\_ by a \_\_\_\_\_ vote.

# MEMO

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DATE: September 27, 2012

TO: Hon. Mayor DuMars and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Adrian Dial-A-Ride Bus Tires

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The Dial-A-Ride system has been granted up to \$10,000 for the purchase of bus tires. Bids have been solicited for the purchase, with the bid tabulation attached. The recommendation from the Transportation Coordinator is to proceed with the bid from Hadden Tire of Adrian, Michigan, in the amount of \$10,984. In addition to the \$10,000 capital grant, the Transportation Department has a balance of \$454 in another capital grant fund for tire purchases. The remaining balance of \$530 will come from the Department of Transportation's regular operating budget. As you can see from the bid tabulation, there are two lower prices for the tires, but there would be additional costs for drivers to drive to either Tecumseh, Michigan or Jackson, Michigan to have the tires placed on the vehicle, so it is the opinion of the Transportation Coordinator that the superior proposal is the one from Hadden Tire of Adrian, Michigan. In addition, this is a local bidder.

Respectfully Submitted,



Dane C. Nelson

**CITY OF ADRIAN  
DIAL-A-RIDE**

September 26, 2012

To: Dane Nelson, Administrator  
City Commissioners  
From: Marcia Bohannon, Transportation Coordinator

SUBJECT: Tire Purchases

The recommendation to use Hadden Tire of Adrian is being offered. The total cost is \$10,984.00. For our fleet, we will be replacing a total of 50 tires.

Although the cost from Mygrants Tire in Jackson, MI for the Double Coin tire is offered at the lowest price of \$8,196, please consider an additional cost of \$202.30 per trip based on our cost per mile of \$2.89 traveling 70 miles (round-trip). The cost of replacing this vehicle while it is out of service is an additional cost that has not been considered in this evaluation.

Although the cost from Tecumseh Tire in Tecumseh, MI for the variety of tires is offered at the 2<sup>nd</sup> lowest price of \$9,161.44, please consider an additional cost of \$69.36 per trip based on our cost per mile of \$2.89 traveling 24 miles (round-trip). The cost of replacing this vehicle while it is out of service is an additional cost that has not been considered in this evaluation.

Lenawee Tire in Adrian, using the Dyna Trac tire is an incomplete bid.

We have a capital grant for \$10,000 (2007-0156, Z14) for the purchase of tires. We have another capital grant for tire purchases (2007-0156, Z8) with \$454 remaining on it. The difference of \$530 would come from our regular operating dollars.

CITY OF ADRIAN, MICHIGAN  
DIAL-A-RIDE BUS TIRES  
DUE DATE: SEPTEMBER 26, 2012

	225/70R19.5 Driving Tire 4 each	225/70R19.5 Steering Tire 4 each	225/75R16 All Position Tire 24 each	245/70R19.5 Driving Tire 12 each	245/70R19.5 Steering Tire 6 each	GRAND TOTAL MAKE
Lenawee Tire Adrian MI	\$235.00 each \$940.00 Total	\$240.00 each \$960.00 Total		\$270.00 each \$3,240.00 Total	\$ 275.00 each \$1,650.00 Total	\$6,790.00 * Dyna Trac
Lenawee Tire Adrian, MI	\$332.00 each \$1,328.00 Total	\$305.00 each \$1,220.00 Total	\$134.00 each \$3,216.00 Total	\$ 365.00 each \$4,380.00 Total	\$ 350.00 each \$ 2,100.00 Total	\$12,244.00 Goodyear
Tecumseh Tire Tecumseh, MI	\$ 210.00 each \$840.00 Total	\$ 193.36 each \$ 773.44 Total	\$ 133.50 each \$3,204.00 Total	\$ 252.00 each \$3,024.00 Total	\$ 220.00 each \$ 1,320.00 Total	\$9,161.44 Variety
Hadden Tire Adrian MI	\$ 250.00 each \$ 1,040.00 Total	\$250.00 each \$ 1,040.00 Total	\$ 155.00 each \$3,864.00 Total	\$270.00 each \$ 3,360.00	\$ 270.00 each \$ 1,680.00 Total	\$ 10,984.00 Double Coin
Mygrants Tire Co Jackson MI	\$ 180.00 each \$ 720.00 Total	\$ 180.00 each \$ 720.00 Total	\$109.00 each \$ 2,616.00 Total	\$ 235.00 each \$ 2,820.00 Total	\$220.00 each \$ 1,320.00 Total	\$8,196.00 Double Coin
Mygrants Tire Co Jackson MI	\$384.18 each \$1,536.40 Total	\$ 347.20 each \$ 1,388.80 Total	\$112.10 each \$ 2,690.40 Total	\$ 400.14 each \$ 4,801.68 Total	\$ 300.45 each \$ 1,802.70 Total	\$12,219.98 Firestone
Mygrants Tire Co Jackson MI	\$331.81 each \$1,327.24 Total	\$ 384.18 each \$ 1,536.72 Total	\$ 188.55 each \$ 2,262.60 Total	\$390.90 each \$ 4,690.80 Total	\$ 359.01 each \$ 2,154.06 Total	\$11,971.42 Bridgestone

