

# PRE-MEETING AGENDA

ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
MAY 19, 2008  
5:30 P.M.

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The City Commission will meet in closed session on Monday, May 19, 2008, at 5:30 p.m. to conduct an employee evaluation.

# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
MAY 19, 2008  
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- I I. ROLL CALL
- I I I. APPROVAL OF THE MINUTES OF THE MAY 5, 2008 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS.
  - 1. State Revenue Sharing Update
- V I. CONSENT AGENDA
  - A. RESOLUTIONS
    - 1. CR08-025. Resolution to award the annual bid for street castings, which include manhole castings and lids, catch basin casting and grates, fire hydrants, valve boxes and risers.
    - 2. CR08-026. Resolution to award the annual bid for car washing services for city vehicles.
    - 3. CR08-027. Resolution to award the annual bid for asphalt pavement repairs.
    - 4. CR08-028. Resolution to award annual bid for precast concrete products for Utilities Department and Public Works.
    - 5. CR08-029. Resolution to approve reappointment of Jeffrey Pardee to the Building Authority Board for a six-year term.
- V I I. PUBLIC COMMENT
- V I I I. REGULAR AGENDA
  - A. RESOLUTIONS
    - 1. R08-076. Resolution to accept payment from the owner of Orchard Apartments, 103 N. Charles St., as full settlement for outstanding personal property tax liability for the period from 2001 through 2006.

2. R08-077. Resolution to retain Consumers Energy for electrical service upgrades to the Adrian Public Library, including placement of a new pole, a transformer, concrete pad and a primary conductor from the pole to the transformer, and authorizing the City Administrator to execute the Electric Line Extension Agreement with Consumers.
3. R08-078. Resolution to authorize the purchase of replacement parts for the clarifier drive units at the Wastewater Treatment Plant and that the bid process be waived.
4. R08-079. Resolution to retain Jones & Henry for engineering services during the construction of the Miles Drive pump station removal project and that the bid process be waived.
5. R08-080. Resolution to retain Jones & Henry for engineering services during concrete restoration in the primary settling tanks at the Wastewater Treatment Plant and that the bid process be waived.
6. R08-081. Resolution to award bid for the Trestle Park Erosion Control Project.
7. R08-082. Resolution to approve Change Order #1 to the contract with Michigan Waterworks for installation of two line stops at the Merrick Street facility, which will allow removal of an active section of an 18" water distribution line.

I X. MISCELLANEOUS

1. Departmental Report
2. Fire Department Report
3. Community Development Work Program Report
4. Zoning Board of Appeals Minutes (5-1-08)

X. PUBLIC COMMENT

X I. COMMISSIONERS' COMMENTS

# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
MAY 5, 2008  
7:00 P.M.**

Official proceedings of the May 5, 2008 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 McDowell, Commissioners Osborne, Valentine, Mitzel, Steele, Clegg, and DuMars.

Commissioner Mitzel moved to approve the minutes of the April 21, 2008, regular meeting of the Adrian City Commission, seconded by Commissioner Steele, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #2810 through #2818	\$ 77,307.95
General Fund Vouchers #18650 through #18661	\$393,428.97
Clearing Account Vouchers amounting to	<u>\$270,471.02</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$741,207.94</b></u>

On motion by Commissioner Steele, seconded by Commissioner DuMars, this resolution was adopted by a 7-0 vote.

**PRESENTATIONS**

1. ***Rose to Mom Presentation.*** Children read an essay, written by them, on why their Mother is such a great Mom. To honor these special Moms, the Mayor presented a rose to each of the Mothers. There were 11 Mothers honored.
2. ***Mayor's Youth Council - Recognition Award.*** Maggie Hein from the Mayor's Youth Council presented a recognition award to Kaitlyn Ballard. Kaitlyn has contributed greatly to the programming at the Boys and Girls Club, was instrumental in the Operation Christmas Child Program and played an important role as a tutor for several students. Kaitlyn was nominated by Celeste Jaimes, her counselor at Lenawee Christian School. The award was presented by Maggie Hein.

## **PROCLAMATION**

1. A Proclamation was presented by the Mayor to Chief Terry Collins in recognition of Police Memorial Week. Also present were Administrative Sergeant Tom Ray and Deputy Chief Jim Schwartz.

## **PUBLIC COMMENT**

There was no public comment

## **REGULAR AGENDA**

### **ORDINANCES**

1. Ord. 08-07. Second reading of an Ordinance to amend Section 30.06 of Article XXX – Signs, by adding a new Subsection 6, which would allow sponsorship banners or signs located on or within city property. ADOPTED Eff. Date: May 20, 2008

On motion by Commissioner Clegg, seconded by Commissioner DuMars, this ordinance was adopted by a 7-0 vote.

2. Ord. 08-08. Second reading of an Ordinance to amend Section 2-4512 of Chapter 2 of the Adrian City Code by changing the membership of the Planning Commission. ADOPTED Eff. Date: May 20, 2008

On motion by Commissioner DuMars, seconded by Commissioner Clegg, this ordinance was adopted by a 7-0 vote.

3. Ord. 08-09. Second reading and adoption of an Ordinance to amend Article II – Definitions; Article XVIII – ERO District; Article VIII – RM-1 Low Rise Multiple Family Residential District; Article IX – RM-2 High Rise Multiple Family Residential District; Article XV – B-3 Central Business District and Article XXV – Conditions for Specified Uses Subject to a Zoning Exception Permit of the Zoning/Development Regulations of the City of Adrian. ADOPTED Eff. Date: May 20, 2008

*On motion by Commissioner Clegg, seconded by Commissioner DuMars, this ordinance was adopted by a 7-0 vote.*

## **SPECIAL ORDER**

1. SO-1. Public Hearing to hear and consider comments to adoption of the FY2008-09 Budget and General Appropriations Act, which includes approval of water sewer and Dial-A-Ride rates.

When the Mayor called for final objections, there were no public comments or objections, and he declared the hearing closed. There were also no Commissioner comments.

## **RESOLUTIONS**

### **CITY OF ADRIAN, MICHIGAN FISCAL YEAR 2008-2009 BUDGET AND GENERAL APPROPRIATIONS ACT**

#### **RESOLUTION R08-066**

WHEREAS in accordance with the provisions of the Adrian City Charter and Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Units of Government, it is the responsibility of the Adrian City Commission to establish and adopt the annual City Budget and work program by resolution not later than the second week of May, as well as provide for a levy of an amount necessary to be raised by taxes upon real and personal property for municipal purposes subject to the limitations contained in Section 9.1 of said Charter and the 1978 Tax Limitation Amendment contained in Article IX Section 31 of the Michigan Constitution; and

WHEREAS the City Commission received budget requests from all City Departments, and has reviewed in detail the City Administrator's Fiscal Year 2008-2009 Budget Recommendation; and

WHEREAS the City Commission, after due deliberation, has formulated a Proposed General Appropriations Act balancing total appropriations with available resources at \$31,047,012 for Fiscal Year 2008-2009, a summary of which is included in the Notice of Public Hearing published in a newspaper of general circulation; and

WHEREAS a copy of the proposed Budget and General Appropriations Act was published April 28, 2008 and a Public Hearing was held on May 5, 2008 in accordance with the provisions of Section 8.3 of the Adrian City Charter, Public Act 5 of 1982, and the federal, state and local Fiscal Assistance Act of 1972 (P.L. 92-512), as amended; and

WHEREAS included in the General Appropriations Act are the service charge rates for Dial-A-Ride transportation and Water and Sewer Utilities; Dial-A-Ride rates remain unchanged from FY2007-08; for a typical utility customer using eight units, which is approximately 6,000 gallons per month, the water bill will increase \$2.71 per month and the sewer bill will increase \$4.08 per month for a total increase of \$6.79 per month; the proposed FY2008-09 utility rates of \$48.57 per month compare favorably with a range of \$39.57 per month to \$95.72 per month for other Southeastern Michigan communities.

WHEREAS the further intent of this resolution is to maintain a budgetary system for the City of Adrian on the same basis of accounting (generally accepted accounting principles) as the actual financial information is maintained; to define the powers and duties of the City's officers in relation to that system; to designate the Chief Administrative Officer and Fiscal Officer; and to provide that the City Commission and the Fiscal Officer shall be furnished with information by the departments, boards, agencies and offices relating to their financial needs, revenues and expenditures/expenses, and general affairs; to prescribe a disbursement

procedure, to provide for an allotment system; and to provide remedies for refusal or neglect to comply with the requirements of this resolution.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission does hereby adopt and amend the Fiscal Year 2008-2009 Budget and General Appropriations Act recommended by the City Administrator as advertised and placed in the Clerk's Office for public inspection, balancing total appropriations with available resources at \$31,047,012 for Fiscal Year 2008-2009.

BE IT FURTHER RESOLVED that the Adrian City Commission authorizes to levy a millage rate of 15.6039 (Operating-13.6293; Solid Waste- 1.0000; and Local Streets-0.9746) mills upon the total Taxable Value of Real and Personal Property (\$455,585,214) so as to generate \$7,292,262, including additions for Industrial Facilities Tax (IFT) Revenue and excluding captured tax revenue for various economic development authorities, to support the FY2008-2009 City of Adrian General Fund Operating, Solid Waste and Local Street Budgets.

BE IT FURTHER RESOLVED that the Adrian City Commission authorizes Industrial Facilities Tax (IFT) collections at 15.6039 mills upon the total Taxable Value of Real and Personal Property (\$41,451,482) so as to generate \$323,402 to provide additional support for the FY2007-2008 City of Adrian General Fund Operating, Solid Waste and Local Street Budgets.

BE IT FURTHER RESOLVED that the Adrian City Commission authorizes the imposition of a one (1%) percent property tax administration fee as required by the General Property Tax Act (MCL211.44) and continuation of the Dial-A-Ride fares of \$2.00 for regular passengers and \$1.00 for senior citizens and handicapped riders, instituted July 1, 2005.

BE IT FURTHER RESOLVED that the following Water and Sewer Rate Charges become effective July 1, 2008:

**Water Rates:**

(1) The service charges shall be as follows each month:

<b><u>Meter Size</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>
	<b>(Service Charge Per Month)</b>	
5/8"	\$ 6.20	\$ 7.07
3/4"	\$ 7.40	\$ 8.44
1"	\$ 9.38	\$ 10.69
1 1/2"	\$ 14.11	\$ 16.09
2"	\$ 20.08	\$ 22.89
3"	\$ 32.41	\$ 36.95
4"	\$ 52.53	\$ 59.88
6"	\$ 98.76	\$112.59
8"	\$203.38	\$231.85
10"	\$306.70	\$349.64

The commodity charge shall be equally applied on each unit of 100 cubic feet used by premises.

Current commodity charge: \$1.66 per unit  
Proposed commodity charge: \$1.89 per unit

Automatic Fire Sprinkler Connection charge per month shall be proportioned to open line capacity. This charge shall apply to each unmetered fire line to any premises.