\* Bid not complete

R12-116

October 1, 2012

**RE: TRANSPORTATION – Award a bid for the purchase of bus tires for Dial-A-Ride buses.**

**RESOLUTION**

WHEREAS, the City of Adrian desires to continue provisions of Dial-A-Ride service; and

WHEREAS, a project authorization has been proposed which grants \$10,000 for the purchase of bus tires; and

WHEREAS, seven bids were received, with Hadden Tire of Adrian, Michigan being the recommended bidder; and

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby accept the bid of \$10,984 from Hadden Tire of Adrian, Michigan with funds of \$10,000 from Agreement # 2007-0156, Authorization # Z14, \$454 from Agreement # 2007-0156, Authorization # Z8, with the remaining funds of \$530 from the Transportation regular operating budget.

BE IT FURTHER RESOLVED that the equipment and funds from the project authorization be granted to the Adrian Dial-A-Ride in accordance with the terms of the project authorization and that the Mayor, Greg DuMars, and City Clerk, Pat Baker are authorized to execute the project authorization # P2 for and on behalf of the City of Adrian.

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.

# MEMO

---



DATE: September 27, 2012

TO: Hon. Mayor DuMars and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Adrian Dial-A-Ride Contract Extension

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The current contract with the vendor for the operations of the City Dial-A-Ride service is due to expire October 1, 2012. It appears that the State of Michigan will not approve the proposed new vendor for the same service, which will potentially require the matter to be re-bid. In the meantime, the current vendor has been approached and is willing to continue services for a time not to exceed 3 months. As such, the proposed resolution allows the extension of this contract for no longer than three months. This contract can be terminated in the event the matter is resolved with the State of Michigan and a new vendor is selected.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Dane C. Nelson'.

Dane C. Nelson

CITY OF ADRIAN  
QUICK SERVICE TRANSPORTATION, INC.  
OPERATIONS CONTRACT

THIS OPERATIONS CONTRACT, Effective October 1, 2012 by and between the City of Adrian, Michigan, a Michigan Municipal Corporation, hereinafter called the "CITY" and Quick Service Transportation, Inc., a Michigan Corporation, of Adrian, Michigan, hereinafter called the "COMPANY".

WITNESSETH:

WHEREAS, the CITY desires to have the COMPANY operate a Dial-A-Ride transportation system (hereinafter referred to as the "DART" system), under the General Transportation Fund Program and Act 327 of the Public Acts of 1972, and,

WHEREAS, the COMPANY desires to contract with the CITY for the operation of the DART system,

NOW, THEREFORE, in consideration of the mutual promises contained herein, the COMPANY and the CITY agree as follows:

THE COMPANY SHALL:

1. Employ sufficient drivers to operate approximately six (6) vehicles to be used in the DART system. The COMPANY will further employ sufficient dispatchers to operate the system. The COMPANY will hire said drivers and dispatchers and with the approval of the CITY will establish their rates of compensation and other terms and conditions of employment, and said drivers and dispatchers will be employees of the COMPANY and not of the CITY; provided, however, that the CITY reserves the right to review, through the CITY ADMINISTRATOR or his agent, the qualifications of said employees and to recommend to the COMPANY that the COMPANY rejects the services of any such person if, in the judgement of the CITY ADMINISTRATOR, said employee is not sufficiently qualified; provided, further, that the CITY reserves the right to require the COMPANY to remove from DART system service any employee whose actions on the job are, in the judgement of the CITY, detrimental to the operation of the DART system; and provided, further, that all future employees, hired to drive DART system vehicles, will first obtain, at the expense to the CITY, a physical and medical examination in accordance with standards established by the CITY. The COMPANY shall, at all times, carry Workers Compensation Insurance on said drivers and dispatchers and shall do all things legally required of it as the employer of said drivers and dispatchers, and will, upon request by the CITY, furnish to the CITY forthwith proof that the COMPANY'S obligations under this Section are being met.

2. Provide supervision of drivers and dispatchers, including work schedules approved by the CITY.

3. Require said drivers and dispatcher to undergo initial training and continuing training, according to a program outline to be provided by the CITY. It is understood that the duration of the initial training will be approximately one (1) week. Such drivers and dispatchers shall be and remain employees of the COMPANY at all times during such training.

4. Purchase necessary supplies related to the dispatching under the DART system including forms used for necessary records of operations and fares. The CITY will reimburse the COMPANY for such purchases. Types and quantities of forms, and form design and layout will be as specified by the CITY. The CITY, at its option, elects to furnish some or all of such necessary supplies directly to the COMPANY.

5. Operate the DART system service according to an operations plan provided by the CITY, which will include specific service hours, service area boundaries, a fare structure, and radio procedures.

6. Provide all general supervision and clerical and administrative work necessary and required by the CITY for the performance of this contract and the operation of the DART system, including the bookkeeping, recording of data, preparation of reports, handling of system revenues and other such work related to the DART system.

7. Furnish garage facilities acceptable to the CITY for the DART system vehicles and a dispatch center.

8. Provide all cleaning of and all operating supplies and maintenance for the DART system vehicles, including a daily checking of vehicle condition. Operating supplies shall include, but shall not be limited to, oil, anti-freeze, transmission fluid, grease, windshield washer fluid and all other miscellaneous supplies and fluids required in vehicle operation. Maintenance shall include all vehicle maintenance and repair with the exception of items covered by insurance or vehicle warranty.

9. Provide heat, light, electrical power and restroom facilities for the dispatch center located at 377 Logan St., Adrian, MI.

10. Handle DART system revenues in a manner to be determined by the CITY.

11. Furnish to the CITY daily, weekly, and monthly summaries of service including origination to destination sheets and amounts of fares received, in a format to be approved by the CITY, and will furnish other reports of maintenance and operations as required by the CITY.

12. At all times, permit the CITY, the Michigan State Transportation Commission, or representatives thereof, and their consultants, access to all dispatching areas; providing, however, that said access will not interfere unreasonably with the legitimate business activities of the COMPANY employees. The COMPANY shall permit the CITY'S and the authorized representative of the Michigan Department of Transportation, hereinafter referred to as the M.D.O.T., to inspect all work, materials, payrolls, records of personnel, invoices for materials, and other relevant data and records, and to audit the books, records, and accounts of the COMPANY pertinent to the Contract and the development and operation of the DART system and keep the same available for inspection for three (3) years from the date of final payment for operation of the DART system.

13. In connection with the performance of work under this Contract, agrees to comply with the provision of the State of Michigan "Non-Discrimination Clause for All State Contracts", as set forth in Appendix "A" attached hereto and made a part hereof. The COMPANY (hereinafter in Appendix "A" referred to as the "CONTRACTOR") further covenants that it will comply with the Civil Rights Act of 1964 (78 Stat. 252) and will require a similar covenant on the part of any contractor or subcontractor employed in the performance of this Contract.