<b><u>Connection Size (Inches)</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>
	<b>(Service Charge Per Month)</b>	
2 ½ and under	\$ 6.19	\$ 7.06
3	\$ 8.65	\$ 9.86
4	\$11.60	\$13.22
6	\$23.03	\$26.25
8	\$41.16	\$46.92
10	\$69.82	\$79.59

Private fire hydrants (fire use only) on unmetered fire lines or from public lines:

Current rate per month	\$23.03
Proposed rate per month	\$26.25
Bulk water at water treatment plant per 100 gallons	\$ 0.88

**Sewer Rates:**

- (2) Commodity Charge.  
Current commodity charge: \$2.00 per 100 cubic feet  
Proposed commodity charge: \$2.34 per 100 cubic feet
- (3) Service Charge. A monthly service charge shall be applied to each bill for administrative costs and the cost of treating wastewater and infiltration as follows:

<b><u>Meter Size</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>
	<b>(Service Charge Per Month)</b>	
5/8"	\$ 7.98	\$ 9.34
3/4"	\$ 10.85	\$ 12.69
1"	\$ 13.41	\$ 15.69
1 1/2"	\$ 18.51	\$ 21.66
2"	\$ 30.64	\$ 35.85
3"	\$ 40.86	\$ 47.81
4"	\$ 61.29	\$ 71.71
6"	\$116.19	\$135.94
8"	\$191.52	\$224.08
10"	\$287.28	\$336.12

(4) Flat Rate. The charge for flat rate customers in the City of Adrian:

Current flat rate:	\$28.86
Proposed flat rate:	\$33.77

(5) Outside City (Unmetered Flat Rate) per month:

Adrian Township	Current	\$29.57
Madison Township	Proposed	\$34.60

Outside City (master meter rate per unit)

Adrian Township	Current	\$1.95
	Proposed	\$2.11
Madison Township	Current	\$1.96
	Proposed	\$2.12

(6) Industrial Pretreatment Fee: A fee of \$75.00 per month shall be charged to all customers who have an Industrial Pretreatment Program Permit; and

BE IT, FURTHER, RESOLVED that three (3) new Funds be established with the approval of this resolution: Harriet Kimball Fee Estate Fund (Fund 205; a Special Revenue Fund), for purposes of tracking revenue and costs associated with the Harriet Kimball Fee Estate endowment to the City of Adrian for beautification of public places, the Vibrant Small Cities Grant Fund (Fund 283; a Special Revenue Fund), for purposes of tracking revenue and costs associated with the Vibrant Small Cities Initiative grant award from the Michigan State Housing Development Authority (MSHDA), as well as the Local Development Finance Authority (LDFA) Fund (Fund 282; a Component Unit), for purposes of providing for future tax capture to fund further economic development in the City of Adrian; and

BE IT, FURTHER, RESOLVED that \$1,004,000 local match requirement for the Vibrant Small Cities Initiative (VSCI) grant be transferred from be transferred from Undesignated Fund Balance of the following funds to the newly established Vibrant Small Cities Grant Fund (Fund 283):

Major Street Fund (202)	\$ 879,000
DDA-TIF Fund (281)	<u>125,000</u>
Total	<u>\$1,004,000</u> ; and

BE IT, FURTHER, RESOLVED that:

1. The City Administrator is hereby designated the Chief Administrative Officer (CAO) of the City of Adrian and, further, that the Finance Director shall perform the duties of the Chief Fiscal Officer (CFO) as specified in this resolution.
2. The CFO shall provide an orientation session and written instructions for preparing departmental budget requests. These instructions shall include information that the CFO determines to be useful and necessary to assure that the budgetary estimates of the agencies are prepared in a consistent manner and the needs of the CAO and the City Commission are met.

3. Any offices, departments, commissions and boards of the City of Adrian financed in whole or in part by the City of Adrian shall transmit to the CFO their estimates of the amounts of money required for each activity in their respective agencies, as well as their estimate of revenues that will be generated from charges for services. They shall also submit any other information deemed relevant by the CAO, CFO and/or City Commission.
4. The CFO shall prescribe forms to be used by the offices, departments, commissions and boards of the City of Adrian in submitting their budget estimates and shall prescribe the rules and regulations the CFO deems necessary for the guidance of officials in preparing such budget estimates. The CFO may require that the estimates be calculated on the basis of various assumptions regarding level of service. The CFO may also require a statement for any proposed expenditure and a justification of the services financed.
5. The CFO shall prepare estimates of revenue for each budgeted fund, classified to show in detail the amount expected to be received from each source. Estimated of expenditures and revenues shall also be classified by character, object, function and activity consistent with the State Chart of Accounts and Michigan Department of Treasury accounting system classification.
6. The CFO shall review the agency estimates with a representative from each agency of the City of Adrian that has submitted such estimates. The purpose of the review shall be to clarify the estimates, ensure the accuracy, and to determine their adherence to the policies previously enumerated by the CAO, CFO and City Commission as herein required.
7. The CFO shall consolidate the estimates received from the various departments and agencies, together with the amounts of expected revenues, and shall make recommendations relating to those estimates, which shall assure that the total of estimated expenditures, including an accrued deficit, does not exceed the total of expected revenues, including an unappropriated surplus.
8. The recommended budget shall include at least the following:
  - (a) Expenditure data for the most recently completed fiscal year and estimated expenditures for the current fiscal year;
  - (b) An estimate of the expenditure amounts required to conduct the government of the City of Adrian, including its budgetary centers;
  - (c) Revenue data for the most recently completed fiscal year and estimated revenues for the current fiscal year;
  - (d) An estimate of revenues, by source, to be raised or received by the City of Adrian in the ensuing fiscal year;
  - (e) The amount of surplus or deficit from prior fiscal years, together with an estimate of the amount of surplus or deficit expected in the current fiscal year;
  - (f) An estimate of the amount needed for deficiency, contingent or emergency purposes and the amounts needed to pay and discharge the principal and interest of the debt of the City of Adrian due in ensuing fiscal years;

- (g) The amount of proposed capital outlay expenditures, except those finance by enterprise, capital projects or internal service funds, including the estimated total costs and proposed method of financing of each capital construction project for three (3) years beyond the fiscal year covered by the budget;
  - (h) An informational summary of projected revenues and expenditures/expenses of all capital projects, internal service and enterprise funds;
  - (i) A comparison of the revenue and expenditure amounts in the recommended budget to the budget previously adopted, and amended, by the City Commission, with appropriate explanation of the variances;
  - (j) Any other data relating to fiscal conditions that the CAO, CFO and/or City Commission consider to be useful in evaluating the financial needs of the City of Adrian.
9. Not less than ninety (90) days before the next succeeding fiscal year, the CAO shall transmit the recommended budget to the City Commission. The recommended budget shall be accompanied by:
  - (a) A proposed general appropriation measure, consistent with the budget, which shall set forth the anticipated revenue and requested expenditure/expense authority, in such form and in such detail deemed appropriate by the City Commission;
  - (b) A budget message, which shall explain the reasons for the increases or decreases in budgeted items compared with the current fiscal year, the policy of the CAO as it relates to important budgetary items, and any other information that the CAO determines to be useful to the City Commission in its consideration of the proposed appropriations;
  - (c) A comparison of the recommended budget to the current year adopted and amended budget, together with an analysis and explanation of the variances therefrom, such variances being divided to show the portion attributable to the current year budget amendments and the portion resulting from the recommended budget.
10. The City Commission may direct the CAO and/or other appointed officials to submit any additional information it deems relevant in its consideration of the budget and proposed appropriations measure. The City Commission may conduct budgetary reviews with the CFO and/or City Departments or agencies for the purpose of clarification or justification of proposed budgetary items.
11. The City Commission may revise, alter or substitute for the proposed general appropriations measure in any way, except that it may not change it in a way that would cause total appropriations, including an accrued deficit, to exceed total estimated revenues, including an unappropriated surplus. An accrued deficit shall be the first item to be resolved in the general appropriations measure.
12. The City Commission shall fix the time and place of a public hearing to be held on the budget and proposed appropriations measure. The City Clerk shall then have published, in a newspaper of general circulation within the City of Adrian, notice of the hearing and an indication of the place at which the budget and proposed appropriations measure may be inspected by the

public. This notice must be published at least seven days before the date of the public hearing.

13. No later than June 30, the City Commission shall pass a general appropriations measure providing the authority to make expenditures and incur obligations on behalf of the City of Adrian. The supporting budgetary data to the general appropriations measure shall include at least the following:
  - (a) Expenditure data for the most recently completed fiscal year;
  - (b) The expenditure budget as originally adopted by the City Commission for the current fiscal year;
  - (c) The amended current year appropriations;
  - (d) An estimate of the expenditure amounts required to conduct the government of the City of Adrian, including its budgetary centers;
  - (e) Revenue data for the most recently completed fiscal year and estimated revenues for the current fiscal year;
  - (f) Budgeted Revenue Estimates as originally adopted by the City Commission for the current fiscal year;
  - (g) The amended current year Budgeted Revenues;
  - (h) An estimate of revenues, by source, to be raised or received by the City of Adrian in the ensuing fiscal year;
  - (i) The amount of surplus or deficit from prior fiscal years, together with an estimate of the amount of surplus or deficit expected in the current fiscal year;
  - (j) An estimate of the amount needed for deficiency, contingent or emergency purposes, and the amounts needed to pay and to discharge the principal and interest of the debt of the City of Adrian due in the ensuing fiscal year;
  - (k) The amount of proposed capital expenditures, except those financed by enterprise, capital project or internal service funds, including the estimated costs and proposed method of financing of each capital construction project and the projected additional annual operating costs and the method of financing the operating costs of each capital construction project for three (3) years beyond the fiscal year covered by the budget;
  - (l) An informational summary of projected revenues and expenditures/expenses of capital projects, internal service and enterprise funds;
  - (m) Any other data relating to fiscal conditions that the City Commission considers to be useful in considering the financial needs of the City;
  - (n) Printed copies of the City Commission's Adopted Budget, Financial Plan or any facsimile thereof shall contain all the above data unless otherwise approved by the City Commission.
14. The City Commission may authorize transfers between appropriation items by the CAO or CFO within limits stated in the appropriations measure. In no case, however, may such limits exceed those provided for in paragraph #21 of this resolution.
15. A deviation from the original general appropriations measure shall not be made without first amending the general appropriations measure through

action by the City Commission, except within those limits provided for in paragraph #16 of this resolution.

16. Appropriations accumulated at the Department level will be deemed maximum authorization to incur expenditures. The CAO or the CFO shall exercise supervision and control of all budgeted expenditures within these limits, holding expenditures below individual line-item appropriations or allowing overruns in individual line-items, providing that at no time shall the net expenditures exceed the total appropriation for each department as originally authorized or amended by the City Commission. Line-item detail by cost center and allotments, which provide a monthly calendarization of annual appropriations, as deemed necessary by the CFO, shall be maintained and utilized as an administrative tool for management information and cost control. The CFO shall not approve any expenditure beyond that necessary to accomplish stated program or work objectives authorized in the general appropriations measure as originally approved unless amended, in which case the amendment takes precedence.
17. The CFO shall maintain, for all budgeted funds, appropriation ledger accounts in which are to be recorded such expenditures, encumbrances and obligations for the future payment of appropriated funds as the CCFO may approve.
18. Each Purchase Order, Voucher, or Contract of the City of Adrian shall specify the funds and appropriation designated by number assigned in the accounting system classification from which it is payable and shall be paid from no other fund or appropriation. The necessary amount of the appropriation from such account shall be transferred pursuant to the provisions of this resolution to the appropriate general appropriation account and the expenditure then charged thereto.
19. No obligation shall be incurred against, and no payment shall be made from, any appropriation account unless there is sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation. Any obligation incurred or payment authorized in violation of this resolution shall be void and any payment so made illegal, except those otherwise ordered by court judgment or decree.
20. The CFO, after the end of each fiscal quarter, shall transmit to the City Commission a report depicting the financial condition of budgeted operations, including, but not limited to:
  - (a) A forecast of actual revenues by major source compared with budgeted revenues accompanied by an explanation of any significant variances; and
  - (b) A forecast of actual expenditures and encumbrances by department compared with authorized appropriations accompanied by an explanation of any significant variances.
21. Direct expenditure and/or transfers of any unencumbered balance or any portion thereof in any appropriation for transfer account to any other appropriations account may not be made without amendment of the general appropriations measure as provided for in this resolution, except that

transfers within and between budgeted funds and departments may be made by the CFO in the following instances:

- (a) Transfers may be made between accounts as authorized by the CAO up to a maximum of \$5,000;
  - (b) Transfers may be made from the non-departmental overtime account and fringe benefit adjustment account to the appropriate departmental budget as specific overtime requests are reviewed and approved by the CAO. Additionally, overtime appropriations may be transferred between departments, if authorized by the CAO;
  - (c) Transfers may be made from the non-departmental account for Miscellaneous Capital Outlay to the appropriate departmental budget as specific requests for these items are reviewed and approved by the CAO;
  - (d) Transfers may be made from the non-departmental appropriations accounts Emergency Salaries and Summer Help as specific requests for these items are reviewed by the Personnel Department and approved by the CAO;
  - (e) Fringe benefit rates shall be established annually in the budget process to charge all General Fund/General Purpose, Special Revenue and Proprietary Funds for actual employer fringe benefit costs. Such rates shall be sufficient to meet all fringe benefit costs including: Retirement, Social Security (FICA), Hospitalization, Disability, Dental, Life and Accident Insurance, Unemployment and Workers' Compensation Insurance. The rates shall be charged to operating departments as a percentage of salaries and all funds collected shall be transferred to a Fringe Benefit Internal Service Fund to pay the fringe benefit obligations.
22. The Chief Administrative Officer (City Administrator) is granted expenditure authority up to a maximum of \$5,000 per transaction.
23. The City Commission may make supplemental appropriations by amending this general appropriations measure as provided by this resolution, provided that revenues in excess of those anticipated in the original appropriations measure become available due to:
- (a) An unobligated surplus from prior years becoming available;
  - (b) Current year revenue exceeding original estimates in amounts sufficient enough to finance increased appropriations. The City Commission may make a supplemental appropriation by increasing the dollar amount of an appropriation item in the original general appropriations measure or by adding additional items. At the same time the estimated amount from the source of revenue to which the increase in revenue may be attributed shall be increased, or other source an amount shall be added to the appropriation account in a sum sufficient to equal the supplemental expenditure amount. In no case may such appropriation cause total estimated expenditures, including an accrued deficit, to exceed total estimated revenues, including an unappropriated surplus.
24. Whenever it appears to the CAO, CFO or City Commission that actual and probable revenues in any fund will be less than the estimated revenues upon

which appropriations from such funds were based, the CAO shall present to the City Commission recommendations which, if adopted, will prevent expenditures from exceeding available resources for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both. After receiving the recommendations of the CAO for bringing appropriations into balance with estimated revenues, the City Commission shall amend the general appropriations measure to reduce appropriations or shall approve such measures necessary to provide revenues sufficient to equal appropriations, or both.