14. Indemnify and save harmless, the CITY, M.D.O.T., and all officers, agents, and employees thereof, from any and all claims, losses, or liability resulting from the negligence or intentional wrong-doing of any officer, agent, servant, or employee of the COMPANY. The COMPANY also agrees to reimburse the CITY for costs incurred for repair or replacement of dispatching and other equipment and facilities furnished by the CITY resulting from use by the COMPANY or its employees for purposes unrelated to the DART system. The COMPANY further agrees that any such use is to be made only with prior express written permission of the CITY.

15. Keep itself fully informed of and shall, at all times, comply with all local, state, and federal laws, rules and regulations, applicable to this Contract and the work to be done hereunder.

16. Not assign any of its rights or duties under this Contract without the express written consent of the CITY.

17. Promptly pay the CITY for gasoline provided to it by the CITY for use in the DART system vehicles.

18. Shall provide to each employee a copy of the driver rule book and procedure manual, hereinafter referred to as the "MANUAL". The COMPANY shall require that all employees abide by the MANUAL. The COMPANY will enforce all rules and regulations in the MANUAL and in cases of employee infractions, the COMPANY will follow the discipline procedure outlined in the MANUAL. The CITY reserves the right to change the MANUAL any time it deems necessary.

19. Ensure that D.B.E.'s as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that D.B.E.'s have the maximum opportunity to compete for and perform contracts. The M.D.O.T. has set a 2012 D.B.E. goal for participation and all parties agree to put forth good faith efforts to meet this goal.

20. The COMPANY agrees that the costs reported under this Contract will represent only those items that are properly chargeable in accordance with this Contract. The COMPANY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

THE CITY SHALL:

21. Receive Federal Section 5311 operating funds as provided in contracts between the M.D.O.T. and the City, and State Local Bus Operating assistance as provided to the City by M.D.O.T. per Act 51 of the Public Acts of 1951, as amended and disburse same to Quick Service based on documented costs incurred and in conformance with State and Federal regulations. This compensation to Quick Service shall not exceed \$235,000 which is a reimbursement estimate for the operating costs.

22. Use M.D.O.T.'s current "Local Public Transit Revenue and Expense Manual" in the determination of eligible project costs.

23. Supply licensed and registered vehicles and radio dispatching equipment to be used in the DART system.

24. Provide general supervision of the DART system and its operation and will provide competent periodic inspection of the general condition of the vehicles.

25. Provide an operating plan including, but not necessarily limited to, hours of service, service area boundaries, a fare structure, radio procedure, layout for dispatch and reporting forms, dispatch procedures and training schedules.

26. Retain the right to set and change levels of service including, but not limited to, hours, number of vehicles, service area, and use of vehicles. Failure of the COMPANY to provide services of said levels shall be construed as a breach of this Contract.

27. Provide maintenance for the DART system's radio equipment.

28. Pay the COMPANY for installation of telephone trunklines and telephones in the dispatch center and will reimburse the COMPANY for the monthly telephone billings. Said telephone facilities shall be used only in connection with the DART system.

29. Provide standards for preventive maintenance of vehicles, lists of parts and items to be retained in inventory, and master copies of standard forms for daily recording of vehicle use and maintenance.

30. Provide advertising and promotion for the DART system. No publication of the COMPANY may state or imply that DART system is a service of the COMPANY.

31. Sell to the COMPANY, at costs to the CITY, all fuel required for the operation for the DART system.

32. Pay the COMPANY actual costs incurred for each "Driver Hour" according to the attached approved Wage Scale plus mandatory fringe benefits, including but not limited to, Social Security, Unemployment Compensation and Workers Compensation. Overtime will be at one and one-half (1-1/2) times said rates. "Driver hour" shall be construed to mean an hour during which a driver is operating a vehicle in service, training for said operation, or spending time in the performance of other DART system work as authorized by the CITY. Meal periods, during which the vehicle is taken out of service shall not be included under "driver hour".