25. All appropriations are annual and the unexpended portion shall lapse at year-end. Encumbrances and Appropriations Carried Forward will be recorded as a reservation of fund balance and the subsequent year's budget amended to provide authority to complete these transactions. Appropriations shall not be carried forward for more than six (6) months into the budget year following the year in which they were originally appropriated.
26. A member of the City Commission, the CAO, CFO, appointed official, administrative officer or employee of the City of Adrian shall not: (1) create a debt, incur a financial obligation on behalf of the City against an appropriation account in excess of the amount authorized, (2) apply or divert money of the City for purposes inconsistent with those specified in this general appropriations measure as approved and amended by the City Commission, not (3) forgive a debt or write off an account receivable without appropriate authorization of the City Commission.
27. All Internal Service Fund budgets that have depreciable assets shall have a capital budget with detail supporting the amount of annual depreciation therein included, as well as a fiscal plan for replacing, upgrading or disposing of those assets.
28. The budgetary system shall be maintained on the same basis of accounting (generally accepted accounting principals) as the actual financial information is maintained.
29. Any violation of the general appropriations measure by the CAO, CFO, any administrative officer, employee or member of the City Commission detected through application of generally accepted accounting procedures utilized by the City of Adrian, or disclosed in an audit of the financial records and accounts of the City, shall be filed with the State Treasurer and reported by the State Treasurer to the Attorney General. Pursuant to Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, the Attorney General shall review the report and initiate appropriate action against the person or persons in violation. For use and benefit of the City of Adrian, the Attorney General or Prosecuting Attorney may institute a civil and/or criminal action in a court of competent jurisdiction for the recovery of City funds disclosed by an examination to have been illegally expended or collected as a result of malfeasance, and for the recovery of public property disclosed to have been converted or misappropriated.
30. The provisions of this resolution shall be applied to the General Fund and all Special Revenue and Proprietary Funds of the City of Adrian, including Enterprise and Internal Service Funds.

On motion by Commissioner Mitzel, seconded by Commissioner DuMars, this resolution was adopted by a 7-0 vote.

**RE: STREET ADMINISTRATOR– Railroad Avenue Street Addition**

**RESOLUTION R08-067**

WHEREAS, the Adrian City Commission has under consideration a resolution to furnish certain information to the State of Michigan to place Railroad Avenue (east of Gulf Street) within the City of Adrian Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

WHEREAS, in 1933 the City of Adrian abandoned portions of the originally platted Railroad Ave and associated alleys; this section remained. Currently, this street functions as the only street serving three parcels of land addressed as 1318, 1326 and 1336 Railroad Ave.

WHEREAS, the centerline of this section of Railroad Avenue is described as:

A 20.0 foot wide parcel of land platted as a 20 foot wide alley and now Adrian as recorded in Liber 3 of plats on Page 1, Lenawee County Records lying between Lots 137 through 143 on the north side and Lots 81 through 87 on the south side described as beginning at the point of intersection of the centerline of Gulf Street (originally platted as Grace Street) with the centerline of said 20 foot wide alley projected westerly;

Thence Easterly along the centerline of said 20 foot wide parcel 410 feet more or less to the point of ending on the westerly right of way of the Norfolk and southern Railroad (100 feet wide)

WHEREAS, that Railroad Avenue is located within a City of Adrian right-of-way and is under control of the City of Adrian and,

WHEREAS, this street is a public street and is for public purposes and originally the Low's Addition Plat and was accepted by the City of Adrian on or around December 18, 1872.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, amends the City of Adrian Local Street Map by adding above stated section of Railroad Avenue and that it be "officially" accepted as a public street within the City of Adrian and under the jurisdiction of the City of Adrian.

On motion by Commissioner Steele, seconded by Commissioner DuMars, this Resolution was adopted by a 7-0 vote.

**RESOLUTION R08-068**

WHEREAS, the City Administrator, on behalf of the City, has previously entered into an Option to Purchase real estate for property commonly known as 153 and 155 E. Maumee Street, Adrian, MI, for the sum of \$542,000.00; and

WHEREAS, said Option to Purchase was set for ninety (90) days, commencing on February 20, 2008; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to exercise the Option to Purchase said real estate on the terms set forth in the agreement.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Adrian does hereby exercise its Option to Purchase real estate known as 153 and 155 E. Maumee Street, Adrian, MI, pursuant to the terms of an Option to Purchase Agreement dated February 20, 2008, and that the purchase be structured as a Municipal Installment Purchase Agreement; and be it

FURTHER RESOLVED, that the City Administrator is authorized to send written notice of said exercise to the seller at 153 E. Maumee Street, Adrian, MI, as set forth in the Option to Purchase.

On motion by Commissioner DuMars, seconded by Commissioner Osborne, this resolution was adopted by a 7-0 vote.

**RE: FINANCE DEPARTMENT – Installment Purchase Financing for Acquisition of 153 and 155 E. Maumee Street**

**RESOLUTION R08-069**

WHEREAS, the Adrian City Commission has under consideration a City Administrator recommendation to implement the Option to Purchase Agreement for real estate at 153 and 155 E. Maumee Street at a cost of \$542,000, as a component of the new City Office Complex in downtown Adrian; and

WHEREAS, in anticipation of this action, the Finance Department issued an Installment Purchase Financing Request for Proposals to several financial institutions in the community in April, 2008, for the amount of the \$542,000 purchase price (incidental closing costs will be absorbed by the General Fund Operating Budget); and

WHEREAS, four proposals, some with alternative options, were submitted with the following results:

**United Bank & Trust:**

Option 1 – Ten-Year Amortization – Three-Year Balloon Payment

- Est. Semi-Annual Payment - \$33,577.37
- Est. Total Payments - \$595,935.64
- Interest Rate – 3.69%
- Est. Interest Payment - \$53,935.64

Option 2 – Ten-Year Amortization – Five-Year Balloon Payment

- Est. Semi-Annual Payment - \$33,203.39
- Est. Total Payments - \$630,011.12
- Interest Rate – 3.98%
- Est. Interest Payment - \$88,011.12

Option 3 – Ten-Year Amortization – No Balloon Payment

- Est. Semi-Annual Payment - \$33,675.96
- Est. Total Payments - \$673,519.16
- Interest Rate - 4.27%
- Est. Interest Payment - \$131,519.16

**First Federal Bank**

Option 1- Ten-Year Amortization - No Balloon Payment

- Semi-Annual Payment - \$33,174.77
- Total Payments - \$663,495.40
- Interest Rate - 3.96%
- Interest Payment - \$121,495.40

Option 2 - Ten-Year Amortization - Five-Year Balloon Payment

- Semi-Annual Payment - \$32,113.06
- Total Payments - \$614,568.94
- Interest Rate - 3.30%
- Interest Payment - \$72,568.94

**Huntington Bank**

Option 1- Ten-Year Amortization - No Balloon Payment

- Est. Semi-Annual Payment - \$33,598.97
- Est. Total Payments - \$691,979.36
- Interest Rate - 4.83%
- Est. Interest Payment - \$149,979.36

**Key Bank**

Option 1- Ten-Year Amortization - No Balloon Payment

- Est. Semi-Annual Payment - \$35,501.97
- Est. Total Payments - \$710,039.49
- Interest Rate - 5.37%
- Est. Interest Payment - \$168,039.49; and

WHEREAS, based on a financial analysis of the various proposals, the Finance Director and City Administrator recommend selection of the low bid: First Federal Bank - Option 2 - Ten-Year Amortization - Five-Year Balloon Payment; and

WHEREAS, the first installment on the debt service (\$32,113.06) is provided for in the FY2008-09 Budget; and

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the selection of the low bid and directs the City Administrator to proceed with negotiation of an installment purchase contract totaling no more than \$542,000 with First Federal Bank for the purpose of financing the acquisition of 153 and 155 E. Maumee Street to begin the property consolidation necessary to implement the City Office Complex in downtown Adrian..

On motion by Commissioner DuMars, seconded by Commissioner Osborne, this resolution was adopted by a 6-0-1 vote.

AYES Mayor McDowell, Commissioners Osborne, Valentine, Steele, Clegg, & DuMars  
 NAYS None  
 ABSTAINED Commissioner Mitzel

**RE: POLICE DEPARTMENT – Authorization to Purchase Two (2) Patrol Vehicles**

**RESOLUTION R08-070**

WHEREAS, the FY2007-08 Budget provides for the replacement of two (2) Chevrolet Impalas, fully marked and equipped patrol vehicles, at an estimated cost of \$55,000, including ancillary equipment; and

WHEREAS, the State of Michigan Department of Management & Budget Cooperative Purchasing Program, using vehicle specifications identical to those of the City of Adrian, conducts a competitive bid process each year to purchase police vehicles statewide; and

WHEREAS, the results of the bid process for the two (2) vehicles, including transfer and installation of ancillary equipment, are as follows:

Chevrolet Impala	Shaheen Chevrolet, Lansing, MI	\$47,014.00
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WHEREAS, sufficient funds are available in the FY2007-08 General Fund Police Department Capital Equipment Budget (101-301.00-977.000) for this purpose; and

WHEREAS, due to the competitive bid process conducted by the State of Michigan and the economies of volume purchasing, the Police Chief and City Administrator recommend that the City's bid process be waived as provided by Chapter Twelve of the Adrian City Charter, that the bid of \$47,014.00 be accepted and that the City purchase two (2) Chevrolet Impalas, fully marked and equipped patrol vehicles, from Shaheen Chevrolet, Lansing, MI.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of two (2) Chevrolet Impalas, fully marked and equipped patrol vehicles, from Shaheen Chevrolet, Lansing, MI.

BE IT, FURTHER, RESOLVED that, due to the competitive bid process conducted by the State of Michigan and the economies of volume purchasing, the City's bid process be waived as provided by Chapter Twelve of the Adrian City Charter.

On motion by Commissioner Osborne, seconded by Commissioner DuMars, this resolution was adopted by a 7-0 vote.

**RE: UTILITIES DEPARTMENT – Copper Purchase for Water Services**

**RESOLUTION R08-071**

WHEREAS, the Water Distribution System Operations & Maintenance Superintendent placed a routine order from long-time vendor, SLC Meter Service of Davisburg, MI, for 1,000 ft. of ¾" copper tubing and 300 ft. of 1" copper tubing; and

WHEREAS, due to the rapidly escalating copper prices, the total invoice for this purchase amounted to \$5,800, exceeding the City Administrators \$5,000 spending limitation by \$800; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the Water Fund for this overrun and that future copper purchases, in sufficient volume to exceed the spending limitation, will be incorporated in the City of Adrian's competitive bid process; and

WHEREAS, the Utilities Director and City Administrator recommend that the SLC Meter Service invoice be paid in the amount of \$5,800.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the payment of \$5,800 to SLC Meter Service of Davisburg, MI for 1,000 ft. of ¾" copper tubing and 300 ft. of 1" copper tubing to maintain the City's water distribution system.

BE IT, FURTHER, RESOLVED that future purchases of copper tubing, estimated to be in excess of \$5,000, be subjected to the City's competitive bid process.

On motion by Commissioner Mitzel, seconded by Commissioner DuMars, this resolution was adopted by a 7-0 vote.

**RE: COMMUNITY DEVELOPMENT – Appointments to Rehab Review Board**

**RESOLUTION R08-072**

WHEREAS, there currently are vacancies on the Housing Rehabilitation Review Board; and

WHEREAS, these vacancies must be filled in accordance with the Adrian City Charter; and

WHEREAS, the following people have expressed a willingness to serve on the Housing Rehabilitation Review Board, if appointed:

Greg DuMars	Commissioner, City of Adrian
Steve Sack	Realtor, Foundation Realty
Dick Garno	Building Inspector, City of Adrian
Karol Bolton	Commissioner, Lenawee County

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of these individuals.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the appointment of Greg DuMars, Steve Sack, Dick Garno and Karol Bolton to the Housing Rehabilitation Review Board for a two-year term, expiring 2010.

On motion by Commissioner Mitzel, seconded by Commissioner Steele, this resolution was adopted by a 7-0 vote.

**RE: TREASURY DEPARTMENT – Balance of Special Assessment Roll**

**RESOLUTION R08-073**

WHEREAS, the Adrian City Commission did hereby approve the Special Assessment Roll for single lot assessments at their April 21, 2008 City Commission meeting, with the exception of 823 E. Church, 133 Union, 1127 July Dr., 130 Seeley and 513 Toledo Street, which were pulled for further review; and

WHEREAS, the Code Enforcement Officer has investigated each disputed charge and has filed his findings with the City Administrator, which are attached hereto and part a part hereof.

NOW, THEREFORE BE IT RESOLVED, that the single lot assessment for XAO-515-0132-00, Michael and Robin Johnson, 823 E. Church Street, for weed mowing in the amount of \$160.00 is hereby excluded from the Special Assessment Roll; and be it

FURTHER RESOLVED, that the single lot assessment for XAO-400-2005-00, Eric Dittmer, 133 Union Street, for weed mowing in the amount of \$160.00 is hereby included from the Special Assessment Roll; and be it

FURTHER RESOLVED, that the single lot assessment for XAO-770-0025-00, Steven Black, 1127 July Drive, for weed mowing in the amount of \$160.00 is hereby included from the Special Assessment Roll; and be it

FURTHER RESOLVED, that the single lot assessment for XAO-250-5020-00, Joseph Burgess, 130 Seeley St., for trash pickup in the amount of \$129.00 is hereby included from the Special Assessment Roll; and be it

FURTHER RESOLVED, that the single lot assessment for XAO-001-2011-01, Philip Roney, 513 Toledo St., for snow removal in the amount of \$108.60 is hereby included from the Special Assessment Roll.

On motion by Commissioner DuMars, seconded by Commissioner Steele, this resolution was adopted by a 6-1-0 vote.

AYES Mayor McDowell, Commissioners Valentine, Mitzel, Steele, Clegg, & DuMars

NAYS Commissioner Osborne

ABSTAINED None

**RE: DTE ENERGY – EXTENSION TO ACCESS AGREEMENT**

**RESOLUTION R08-074**

WHEREAS, DTE Energy Co. and the City of Adrian had previously entered into an Access Agreement on May 17, 2004 to provide DTE with access over city property to conduct soil and/or groundwater sampling and testing; and

WHEREAS, the location of said property owned by the city is adjacent to land located on Citizens Gas Fuel Company property at 117 N. Winter Street, Adrian, MI; and

WHEREAS, the affected city property is located at the City of Adrian Department of Public Works yard at 231 Race Street and property adjacent to the Kiwanis Bike Trail at the same location; and

WHEREAS, DTE has requested an extension to said agreement for a three-year period; and

WHEREAS, city staff has reviewed the proposal and has no objection to said request.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Administrator is hereby authorized to execute an extension to the original Access Agreement dated May 17, 2004, for a period not to exceed three-years, which extension shall, therefore, terminate on May 17, 2010.

On motion by Commissioner DuMars, seconded by Commissioner Osborne, this resolution was adopted by a 7-0 vote.

**RE: DEPARTMENT OF PARKS & RECREATION – Authorization to Proceed with Island Park Entry Bridge Replacement**

#### **RESOLUTION R08-075**

WHEREAS, the Adrian City Commission, by Resolution #CR07-062 dated December 17, 2007, authorized the procurement of design and engineering services from Rowe, Inc., Flint, MI, for replacement of the Island Park entry bridge; and

WHEREAS, Rowe, Inc. has provided several design options – varying from a basic concrete box culvert to a clear span, timber frame covered bridge, with estimated cost of the project ranging from \$149,713 to \$612,700; and

WHEREAS, after reviewing the design options with staff, and getting feedback from the City Commission, the Parks & Recreation Director is recommending that we go with the basic design option (\$149,713), which includes a rectangular, concrete box culvert and timber vehicular railings. (This option provides for a future bridge covering if so desired, and if funding becomes available); and

WHEREAS an additional need associated with this project has been identified: the removal of the gabion baskets around the retention area west of the bridge, and regrading of the banks in that area, which would be a significant aesthetic improvement to the area, for an additional estimated cost of up to \$20,000, a total cost of \$170,000; and

WHEREAS, \$150,000 funding for construction of this project is included in the FY2008-09 Budget (\$75,000 in the General Fund – Parks & Forestry Capital Account #101-697.00-975.000 and \$75,000 in the Fee Estate Fund – Capital Facilities Account #205-699.00-975.000); the additional \$20,000 is available from Undistributed Fee Estate Funds; and

WHEREAS, the City Administrator recommends approval of this resolution and adoption of the necessary budget adjustments.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes that the City Parks & Recreation Department to proceed with the basic design option proposed by the design engineers, Rowe, Inc. for the replacement of the Island Park entry bridge, at a total cost of \$170,000, including the removal of the gabion baskets around the retention area west of the bridge, and regrading of the banks in that area.

BE IT, FURTHER, RESOLVED that the FY2008-09 Budget be amended as follows:

**Harriet Kimball Fee Estate Fund (205)**

Revenue:

(205-000.00-695.000) Other (Undistributed Funds)           \$20,000

Expenditure:

(205-699.00-975.000) Capital Facilities                                 20,000

Total   \$ -0-

On motion by Commissioner Clegg, seconded by Commissioner DuMars, this resolution was adopted by a 7-0 vote.

**PUBLIC COMMENT**

1. Terry Foy – 903 Chestnut St – expressed displeasure at the closing of the Pharm
2. KZ Bolton – 923 E Church St – encouraged the Commission to attend the Legislative Dinner on May 29<sup>th</sup> at Adrian College and introduced Fred Gallagher, County Commissioner.
3. Phil Roney – 513 Toledo St – continued dispute about snow removal bill

**COMMISSIONERS' COMMENTS**

No Commissioner Comments

The next regular meeting of the Adrian City Commission will be held on Monday, May 19, 2008, at 7:00 p.m. in the Commission Chambers on the 2<sup>nd</sup> floor of Adrian City Hall, 100 E. Church St., Adrian, MI 49221.

Gary E. McDowell  
Mayor

Pat Baker  
City Clerk

CHECK  
REGISTER

May 19, 2008

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

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

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 #2819 through #2826.....	\$ 177,216.99
General Fund	
Vouchers #18662 through #18680	306,418.56
Clearing Account Vouchers	
amounting to.....	<u>\$1,372,334.88</u>
TOTAL EXPENDITURES .....	<u>\$1,855,970.43</u>

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

May 19, 2008

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
2819	City of Adrian: Payroll	Payroll for May 2	\$ 46,821.24
2820	City of Adrian: Clearing	May 5 Check Reg Exp	\$ 40,090.38
2821	City of Adrian: General Fund	May Office Rent	\$ 650.00
2822	Verizon North	Phone Bills	\$ 225.82
2823	City of Adrian: Payroll	Payroll for May 9	\$ 22,499.50
2824	City of Adrian: General Fund	April Charges	\$ 59,938.24
2825	City of Adrian: IT	April Services	\$ 5,968.18
2826	Consumers Energy	Various Electric Chrgs	\$ 41,114.01
<b>Total</b>			<b>\$ 217,307.37</b>
Less CK# 2820			<b>\$ 40,090.38</b>
<b>TOTAL</b>			<b>\$ 177,216.99</b>

19-May-08

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
18662	\$ 202,107.54	City of Adrian: Payroll	Payroll for May 2
18663	\$ 13,476.03	First Federal Bank	Soc Security for May 2
18664	\$ 4,211.22	Quick Service Transportation	Payroll W/E Apr 26
18665	\$ 150.00	Lenawee Cty Circuit Court	Cemetery Filing Fee
18666	\$ 41,538.21	Lenawee Fuels Inc	DPW Gas & Diesel Fuel
18667	\$ 33.00	Bridget Andrews	Recreation Refund
18668	\$ 33.00	Susie Dice	Recreation Refund
18669	\$ 33.00	Robin Micallef	Recreation Refund
18670	\$ 225,011.98	City of Adrian: Clearing Acct	May 5 Check Register
18671	\$ 908.47	Verizon North	Various Phone Bills
18672	\$ 22,995.18	City of Adrian: Payroll	Payroll for May 9
18673	\$ 3,927.58	First Federal Bank	Soc Security for May 9
18674	\$ 4,316.91	Quick Service Transportation	Payroll W/E May 3
18675	\$ 1,163.22	City of Adrian: Utilities	Various Water Bills
18676	\$ 8,714.41	Consumers Energy	Various Electric Bills
18677	\$ 53.00	William Greene	Recreation Refund
18678	\$ 1,711.81	D&P Communications	Phone Bill
18679	\$ 102.52	Verizon North	Phone Bills
18680	\$ 943.46	US Postmaster	Recreation Postage