A. Pay the COMPANY actual costs incurred for premiums to provide employee and or employee plus one coverage under a basic group health insurance plan for full-time seniority employees with one (1) or more years of service, who are not otherwise covered by another substantially equivalent group health insurance plan paid by another employer.

B. Pay the COMPANY actual costs incurred for vacation pay for all full-time and regular part-time employees with at least one (1) year of continuous service. Each eligible employee will receive a one (1) week vacation paid annually. Upon completion of five (5) years of employment, each eligible employee will receive two (2) weeks vacation paid annually. Upon completion of ten (10) years of employment, each eligible employee will receive three (3) weeks vacation paid annually and said employees with at least twenty (20) years of continuous service will receive four (4) weeks of vacation annually.

Vacation pay will be based upon the average number of hours worked by the employee per week during the preceding calendar year beginning October 1, and the employee's rate of pay at the time the vacation is taken; provided that, for these purposes, an employee whose average number of hours worked per week is at least 36 shall have his or her average number of hours increased by four (4), to a maximum of 44 average hours per week.

- C. Pay the COMPANY actual costs incurred for six paid holidays: Thanksgiving Day holiday, Christmas Day holiday, Independence Day holiday, New Year's Day holiday, Labor Day holiday, and Memorial Day holiday provided they work all scheduled hours the normally scheduled work day before and after the holiday, unless the employee is on an approved vacation or leave of absence. All employees will be provided two paid personal days each calendar year providing forty-eight (48) hours notice to the employer.
- D. Pay a thirty five (\$0.35) cent per hour premium for drivers assigned to training during time that they are actually performing the training.
- E. Institute a 401(k) plan, paying all administrative fees, and matching the following amounts:
  - \$0.10 for every \$1.00 contributed by the employee, to a maximum match of \$100.00 per year, per participant for the first year.
  - \$0.15 for every \$1.00 contributed by the employee, to a maximum match of \$150.00 per year, per participant thereafter.

33. Pay the COMPANY actual costs incurred for each "Dispatch Hour" according to the attached approved Wage Scale plus mandatory fringe benefits, including but not limited to, Social Security, Unemployment Compensation and Workers Compensation. Dispatchers' health insurance and vacation pay, including sick and accident insurance for the office manager, will be reimbursed at the current level being offered by the COMPANY. Overtime will be at one and one-half (1-1/2) times said rates. Time spent by the dispatcher(s) for which that rate will be paid shall include reasonable time spent in dispatcher training activities, but shall exclude meal breaks during which the COMPANY'S employee is not dispatching service.

34. Pay the COMPANY monthly for cleaning maintenance, and the furnishing of operating supplies for the DART system vehicles. Payment shall be made upon submission by the COMPANY of detailed cost statements. The CITY reserves the right to provide any or all such services at its cost.

35. Pay the COMPANY per month to include a portion of the cost for heat, water, and electricity located at 377 Logan St., Adrian, MI.

36. Pay to the COMPANY \$1400.00 per month for the performance of all obligations under this Contract not covered by Sections 28, 32, 33, 34, and 35 hereof, including but not limited to scheduling, supervising, bookkeeping, record keeping and reporting.

37. Pay to the COMPANY the necessary legal fees pertaining to on-going union negotiations and union personnel problems of Quick Service employees providing transit service to the city. It is understood the legal services obtained will be in behalf of the CITY'S best interest.

IT IS FURTHER AGREED THAT:

38. No member of or delegate to the Congress of the United States or the Legislature of the State of Michigan shall be admitted to any share or part of the Contract or to any benefits arising therefrom or part of the Contract or to any benefits arising therefrom.

39. No member, officer, or employee of the CITY, or of a local public body, during his tenure or for one (1) year after, shall have any interest, direct or indirect, in this Contract or the proceeds thereof.