\$ 531,430.54  
\$ (225,011.98) Less: CK# 18670  
**\$ 306,418.56**

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. 3-S CONSTRUCTION, INC.	27,976.66		
2. ADRIAN COMMUNICATIONS	747.41		
3. ADRIAN FABRICARE CENTER INC.	590.00		
4. ADRIAN LOCKSMITH & CYCLERY	104.77		
5. ADRIAN PUBLIC SCHOOLS	70.63		
6. ADRIAN WATER CONDITIONING IN	63.42		
7. ADRIAN-TECUMSEH FENCE CO	2,499.98		
8. ADVANCED DOCUMENT SOLUTIONS	844.65		
9. AIRGAS GREAT LAKES	334.15		
10. ALL METALS INC.	50.40		
11. ALLIED WASTE SERVICES	47,719.70		
12. ALLIED WASTE SERVICES #259	6,023.09		
13. AMAZON CREDIT PLAN	480.45		
14. AMERICAN OFFICE SOLUTIONS	93.19		
15. AMERICAN PUBLIC WORKS ASSOC	440.00		
16. ANN ARBOR HANDS ON MUSEUM	336.00		
17. ASSOCIATED ENGINEERS	4,989.00		
18. BAKER & TAYLOR BOOKS	537.39		
19. BARCO PRODUCTS COMPANY	2,430.50		
20. BARRETT'S GARDEN CENTER	111.93		
21. BASELINE CONSTRUCTORS, INC	5,905.80		
22. GREG BELL CHEVROLET, INC	836.86		
23. BELL EQUIPMENT CO	159.20		
24. ROBERT BISHOP	225.87		
25. BOOK OF THE MONTH CLUB	38.84		
26. BRAKES-N-MORE	477.00		
27. BS&A SOFTWARE	5,025.00		
28. BUCK & KNOBBY EQUIP CO INC	871.67		
29. C-MAR PRODUCTS, INC.	880.00		
30. CALIFORNIA CONTRACTORS SUPPL	99.80		
31. CHAMBERS CONTROL COMPANY	4,415.00		
32. CLIFT BUICK-PONTIAC-GMC	514.76		
33. CMA CONSTRUCTION SERVICES	120,060.00		
34. COINSTAR ENTERTAINMENT SERVI	270.00		
35. COMFORT ENTERPRISES INC.	51.74		
36. COMMERCE CLEARING HOUSE INC	8.16		
37. CONCORD EXCAVATING	225,911.70		
38. CONTINENTAL SERVICE	713.58		
39. LYNN COURINGTON	105.39		
40. CRUISERS INC	112.50		
41. CUTLER DICKERSON CO	547.41		
42. CUTTING EDGE ENGRAVING	108.50		
43. D&P COMMUNICATIONS, INC.	694.92		
44. THE DAILY TELEGRAM	2,446.16		
45. DETROIT ELEVATOR COMPANY	155.00		
46. DETROIT INDUSTRIAL TOOL	349.86		
47. DICK'S AMOCO INC	48.00		
48. DOAN CONSTRUCTION CO	246.00		
49. DOWNUNDER MUNICIPAL SERVICES	2,755.00		
50. EAST JORDAN IRON WORKS INC	924.93		
51. STEVE EBERLE	20.00		
52. ELEMENT 5	224.00		
53. ENGLEWOOD ELECTRICAL SUPPLY	667.32		
54. ETNA SUPPLY COMPANY	4,736.32		
55. FASTENAL COMPANY	70.51		
56. FISHER SCIENTIFIC COMPANY LL	776.47		
57. SHELLEY FREIBERGER	147.46		
58. GALE	22.07		
59. GALLANT & SON	205.04		
60. GARRISON SCREEN PRINT	320.00		
61. GENCO BOOT SHOP	180.00		
62. GERKEN MATERIALS INC.	1,574.86		
63. MARK GIGAX	20.00		
64. GOODWILL INDUSTRIES	214.50		
65. GORDON FOOD SERVICE	245.00		
66. GP DESIGNS, INC	2,511.12		
67. W W GRAINGER	232.66		
68. GRAPHICS UNLIMITED	90.00		
69. DENISE GRITZMAKER	20.00		
70. HACH COMPANY	316.10		
71. HADDEN TIRE COMPANY	100.72		
72. HAZEN & SAWYER	29,849.00		
73. HEWLETT GRAPHICS	506.00		
74. HEWLETT PACKARD	6,982.00		
75. HIGHSMITH COMPANY INC	16.48		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. HOEKSTRA TRANSPORTATION, INC	105,974.00		
77. SHANE HORN	20.00		
78. HUBBARDS AUTO CENTER	22.37		
79. HUNTINGTON NATIONAL BANK	26,194.69		
80. HURON LIME INC.	5,904.17		
81. I C M A VANTAGE POINT	6,057.44		
82. I.T. RIGHT	40.00		
83. IAEEI MICHIGAN CHAPTER	105.00		
84. ICMA RETIREMENT CORPORATION	198.78		
85. IDEARC MEDIA CORP.	22.75		
86. IMAGE GALLERY	55.00		
87. INDUSTRIAL MILL SUPPLY CORP	457.34		
88. INFO USA MARKETING INC.	630.00		
89. JONES & HENRY, ENGINEERS	3,625.35		
90. JONES CHEMICAL INC.	3,112.51		
91. KAR LABORATORIES INC	220.00		
92. KEMIRA WATER SOLUTIONS INC	4,815.30		
93. KENNEDY INDUSTRIES INC.	1,786.00		
94. KERKSTRA PRECAST	85.50		
95. KERR PUMP & SUPPLY	1,485.64		
96. KIMBALL MIDWEST	228.84		
97. KRIEGHOFF-LENAWEE COMPANY	225.00		
98. KUSTOM SIGNALS, INC.	276.41		
99. L & J TECHNOLOGIES	306.88		
100. WALTER GREG LANFORD	214.78		
101. LANSING SANITARY SUPPLY INC	1,717.62		
102. LENAWEЕ COUNTRY CLUB	100.00		
103. LENAWEЕ COUNTY REGISTER OF D	28.00		
104. LENAWEЕ COUNTY TREASURER	466.38		
105. LENAWEЕ TIRE & SUPPLY CC	2,917.81		
106. LOWE'S CREDIT SERVICES	546.98		
107. LUBRICATION ENGINEERS, INC	370.70		
108. MAC PRODUCTIONS	1,100.00		
109. E.T. MACKENZIE CO	449,536.91		
110. MACOMB COMMUNITY COLLEGE	375.00		
111. MANPOWER OF LANSING MI INC.	979.20		
112. GARY MCDOWELL	20.00		
113. MCGOWAN ELECTRIC SUPPLY INC	1,025.04		
114. MCMASTER- CARR SUPPLY CO.	1,334.58		
115. MEADOWBROOK INSURANCE INC.	50.99		
116. MEIJER, INC	45.21		
117. METROPOLITAN UNIFORM CO	434.93		
118. MGFOA	80.00		
119. MICHIGAN PIPE & VALVE INC	1,872.64		
120. MICHIGAN POLICE EQUIP. CO	3,348.00		
121. MICHIGAN SHERIFFS ASSOC.	50.00		
122. STATE OF MICHIGAN	2,212.50		
123. MICHIGAN STATE POLICE	625.00		
124. MICHIGAN WATER ENVIROMENT AS	254.00		
125. MICROMARKETING LLC	21.45		
126. MIDWEST TAPE	133.14		
127. ELLIE MITCHELL	80.00		
128. MONROE PLUMBING & HEATING	169,943.13		
129. H T MORIARTY CO INC	836.30		
130. MPELRA	25.00		
131. MUGS N' MORE IMAGING	1,645.15		
132. NAPA AUTO & TRUCK PARTS	1,144.05		
133. NATIONAL ASSOC OF PROFESSION	25.00		
134. NATIONAL GEOGRAPHIC SOCIETY	15.90		
135. NATIONAL GRAPHIC SUPPLY CORP	178.70		
136. NELSON TRANE	384.75		
137. NORTHWEST POOLS, INC.	2,844.91		
138. PARAGON LABORATORIES INC	1,185.00		
139. PEERLESS SUPPLY INC	319.77		
140. J.W. PEPPER & SON INC.	1,016.99		
141. PET'S SUPPLIES PLUS	82.96		
142. PETE'S RADIATOR SERVICE INC	65.00		
143. THE PHARM	48.46		
144. PITNEY BOWES INC	69.47		
145. PREIN & NEWHOF ENGINEERS	272.00		
146. GLENN PRESTON	20.00		
147. PROTECTIVE PRODUCTS INTERNAT	1,151.83		
148. RAGAN COMMUNICATIONS	22.68		
149. TOM RAY	32.74		
150. C.S. RAYMER CO INC	7,859.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. REG II PLANNING COMMISSION	150.00		
152. TIM RITCHIE	20.00		
153. S.L.C. METER SERVICE INC	5,800.00		
154. SAFETY SERVICES INC.	124.75		
155. SAFEWAY MOVING & STORAGE	138.00		
156. KYLE SCOBIE	270.00		
157. SCORE AMERICAN SOCCER COMPAN	12.25		
158. SEBCO BOOKS	61.37		
159. SERVICE ELECTRIC CO OF ADRIA	3,498.00		
160. SERVICE MASTER OF LENAWEE	1,228.00		
161. SHIP TO SHORE COMPUTING INC	56.25		
162. ED SOTO	10.00		
163. STATE CHEMICAL MFG CO.	125.10		
164. STEVENSON LUMBER, INC.	962.81		
165. JEFFREY A. STICKNEY, DO, PC	282.00		
166. SUPER LAUNDROMAT &	56.50		
167. SYNAGRO CENTRAL LLC	4,000.00		
168. TDS SECURITY	399.00		
169. TETRA TECH MPS	1,769.72		
170. THOMSON WEST	1,318.79		
171. TIME EMERGENCY EQUIPMENT INC	429.25		
172. TOLEDO PHYSICAL EDUCATION SU	155.60		
173. TOLEDO SPRING SERVICE, INC.	1,073.04		
174. TTB CLEANING LLC	100.00		
175. ULOTH FARMS & GREENHOUSE	3,506.00		
176. UNDERWOOD'S NURSERY LLC	2,841.50		
177. UNIQUE MANAGEMENT SERVICES I	98.45		
178. W L E N RADIO	319.00		
179. WEED MAN	45.00		
180. WEISKOPF INDUSTRIES CORP	845.27		
181. WHITCHER PLUMBING & HEATING	91.51		
182. WIN STUFF GOOD STUFF	80.00		
183. YAHOO! CUSTODIAN OF RECORDS	39.50		
**TOTAL ALL CLAIMS**	1,372,334.88		

# COMMUNICATIONS

C-1  
**MEMO**

To: Hon. Gary McDowell, Mayor  
City Commission  
Dane Nelson, City Administrator

From: Jeffrey C. Pardee, Finance Director



Re: **State Revenue Sharing - Update**

Date: May 5, 2008

Actual Revenue Sharing payments for August, October, November, December, February and April have been received and recorded. A comparison between estimated and actual is provided as follows:

	State		Variance	
	<u>Estimated</u>	<u>Actual</u>	<u>Amount</u>	<u>Percent</u>
August	\$ 431,514	\$ 424,100	\$ (7,414)	(0.1) %
October	457,704	389,730	(67,974)	(14.9) %
November	-0-	69,167	69,167	100.0 %
December	419,603	416,599	(3,004)	(0.7)%
February	402,220	414,933	12,713	3.2 %
April	317,929	302,824	(15,105)	(4.8)%
<b>Year-to-Date</b>	<b><u>\$2,028,970</u></b>	<b><u>\$2,017,353</u></b>	<b><u>\$ (11,617)</u></b>	<b>(0.6)%</b>

A comparison of FY2007-08 Budget and actual receipts through April and estimated receipts for the balance of the year follows:

	Original	Actual/ Estimated	Variance	
	<u>Budget</u>	<u>Receipts</u>	<u>Amount</u>	<u>Percent</u>
August	\$423,155	\$424,100	\$ 945	0.2 %
October	448,837	389,730	(59,107)	(13.2)%
November	-0-	69,167	69,167	100.0 %
December	411,474	416,599	5,125	1.2%
February	394,428	414,933	20,505	5.2%
April	311,770	302,824	(8,946)	(2.9)%
June	310,336	308,474	(1,862)	(0.6)%
<b>Total</b>	<b><u>\$2,300,000</u></b>	<b><u>\$2,325,827</u></b>	<b><u>\$ 25,827</u></b>	<b>1.1 %</b>

Revenue sharing was held "flat" from FY 2007 levels in the 2008 budget passed by Michigan Legislature, October 30th. However, there is one difference with some special intent language that states the Legislature would like locals to actually get what they received in FY 2007. So, if sales tax collections reduce constitutional payments the Legislature intends to increase statutory payments to make up the difference. That extra payment would still have to be appropriated in that event, however.

**October Payment Notice:** Due to limited funds in the 30-day continuation budget, which ended October 31, October revenue sharing payments were significantly lower than expected. Now that the actual budget has passed, those remaining funds have been remitted to communities with a supplemental payment on November 19, 2007

If you have any questions or need for further information, please contact my office.

# CONSENT AGENDA

CR-1

SUBJECT: Annual Street Castings May 14, 2008  
TO: Dane C. Nelson City Administrator  
FROM: Cindy L Prue Assistance Finance Director

I concur with the recommendation of the Asst. Finance Director to award the annual bid for street castings to East Jordan Iron Works for the items and prices as listed in their bid tabulation. The city has purchased their products for a number of years, and has been pleased with the quality and service.

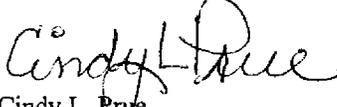
Two firms responded to the offer to bid. There are sufficient funds in the Public Works and Utilities Department budgets for this annual expense.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

Sealed bids were received until 2:00 p.m. EDT on Tuesday, May 13, 2008, at the Purchasing Office, City Hall, Adrian, Michigan for the city's annual Street Casting needs. Attached is a tabulation of the bids received.

I recommend the bid be awarded to the low bidder, East Jordan Iron Works. We have used their product for many years and are satisfied with their quality and service.

Respectfully submitted,

  
Cindy L. Prue  
Assistant Finance Director

CITY OF ADRIAN, MICHIGAN  
STREET CASTINGS  
DUE DATE: MAY 13, 2008

ITEM	EAST JORDAN IRON OAK PARK, MI	PREMARC CORP CLARKSTON, MI
<b>MANHOLE CASTINGS:</b>		
#1490 EJIW w/lid	F: \$ 77.91 C: \$98.53	\$ 217.12
#1180 EJIW w/lid	F: \$171.70 C: \$100.57	No Bid
#1030 EJIW w/lid	F: \$136.34 C: \$100.57	\$ 251.39
#1060 EJIW w/lid	F: \$167.61 C: \$100.57	\$ 330.53
#1046 EJIW w/lid	F: \$137.72 C: \$113.30	\$ 308.10
#1040 EJIW w/lid	F: \$158.22 C: \$113.30	\$ 329.70
<b>MANHOLE LIDS:</b>		
Type A	\$ 113.30	\$ 137.57
Type M1	\$ 105.48	\$ 128.09
Type M2	\$ 105.48	\$ 128.09
Type 01	\$ 110.37	\$ 134.02
#1040AGS Manhole cover	\$ 135.78	\$ 164.86
#1040A Manhole cover	\$ 113.30	\$ 137.57
#1040APT Water Tight Assbly	2 part: \$ 282.27	\$ 366.47
<b>CATCH BASIN CASTINGS:</b>		
#7045 w/adj back EJIW	F&B: \$ 266.13 G: \$ 90.41	\$ 432.94
#7065 w/driveway back	F&B: \$271.22 G: \$ 90.41	\$ 439.11
<b>CATCH BASIN GRATES:</b>		
Type M1	\$ 90.41	\$ 109.78
Type M2	\$ 143.22	\$ 173.91
Type M3	\$ 90.41	\$ 109.78
<b>MISCELLANEOUS:</b>		
#8560 Series EJIW	\$112.70	
#5BR250 EJIW	w/o storz \$1,005.00 w/storz \$1,219.50	
<b>#8500 EJIW Valve Box Riser:</b>		
1" high	\$ 13.30	
1-1/2" high	\$ 16.10	
2" high	\$ 18.20	
2-1/2" high	\$ 20.30	
3" high	\$ 23.10	
<b>Manufacturer:</b>	<b>EJIW</b>	<b>EJIW</b>
<b>Delivery:</b>	<b>3 - 10 days</b>	<b>7 - 10 days</b>
		Pricing good for 60 days

**CR08-025**

May 19, 2008

**RE: ANNUAL BID – STREET CASTINGS**

**RESOLUTION**

WHEREAS, sealed bids were received May 13, 2008, for the annual street casting requirements; and

WHEREAS, said bids have been tabulated and recommendations made by Cindy Prue, Asst. Finance Director, and the Finance Director; and

WHEREAS, said bids have been considered by the Adrian City Commission.

NOW, THEREFORE, BE IT RESOLVED, that the bid for street castings be awarded to East Jordan Iron Works of Oak Park, MI, for the items and prices as listed in the bid tabulation and under the terms and conditions as specified and as proposed in their sealed bid dated May 13, 2008.

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

CR-2

SUBJECT: Car Wash Services

May 14, 2008

TO: Dane C. Nelson

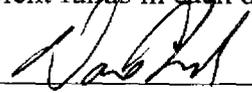
City Administrator

FROM: Cindy L. Prue

Assistant Finance Director

I concur with the recommendation of the Asst. Finance Director to award the annual car wash bid to Adrian Fabricare in the amount of \$345.00 per month. This includes 8 patrol vehicles (up to 5 x's a week), 14 administrative vehicles and 17 pickups and vans (1 wash per week).

Three firms responded to the offer to bid. There are sufficient funds in each department's budget for this annual expense.



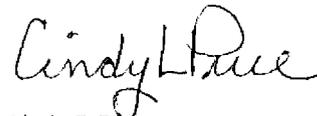
Dane C. Nelson  
City Administrator

Sealed bids will be received until 2:00 p.m. EDT on Tuesday, May 13, 2008, at the Purchasing Office, City Hall, 100 E. Church Street, Adrian, Michigan 49221, for the city's monthly Car Washing Services. The term of this contract is to begin July 1, 2008 and run through June 30, 2010. The following bids were received.

Adrian Fabricare Adrian, Mi	\$ 345.00 per month	Option C
Maple City Auto Wash Adrian, MI	\$ 387.50 per month	Option B
Perfected Detailing Adrian, MI	\$ 3,408.00 per month Interior clean: \$35.00 each	Option D

I recommend the bid be awarded to the low bidder, Adrian Fabricare, for the monthly charge listed above. Besides being the lowest price, the service to be provided by Adrian Fabricare includes an underbody flush and hot sealed wax, which is not included in the next bidder's price. The price represents a 16.9% increase over the previous two-year contract.

Respectfully submitted,



Cindy L. Prue  
Assistant Finance Director

CITY OF ADRIAN, MICHIGAN  
 ANNUAL CAR WASH  
 DUE DATE: MAY 13, 2008

	Adrian Fabricare Adrian, MI	Maple City Auto Wash Adrian, MI	Perfected Detailing Adrian, MI
OPTION A: Exterior wash Pre-wash prep			
OPTION B: Pre-wash prep Exterior wash Hand dry		\$ 387.50 per month	
OPTION C: Pre-wash prep Exterior wash Underbody flush Hot wax sealer	\$ 345.00 per month		
OPTION D: Pre-wash prep Exterior wash Underbody flush Hot wax sealer Hand dry			\$ 3,408.00 per month
Interior Clean if needed			\$ 35.00 per cleaning

**CR08-026**

May 19, 2008

**RE: ANNUAL CAR WASH SERVICES**

**RESOLUTION**

WHEREAS, sealed bids were received on May 13, 2008 for the annual car wash services; and

WHEREAS, said bids have been tabulated and recommendations made by Cindy Prue, Asst. Finance Director, and the City Administrator; and

WHEREAS, said bids have been considered by the City Commission.

NOW, THEREFORE, BE IT RESOLVED that the annual bid for car wash services be awarded to Adrian Fabricare of Adrian, MI, in the amount of \$345.00 per month under the terms and conditions as specified and as proposed in their sealed bid dated May 13, 2008.

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

CR-3

SUBJECT: Annual Pavement Repairs May 14, 2008  
TO: Dane C. Nelson City Administrator  
FROM: Cindy L Prue Assistant Finance Director

I concur with the recommendation to award the annual bid for asphalt paving repairs to Belson Asphalt of Reading, MI, at a cost of \$3.09 per square foot. The permanent asphalt patching is to repair areas where the Utilities Department and Public Works have made repairs to their water, sanitary sewer and storm water sewer systems.

Five firms responded to the offer to bid. There are sufficient funds in the respective department's budget for this annual expense.

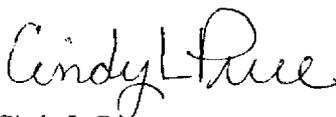
  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

Sealed bids were received until 2:00 p.m. EDT on Tuesday, May 12, 2008, for the city's annual Asphalt Pavement Repair program. The following bids were received:

Belson Asphalt Reading, MI	\$ 3.09 per square foot
Affordable Asphalt Middleville, MI	\$ 3.40 per square foot
Slusarski Excavating Adrian, MI	\$ 4.85 per square foot
Quality Asphalt Paving Homer, MI	\$ 5.00 per square foot
Michigan Paving Jackson, MI	\$ 6.19 per square foot

I recommend the bid be awarded to the low bidder, Belson Asphalt of Reading, Michigan. Belson has done quite a bit of paving for us in Oakwood Cemetery and have performed satisfactorily.

Respectfully submitted,

  
Cindy L. Prue  
Assistant Finance Director

CITY OF ADRIAN, MICHIGAN  
ANNUAL PAVEMENT REPAIR  
DUE DATE: MAY 14, 2008

BIDDER	AMOUNT	
Belson Asphalt Paving Reading, MI	\$ 3.09 SF	
Affordable Asphalt Middleville, MI	\$ 3.40 SF	
Slusarski Excavating Adrian, MI	\$ 4.85 SF	
Quality Asphalt Paving Homer, MI	\$ 5.00 SF	
Michigan Paving & Materials Jackson, MI	\$ 6.19 SF	

**CR08-027**

May 19, 2008

**RE: UTILITIES & PUBLIC WORKS DEPARTMENTS – ASPHALT PAVEMENT REPAIRS**

**RESOLUTION**

WHEREAS, sealed bids were received May 14, 2008, for the annual asphalt pavement repairs; and

WHEREAS, said bids have been tabulated and recommendations made by Cindy Prue, Asst. Finance Director, and the City Administrator; and

WHEREAS, said bids have been considered by the Adrian City Commission.

NOW, THEREFORE, BE IT RESOLVED that the annual bid for asphalt pavement repairs be awarded to Belson Asphalt of Reading, MI, in the amount of \$3.09 per square foot under the terms and conditions as specified and as proposed in their sealed bid dated May 14, 2008.

CR-4

SUBJECT: Annual Precast Concrete Products May 14, 2008  
TO: Dane C. Nelson City Administrator  
FROM: Cindy L. Prue Assistant Finance Director

I concur with the recommendation of the Asst. Finance Director to award the annual bid for precast concrete products to Kerstra Precast of Grandville, MI for the items and prices as listed in the attached bid tabulation.

Two firms responded to the offer to bid. There are sufficient funds in the Utilities Department and Public Works budget for this annual purchase.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

Scaled bids were received until 2:00 p.m. EDT on Tuesday, May 13, 2008 for the city's annual Precast Concrete Products. These items are used by the Department of Public Works and Utilities Maintenance crew. A tabulation of the bid is attached.

I recommend the bid be awarded to the low bidder, Kerstra Precast for the prices listed.

Respectfully submitted,



Cindy L. Prue  
Assistant Finance Director

CITY OF ADRIAN, MICHIGAN  
 PRECAST CONCRETE PRODUCTS  
 DUE DATE: MAY 13, 2008

ITEM	Kerstra Precast Grandvill, MI	Premarc Corp Clarkston, MI	East Jordan Iron Oak Park, MI
<b>Manhole Accessories:</b>			NO BID
2' x 6" x 44" cookie	\$ 51.30 each	\$ 65.00	
2' x 8" x 48" cookie	\$ 51.30 each	\$ 103.00	
4' x 8" x 72" cookie	\$ 79.20 each	\$ 151.00	
4' x 8" x 58" donut	\$ 132.30 each	\$ 135.00	
<b>Adjusting Rings:</b>			
2" x 24"	\$ 16.00 each	\$ 20.00	
3" x 24"	\$ 20.00 each	\$ 30.00	
4" x 24"	N/A	\$ 40.00	
6" x 24"	\$ 40.00 each	\$ 60.00	
<b>Manhole Sumps:</b>			
48" x 48" w/steps	\$ 306.00 each	\$ 325.00	
24" x 24", 6" walls	\$ 130.05 each	\$ 141.00	
48" x 24"	\$ 192.60 each	\$ 253.00	
<b>Barrel Block:</b>			
24" x 6"	\$ 1.50 each	\$ 1.10	
48" x 6"	\$ 1.50 each	\$ 1.10	
Load Charge	\$200.00 for less than full truck	Less than truckload, freight will apply	

**CR08-028**

May 19, 2008

**RE: UTILITIES DEPT. & PUBLIC WORKS – Annual Bid for Pre-Cast Concrete Products**

**RESOLUTION**

WHEREAS, sealed bids were received May 13, 2008, for the annual pre-cast concrete requirements; and

WHEREAS, said bids have been tabulated and recommendations made by Cindy Prue, Asst. Finance Director, and the City Administrator; and

WHEREAS, said bids have been considered by the Adrian City Commission.

NOW, THEREFORE, BE IT RESOLVED that the annual bid for pre-cast concrete products be awarded to Kerstra Precast of Grandville, MI, for the items and amounts as specified and as proposed in their sealed bid dated May 13, 2008.

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

CR-5

**CR08-029**

May 19, 2008

**RE: REAPPOINTMENT TO BUILDING AUTHORITY**

**RESOLUTION**

WHEREAS, the term of office of Jeffrey Pardee on the Building Authority Board will soon expire; and

WHEREAS, this term must be filled in accordance with the Adrian City Charter; and

WHEREAS, Jeff Pardee has expressed a willingness to serve on the Building Authority if reappointed; and

WHEREAS, the City Commission has given careful consideration to the reappointment of Mr. Pardee.

NOW, THEREFORE, BE IT RESOLVED, that the Adrian City Commission does hereby approve the reappointment of Jeffrey Pardee to the Building Authority Board for a 6-year term, with his term to expire in 2014.

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

REGULAR

AGENDA



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## MEMO

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Date: May 6, 2008

To: Dane C. Nelson, City Administrator  
Hon. Gary McDowell, Mayor  
City Commission

From: Jeffrey C. Pardee, Finance Director

A handwritten signature in black ink, appearing to read 'Jeffrey C. Pardee', written over the printed name.

Re: **Delinquent Personal Property Taxes – Orchard Apartments**

In accordance with the General Property Tax Act (Public Act 206 of 1893, as amended) the City of Adrian Treasurer's Office issued a Delinquent Tax Notice, dated April 2, 2008, to Orchard Apartments, 103 N. Charles Street regarding Delinquent Personal Property Taxes dating back to December, 2001. Orchard Apartments (owned and operated by Andrew C. Tipton, 2453 Cedarwood Drive, Adrian, MI) was notified of outstanding delinquent personal property taxes, covering the period 2001 through 2006 on parcel #XAO-901-3940-00, amounting to \$7,368.10 plus penalties of \$3,403.06 for a total of \$10,771.15, if paid by May 31, 2008.