40. This Contract has been extended for a 3-month period and will terminate December 31, 2012, or until such time a new third party transportation provider has been selected, however, if the revenue received by the CITY from the COMMISSION regarding the DART system shall be terminated for any reason, this Contract may also be terminated immediately by the CITY; provided, further that the CITY chooses in the event of any breach by the COMPANY, without thereby waiving any claims for damages; and provided; further, that the CITY may, at its' discretion and for any reason, terminate this Contract upon thirty days (30) written notice to the COMPANY. The parties may extend this Contract for periods of three (3) months by execution of an amendment, approved by M.D.O.T.

41. The COMPANY recognizes that the CITY has certain obligations with the COMMISSION providing for DART system services in the CITY regarding reports, forms, audits, etc. The COMPANY further recognizes that the CITY has contracted with the COMPANY to perform various functions and meet certain responsibilities concerning DART system which are, under the Contract with the COMMISSION, in the first instance the responsibility of the CITY. The COMPANY agrees that this Contract between itself and the CITY shall be construed in light of the Contract between the CITY and M.D.O.T. in order to accomplish the objectives of those required by M..D.O.T. and the COMPANY agrees to perform accordingly.

42. In the event of a conflict between the terms and conditions of the subcontract and those of the prime agreement, the terms and conditions of the prime agreement shall prevail.

43. All terms and conditions included in the prime contract are incorporated in the subcontract.

44. The provisions of this Contract shall bind and insure to the benefit of the successors and assigns of the parties hereto, and with approval of M.D.O.T

CITY OF ADRIAN, MICHIGAN

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

QUICK SERVICE TRANSPORTATION, INC.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

R12-117

October 1, 2012

**RE: TRANSPORTATION – Authorize a three (3) month extension of a contract between the City and Quick Service Transportation, Inc.**

**RESOLUTION**

WHEREAS, the City of Adrian has a contract for Dial-A-Ride services with Quick Service Transportation, Inc. that expires October 1, 2012; and

WHEREAS, an extension for up to three (3) months of the existing contract with Quick Service Transportation, Inc., has been proposed.

NOW, THEREFORE, BE IT RESOLVED that the contract between the City of Adrian and Quick Service Transportation, Inc. is authorized to be extended for up to three (3) months on the same terms and conditions.

IT IS FURTHER RESOLVED that the Mayor, Greg DuMars, and the City Clerk, Pat Baker, are authorized to sign the aforementioned contract.

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.

# Memo

**TO:** Dane C. Nelson, City Administrator  
**FROM:** Mark K. Gasche, Parks and Recreation Director  
**DATE:** September 24, 2012  
**SUBJECT:** Bid Recommendation – Mid-mount Mower for Oakwood Cemetery

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I concur with the recommendation of the Parks and Recreation Director to award the bid for a mid-mount mower to be used at Oakwood Cemetery to Longs Outdoor Power of Tecumseh, Michigan. While the application of the preference policy would favor the Gallant bid, Long's delivery time and service would appear to make it a more favorable bid.

The City has used this company before and received good service. Funds are budgeted for this purpose in the Oakwood Cemetery Capital Equipment Account.



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Dane C. Nelson  
City Administrator

DCN:mld

Sealed bids were received and opened at the Purchasing Office on Thursday, September 20, 2012 for the purchase of a mid-mount mower to be used at Oakwood Cemetery. Twelve vendors were invited to bid, with four responding. The bid tabulation is listed below.