The owners responded by offering to pay the outstanding tax bill (\$7,368.10), but requested relief from the imposition of all penalties (\$3,403.62). Further account investigation on this parcel reveals that all other personal property taxes are currently paid by this taxpayer. The Treasurer's Office responded by indicating that only the City Commission, in accordance with the General Property Tax Act (PA206 of 1893, as amended; MCL211.44(4)) has authority to waive all or part of any late penalties and, therefore, a staff recommendation would be forwarded to the City Commission that the penalties on the outstanding 2001-2006 delinquent personal property taxes be forgiven, provided a cashier's check in the amount of \$7,368.10 be submitted in good faith.

Due to the good faith effort exhibited by the taxpayer by submitting the aforementioned cashier's check and the unlikely prospect of recovering the full amount of the outstanding liability, even if the business were closed and the personal property confiscated and sold to settle the account, I respectfully recommend that the City accept the offer to pay in the amount of \$7,368.10 in full settlement of the outstanding personal property tax liability for the period 2001 through 2006

The attached resolution has been prepared for consideration by the City Commission at its May 19, 2008 meeting.

If you have any questions or need further information, please contact my office.

**CITY OF ADRIAN  
DELINQUENT TAX NOTICE**

<p><b>CITY OF ADRIAN</b> DONNA STEWART, TREASURER 100 E. CHURCH ST. ADRIAN, MI 49221 264-4832 or 4826</p> <p align="center"><b>ORCHARD APARTMENTS</b></p> <p>2453 CEDARWOOD DR. ADRIAN MI 49221</p>		<p><b>DELINQUENT TAXES DUE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">TAX YEAR</th> <th rowspan="2">TAX DUE</th> <th>TOTAL DUE</th> <th>TOTAL DUE</th> <th>TOTAL DUE</th> </tr> <tr> <th>IF PAID BY 04/30/08</th> <th>IF PAID BY 05/31/08</th> <th>IF PAID BY 06/30/08</th> </tr> </thead> <tbody> <tr><td>2006</td><td>1,650.88</td><td>2,022.24</td><td>2,038.75</td><td>2,055.26</td></tr> <tr><td>2005</td><td>1,569.59</td><td>2,108.78</td><td>2,124.48</td><td>2,140.17</td></tr> <tr><td>2004</td><td>1,481.69</td><td>2,164.10</td><td>2,178.92</td><td>2,193.74</td></tr> <tr><td>2003</td><td>1,287.50</td><td>2,033.06</td><td>2,045.94</td><td>2,058.81</td></tr> <tr><td>2002</td><td>1,050.27</td><td>1,781.86</td><td>1,792.36</td><td>1,802.87</td></tr> <tr><td>2001</td><td>328.17</td><td>587.42</td><td>590.70</td><td>593.98</td></tr> <tr> <td><b>TOTAL</b></td> <td><b>7,368.10</b></td> <td><b>10,697.46</b></td> <td><b>10,771.15</b></td> <td><b>10,844.83</b></td> </tr> </tbody> </table>	TAX YEAR	TAX DUE	TOTAL DUE	TOTAL DUE	TOTAL DUE	IF PAID BY 04/30/08	IF PAID BY 05/31/08	IF PAID BY 06/30/08	2006	1,650.88	2,022.24	2,038.75	2,055.26	2005	1,569.59	2,108.78	2,124.48	2,140.17	2004	1,481.69	2,164.10	2,178.92	2,193.74	2003	1,287.50	2,033.06	2,045.94	2,058.81	2002	1,050.27	1,781.86	1,792.36	1,802.87	2001	328.17	587.42	590.70	593.98	<b>TOTAL</b>	<b>7,368.10</b>	<b>10,697.46</b>	<b>10,771.15</b>	<b>10,844.83</b>
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<p><b>PROPERTY INFORMATION</b></p> <p>Property Number: XA0-901-3940-00 School Dist: 46010 Property Address: 103 N CHARLES ST ADRIAN MI 49221</p> <p>LEGAL DESCRIPTION:</p> <p>PERSONAL PROPERTY</p>		<p>A recent review regarding personal property taxes indicates that your account is seriously delinquent.</p> <p>Please note that if not paid, the penalty continues to increase one (1%) percent each month and state law provides that, ultimately, property may be seized to satisfy this tax obligation.</p> <p>State law further provides that unpaid personal property taxes are a first lien on all assets that were subject to the taxes, with the lien following the property in the event of a sale or transfer of these assets.</p>																																											
<p>If you have any questions, please call 517-264-4832.</p>																																													

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

CITY OF ADRIAN  
DONNA STEWART, TREASURER  
100 E. CHURCH ST.  
ADRIAN, MI 49221

Delinquent Tax for Property Number:  
**XA0-901-3940-00**

**TAXPAYER NOTE:** Are your name & mailing address correct?  
If not, please make corrections below. Thank You.

Due if paid by 04/30/08	10,697.46
Due if paid by 05/31/08	10,771.15
Due if paid by 06/30/08	10,844.83

Property Address:  
103 N CHARLES ST  
ADRIAN MI 49221

Make check payable to:  
CITY OF ADRIAN

**ORCHARD APARTMENTS**

2453 CEDARWOOD DR.  
ADRIAN MI 49221

Amount Remitted: \_\_\_\_\_



**R08-076**

May 19, 2008

**RE: DEPARTMENT OF FINANCE – Delinquent Personal Property Taxes – Orchard Apartments**

**RESOLUTION**

WHEREAS, in accordance with the General Property Tax Act (Public Act 206 of 1893, as amended) the City of Adrian Treasurer's Office issued a delinquent tax notice, dated April 20, 2008, to Orchard Apartments, 103 N. Charles Street regarding delinquent personal property taxes dating back to December, 2001; and

WHEREAS, Orchard Apartments, owned and operated by Andrew C. Tipton, 2453 Cedarwood Drive, Adrian, MI, was notified of outstanding delinquent personal property taxes, covering the period 2001 through 2006 on parcel XAO-901-3940-00, amounting to \$7,368.10, plus penalties of \$3,403.06, for a total of \$10,771.15, if paid by May 31, 2008; and

WHEREAS, the owners responded by offering to pay the outstanding tax bill (\$7,368.10), but requested relief from the imposition of all penalties (\$3,403.62); and

WHEREAS, account investigation on this parcel has further revealed that all other personal property taxes are currently paid by this taxpayer; and

WHEREAS, the Treasurer's Office responded by indicating that only the City Commission, in accordance with the General Property Tax Act, PA206 of 1893, as amended, MCL 211.44(4), has authority to waive all or part of any late penalties and, therefore, a staff recommendation would be forwarded to the City Commission that the penalties on the outstanding 2001-2006 delinquent personal property taxes be forgiven, provided a cashier's check in the amount of \$7,368.10 be submitted in good faith; and

WHEREAS, due to the good faith effort exhibited by the taxpayer by submitting the aforementioned cashier's check and the unlikely prospect of recovering the full amount of the outstanding liability, even if the business were closed and the personal property confiscated and sold to settle the account, staff recommendation is to accept the offer to pay in the amount of \$7,368.10 in full settlement of the outstanding personal property tax liability for the period 2001 through 2006; and

WHEREAS, the City Administrator recommends adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution and under the authority of the General Property Tax Act, PA 206 of 1893, as amended, MCL 211.44(4), hereby accepts the offer to pay the amount of \$7,368.10 in full settlement of the outstanding personal property tax liability for the period 2001 through 2006, submitted by Orchard Apartments (owned and operated by Andrew C. Tipton, 2453 Cedarwood Dr., Adrian, MI).

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

R-2

DATE: May 13, 2008  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Electrical Upgrades – Adrian Public Library

Carol Souchock has met with Al Morgenthaler from Consumers Energy and the city's Electrical Inspector relative to electrical upgrades at the library. Consumers has submitted a proposal in the amount of \$25,463.00 to relocate the primary electrical service from inside the library to the northeast corner of Library Square. This will include replacement of three electrical poles with a single new pole, installation of a transformer, concrete pad and primary conductor, as well as preparing the new City Hall Complex site for implementation of electrical upgrades. Up to \$3,048.00 of this amount could be refundable, depending on the increased load on the meter for all three buildings.

I recommend that the City of Adrian enter into an Electric Line Extension Agreement with Consumers Energy for electrical upgrades at the library at a cost of \$25,463.00. Funds are available in the Library Capital Improvement Account for these upgrades.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw



Adrian Public Library

143 E. Maumee St. • Adrian, Michigan 49221-2773

(517) 265-2265 • Fax (517) 265-8847  
www.adrian.lib.mi.us

**May 12, 2008**

**To: Honorable Mayor Gary McDowell and City Commission**

**From: Carol Souchock, Adrian Public Library Director**

**cc: Dane Nelson, City Administrator and Jeff Pardee, Finance Director**

**Re: Adrian Public Library Electrical Upgrade – Consumers Energy Project**

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The Adrian Public Library's Electrical Service Design – Phase 2 Project, which will implement the new electrical service design for the library and Library Square, is expected to be released for bid shortly and completed by late July of 2008. In preparation for the implementation of the electrical service design and the conversion from our current electrical service of 120/480 3-phase to the updated 120/208 3-phase, my electrical consultants, including Joel Tobias from the City of Adrian and Alan Morgenthaler from Consumers Energy, have suggested that we relocate the electrical service to the library and the other new City of Adrian buildings underground and consolidate the electrical service for the new City of Adrian complex to one electrical pole. This pole will be located in the northeast corner of Library Square. The implemented electrical service design is expected to eliminate three electrical poles and their associated equipment and replace them with one new pole.

I would like to engage Consumers Energy, the sole provider of this service, at the cost of \$25,463.00 to install the pole, one 300 kva, 3-phase, 120/208 volt transformer, concrete pad and primary conductor from the pole to the transformer. Of this total cost, \$24,088.00 is associated with the placement of the new pole and service to the library. Three thousand forty-eight dollars (\$3,048.00) of this amount is refundable, depending on the increased load on the meter for all three buildings (for example the electrical service to the new police station).

Thirteen hundred seventy five dollars (\$1,375.00) of the total cost is requested to move the service from the new City Hall/bank building to the new transformer. This cost includes trenching in new wire from the new transformer location, digging up the existing service and splicing the conductors. All wires on the pole will also be removed.

While placing the pole and the related equipment is the first stage in the library's electrical service design implementation, this project will eventually service all three City of Adrian buildings and provide electrical service to the entire city complex.

I request permission from the City Commission to authorize the City of Adrian to engage Consumers Energy for this service. The attached resolution has been prepared for consideration by the City Commission at their meeting of May 19, 2008. If you have any questions or need for further information, please contact my office.

**Adrian Customer Service Center**

2613 E Maumee St. Adrian, MI 49221 • (517) 264-4231 • Facsimile (517) 264-4234

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April 25, 2008

City of Adrian Library  
Carol A. Souchock  
143 E Maumee St  
Adrian, MI 49221

The cost to move the service to the City Hall/Bank building to the new transformer is \$1,375.00. This cost is good for 60 days and could be done in conjunction with the new transformer installation or can be done at a later date.

The cost includes trenching in new wire from the new transformer location to approximately 20 feet from the pole, digging up the existing service and splicing the conductors. We will also be removing the wires from the pole.

Alan Morgenthaler  
Customer Energy Specialist  
(517)264-4231  
Adrian Service Center



ELECTRIC LINE  
EXTENSION AGREEMENT  
PART I

Effective Date: 4/16/2008 Work Order Number: 06818181 (Drawing Attached, Exhibit A)

Company:

CONSUMERS ENERGY COMPANY  
a Michigan Corporation

2613 E Maumee St

Adrian, MI 49221  
(Address)

Customer:

City of Adrian  
(Name)

143 E Maumaa St  
(Street and Number)

Adrian, MI 49221  
(City, State and Zip Code)

Attention: Electric Field Manager

Attention: Carol Souchock

Service Location: 143 E Maumee St

Township Adrian

County Lenawee

Town 56

Range 53

Section 35

Service Characteristics: Three Phase 120/208 Volt

Overhead Line

Underground Line

Overhead and Underground Line

Total Payment: \$ 24,088.00

(a) Part II, Terms and Conditions for Line Extension and (b) Computation of Electric Distribution System Line Extension Deposit and Contribution (Residential/General Service) are attached hereto and are a part of this Agreement. CUSTOMER ACKNOWLEDGES HAVING READ SAID ATTACHMENTS.