BIDDER	AMOUNT	TRADE-IN	DELIVERY
Longs Outdoor Power Tecumseh MI	\$ 9,359.20 Gravely 460	\$ 750.00	3 days
Gallant & Son Adrian, MI	\$ 9,550.00 Gravely 992233	\$ 0.00	45 days
Century Equipment Toledo, OH	\$ 9,559.00 Toro 74926	\$ 1,300.00	21 days
Archbold Equipment Adrian MI	\$ 10,179.00 Exmark	\$ 1,800.00	30 days

We solicited bids for both the purchase of a new mid-mount mower and a trade-in of our current mower because we weren't sure if the bids would be within our budgeted amount and whether or not we would need to trade-in the existing mower. Fortunately the bids did come in well within our budgeted amount for the purchase of this mower (\$12,000) so we would like to keep the existing mower as part of our fleet. The reasoning for this is that this mower is the only one in our fleet with a blower attachment, which we use extensively for leaves in the fall. In addition this mower was purchased in 2010 and it has only a little over 1,000 hours of use, which means that it should last for a few more years with just routine maintenance. That will be especially true if we plan to use this mower primarily in the fall for leaf blowing; however we will also use it as a back-up mower as needed.

Considering only the mower bids then, Longs Outdoor Power of Tecumseh, MI is the low bidder. However, when the Local Bidder Preference Policy is applied Gallant & Son of Adrian falls within the acceptable range of 4.5% for this amount. But there is another difference in the two bids; Longs Outdoor Power has a 3 day delivery time because they have this mower in stock, while Gallant & Son has a 45 day delivery time because they need to order one from the factory and have it built. This is significant because it will allow us to put the new mower into use immediately for both grass mowing and leaf mulching, whereas if we wait 45 days after ordering the mower will practically not be able to be used until next spring. We can utilize the current number of mowers that we have in the fleet at the cemetery but it would be better to have the additional one in service as well.

In addition, Longs Outdoor Power is offering a commercial contract G.A.P. (Gravely Assurance Plan) that will provide a replacement mower anytime this one is down for repair. Gallant & Son has offered to provide another mower if needed although it may not be the same mower, as they do not have the same commercial contract through Gravely. We have had good service provided from Longs in past dealings with them.

Taking into consideration all of the above factors it is staff's recommendation that we award this bid for a mid-mount mower to Longs Outdoor Power in the amount of \$9,359.20. Funds for this purchase are budgeted in the Oakwood Cemetery Capital Equipment account.

RE: **DEPARTMENT OF PARKS & RECREATION – OAKWOOD CEMETERY –  
Authorization to Purchase Mid-mount Mower**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution # 12-045 dated May 7, 2012, adopted the FY2012-13 Budget and General Appropriations Act, which included \$12,000 for a Mid-mount Mower for Oakwood Cemetery; and

WHEREAS, the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Thursday, September 20, 2012; twelve vendors were invited to bid, with five responding; the bid tabulation is listed below.

BIDDER	AMOUNT	TRADE-IN	DELIVERY
Longs Outdoor Power Tecumseh MI	\$ 9,359.20 Gravely 460	\$ 750.00	3 days
Gallant & Son Adrian, MI	\$ 9,550.00 Gravely 992233	\$ 0.00	45 days
Century Equipment Toledo, OH	\$ 9,559.00 Toro 74926	\$ 1,300.00	21 days
Archbold Equipment Adrian MI	\$ 10,179.00 Exmark	\$ 1,800.00	30 days

; and

WHEREAS, the bids came in within budget without the trade-in allowance so the new mower can be purchased and still keep the old mower in the fleet for the primary purpose of leaf blowing and as a backup mower, since it is only two years old and has relatively low hours on the engine; and

WHEREAS, the low bidder is also able to provide delivery with 3 days, which will enable the cemetery crew to put this mower into use for this fall season

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2012-13 Budget for this purpose, detailed as follows:  
(101-276.00-977.000) Cemetery Capital Equipment \$12,000; and

WHEREAS, the Parks & Recreation Director and City Administrator recommend acceptance of the Long Outdoor Power of Tecumseh, MI bid and authorization to purchase a Mid-mount Mower for Oakwood Cemetery at a cost not to exceed \$9,359.20.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby accepts the low bid and authorizes the Parks & Recreation Department – Cemetery Division to purchase a Mid-mount Mower for Oakwood Cemetery at a cost not to exceed \$9,359.20.

On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, this resolution was adopted by a \_\_\_\_\_ vote.