CONSUMERS ENERGY COMPANY

City of Adrian  
(Customer)

By \_\_\_\_\_  
(Signature)

By \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
(Date Signed)

\_\_\_\_\_  
(Date Signed)

Title Electric Field Manager

Title \_\_\_\_\_

**ELECTRIC LINE  
EXTENSION AGREEMENT**

**TERMS AND CONDITIONS  
PART II**

1. The Company, subject to the provisions of this Agreement, shall furnish, install, own and maintain an electric line extension consisting of primary and secondary cables, transformers, power terminals, primary service connections and associated equipment and any other underground or overhead line extension facilities which are required in connection therewith, but not including secondary service connections, to make available alternating current, 60 hertz, electric service to Applicant's service location identified in Part I. If the line extension is to serve a residential subdivision, the Applicant shall record the plat of the subdivision in the office of the Register of Deeds in the County where the subdivision is located, if it is not already so recorded. The facilities included in the line extension and its approximate location, or in the case of a residential subdivision the location of the subdivision, are shown on the drawing attached as Exhibit A. If said line extension is to serve a residential subdivision, it shall be designed and installed so that the Company may serve streetlighting luminaries therefrom. The character and location of all streetlighting equipment, if installed by the Company, and all equipment constituting the line extension shall conform to specifications prepared by the Company. Streetlighting service is not covered by this Agreement and, if provided by the Company, shall be the subject of separate agreement between the Company and the governmental body requesting such service. The character and location of all equipment constituting the line extension shall conform to specifications prepared by the Company. Said line extension system shall be used for furnishing the Company's electric service to the Applicant and to such other persons along such line extension, or beyond the same, as may become customers of the Company; provided, however, that such line extension shall remain a separate, distinct unit for purposes of this Agreement and any further extension therefrom shall have no effect upon this Agreement. Further, secondary service connections between such line extension and any buildings or other facilities to be served therefrom are not covered by this Agreement and shall be the subject of separate agreements between the Company and parties requesting such service connections.

2. The Applicant shall pay to the Company, upon the execution hereof, the "Total Payment" as set forth in Part I and in the "Computation of Electric Distribution System Line Extension Deposit and Contribution" attached, it being the Applicant's share of the cost, after deducting the allowance for the investment which the Company is warranted in making under its line extension policy. It is recognized that the cost to the Company of installing an underground line extension is substantially greater than the cost of installing an overhead line extension. Accordingly, if an underground line extension is included under this Agreement, said "Total Payment" includes a nonrefundable contribution as stated in said "Computation of Electric Distribution System Line Extension Deposit and Contribution," computed in accordance with Rule C6.2 of the General Rules and Regulations included in the Company's Schedule of Rates Governing the Sale of Electric Service (Rate Schedule) as now filed with the Michigan Public Service Commission. No portion of said contribution, nor of any other contribution required hereunder, shall be refunded (except as otherwise provided in Section 4, 5, 7 and 8 hereof) nor any interest paid thereon by the Company.

3. The Company will backfill and place excavated earth over any area of construction; the Customer is responsible for the final restoration of the construction area. In regard to any amount identified as "Line Extension Deposit Subject to Refund" in said "Computation of Electric Distribution System Line Extension Deposit and Contribution," the Company will refund to the Applicant in accordance with the attached "Schedule of Refunds." No refund shall be made in excess of said refundable amount and said amount shall bear no interest. Any portion of said amount remaining unrefunded at the expiration of the fifth 12 months' period next succeeding the month during which the line extension is completed, shall be retained by the Company.

4. If the underground electric line extension or any portion thereof is to be installed between December 15 and April 15, the Applicant shall pay the Company, prior to installation of said



## ELECTRIC LINE EXTENSION AGREEMENT

extension or portion thereof, an additional nonrefundable contribution (winter charge) per trench foot as stated in the "Computation of Electric Distribution System Line Extension Deposit and Contribution" for the portion of said line extension installed during said period. The Applicant will receive a credit for any part of said winter charge paid by other utilities for joint use of the trench or paid by the Applicant for installation, by the Company, of gas pipe in the same trench. No portion of said line extension will be installed between December 15 and April 15, unless the Applicant has paid such additional contribution. Further, a nonrefundable contribution in addition to that provided for herein may be required where, in the Company's judgment, practical difficulties (not considered in determining the nonrefundable contribution included herein) such as water conditions or rock near the surface are encountered during construction. If the Customer does not make the additional contribution within 15 days after written notice of the amount of the additional contribution, the Company may, at its option, refund all payments made to it hereunder by the Applicant, without interest, and with reasonable expenses incurred by the Company on account of this Agreement deducted therefrom, and this Agreement shall thereupon terminate.

5. Prior to the installation of the line extension, and as a condition precedent thereto, the Applicant shall secure and deliver to the Company, at no expense to the Company, recordable easements, in form and substance satisfactory to the Company, granting all necessary rights of way for installation and maintenance of said line extension. If said line extension is to serve a residential subdivision, said easements shall include, but not by way of limitation, rights of way for streetlighting in the subdivision by means of underground facilities, notwithstanding that the Company does not undertake to provide streetlighting facilities and service as a part of this Agreement. If said easements are not secured and delivered to the Company within thirty (30) days after execution of this Agreement, the Company may, at its option, refund all payments made to it hereunder by the Applicant, without interest, and with reasonable expenses incurred by the Company on account of this Agreement deducted therefrom, and this Agreement shall thereupon terminate.

6. For any underground facilities included in the line extension, the Applicant shall provide, at no expense to the Company, rough grading (not more than three inches below finished grade) so that the underground facilities can be properly installed in relation to the finished grade level. If said line extension is to serve a residential subdivision, after rough grading, the Applicant shall install and maintain, at no expense to the Company, permanent survey stakes indicating all property lines in the subdivision. Applicant shall maintain the average ground elevation within six feet of any cable, conduit, wire, conductor or other underground facility thereafter at a level not to exceed twelve inches above or three inches below the grade level established at the time of installation of said underground facilities. Further, Applicant shall maintain the ground surface elevation in an area four feet wide around any transformer pad, subsurface transformer, junction vault or other support at an elevation of not less than three inches and not more than six inches below the base of any transformer mounted on a pad or other support and not more than six inches below the top of any subsurface transformer or junction vault; provided, however, that changes in the ground surface elevation in excess of the limits herein prescribed may be permitted upon written consent of the Company.

7. Upon execution of this Agreement and compliance in full by the Applicant with all conditions to be performed by him as contained herein and in the Rate Schedule, the Company, subject to weather, labor disputes, availability of necessary materials, and any other cause beyond the reasonable control of the Company, shall construct such line extension. Notwithstanding the foregoing, if, in the sole judgment of the Company, it does not appear that all of the customers (or their equivalent) upon which the "Free Footage Allowances" and/or the "Company's Share of Cost" (as the case may be) is based, as stated in said "Computation of Line Extension Deposit and Contribution," will in fact require and be prepared to receive electric service upon completion of such line extension, the Company may,

**ELECTRIC LINE  
EXTENSION AGREEMENT**

upon notice thereof to the Customer, postpone construction of said extension until such time as, in the sole judgment of the Company, permanent customers requiring such quantity of electricity will require and be prepared to receive electric service. In the event of such postponement by the Company the Applicant may, upon notice thereof to the Company, cancel this Agreement at any time prior to the commencement of installation of said line extension by the Company. If prior to the end of any such postponement by the Company, the "Line Extension Deposit Subject to Refund" required for installation of such line extension increases or decreases due to changes in the estimated cost, the Company may, prior to construction of such line extension, require the Applicant to (1) execute an amendment to this Agreement reflecting said changes in cost and (2) pay such additional cost. If the Applicant fails to execute such amendment and pay such additional costs within thirty (30) days after presentation of such amendment to the Applicant, or if any such postponement of construction continues for more than twelve months, the Company may, upon notice thereof to the Applicant, cancel this Agreement. In the event of such cancellation either by the Applicant or by the Company as aforesaid, the Company shall refund all payments made to it hereunder by the Applicant, without interest.

8. If at any time more than sixty (60) days after the effective date of this Agreement and prior to commencement of installation of said line extension by the Company the "Line Extension Deposit Subject to Refund" and/or nonrefundable contribution(s) required for installation of such line extension increase or decrease due to changes in the Rate Schedule, the Applicant will be required, prior to installation of such line extension, to (1) execute an amendment to this Agreement reflecting said changes, and (2) pay any additional amounts required by the Company as a result of said changes. If the Applicant fails to execute such amendment and pay such additional amounts, if any, within thirty (30) days after presentation of such amendment to the Applicant the Company may, upon notice to the Applicant, cancel this Agreement. In the event of such cancellation by the Company as aforesaid, the Company shall refund all payments made to it hereunder by the Applicant, without interest.

9. The Applicant shall have no ownership in said line extension by reason of any payment made hereunder. This Agreement and the installation and operation of said line extension shall be subject to the Rate Schedule as may be applicable including Rule C6.1, "Overhead Extension Policy," and C6.2, "Underground Policy," copies of which will be furnished to the Applicant upon his request. This Agreement and the benefits and obligations thereof may be transferred by the Applicant only upon the Company's prior written consent. Any other attempted transfer by Applicant shall be void.

10. All notices require hereunder shall be in writing and shall be sent by United States mail or delivered in person to the parties at their respective addresses as set forth in Part I. Either party may at any time change the addressee or address to which notices to it are to be mailed or delivered by giving notice of such change to the other party.

11. With respect to the subject matter hereof, this Agreement supersedes all previous representations, negotiations, understandings or agreements, either written or oral, between the parties hereto or their representatives, and constitutes the entire agreement of the parties.

12. Additional Items

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**COMPUTATION OF ELECTRIC  
DISTRIBUTION SYSTEM LINE EXTENSION  
DEPOSIT AND CONTRIBUTIONS  
(GENERAL SERVICE)**

Attachment to Agreement  
Dated 4/16/2008  
between Consumers Energy Company  
and City of Adrian

Estimated cost (not including applicable "Nonrefundable Contribution" (below) )	.....	\$ 3,048.00
Company's Share of Cost : Three times estimated increase in annual revenue of		
_____ ( _____ \$0.00 _____ total estimated annual revenue		
from permanent customers minus _____ \$0.00 _____ present annual revenue		
from permanent customers) for permanent customers to be immediately served when		
the extension is completed	.....	_____
Nonrefundable contribution stated in Items 2 & 4 below	.....	\$ _____
<b>TOTAL LINE EXTENSION DEPOSIT SUBJECT TO REFUND</b>	.....	<b>\$ 3,048.00</b>
<b>NONREFUNDABLE CONTRIBUTION:</b>		
1. Nonrefundable contribution for additional cost for alternate route due to Applicant not securing easements, right of way and tree-trimming permits, and items requested or made necessary by the Applicant.	+ .....	\$ 21,040.00
2. Nonrefundable contribution of \$10.00 per kVA of transformer capacity installed for said underground electric distribution system	+ .....	\$ _____
3. Nonrefundable contribution for winter construction	+ .....	\$ _____
4. Nonrefundable contribution, except charges included in Items 1, 2 and 3 above, required of the Applicant under Rule C6.2, Underground Policy, of the Company's Schedule of Rates Governing the Sale of Electric Service, computed on the basis of a rate of \$7.00 per foot for _____ feet of required trench for the electric underground distribution system and/or such other basis as is applicable	+ .....	\$ _____
<b>TOTAL NONREFUNDABLE CONTRIBUTION</b>	.....	<b>\$ 21,040.00</b>
<b>TOTAL PAYMENT</b>	.....	<b>\$ 24,088.00</b>

**SCHEDULE OF REFUNDS**

1. Original Customers

At the end of each of the five 12-month periods during the five-year period beginning the month following the date the line extension is completed, the Company will refund to the Applicant three times the amount that actual revenue from original permanent customers exceeds the base annual revenue. The 'base annual revenue' equals the total estimated annual revenue from permanent customers stated above; provided that if for any 12-month refund period the actual revenue upon which the refund is based exceeds the base annual revenue. Said actual 12-month revenue will be the base annual revenue for calculations of future refunds.

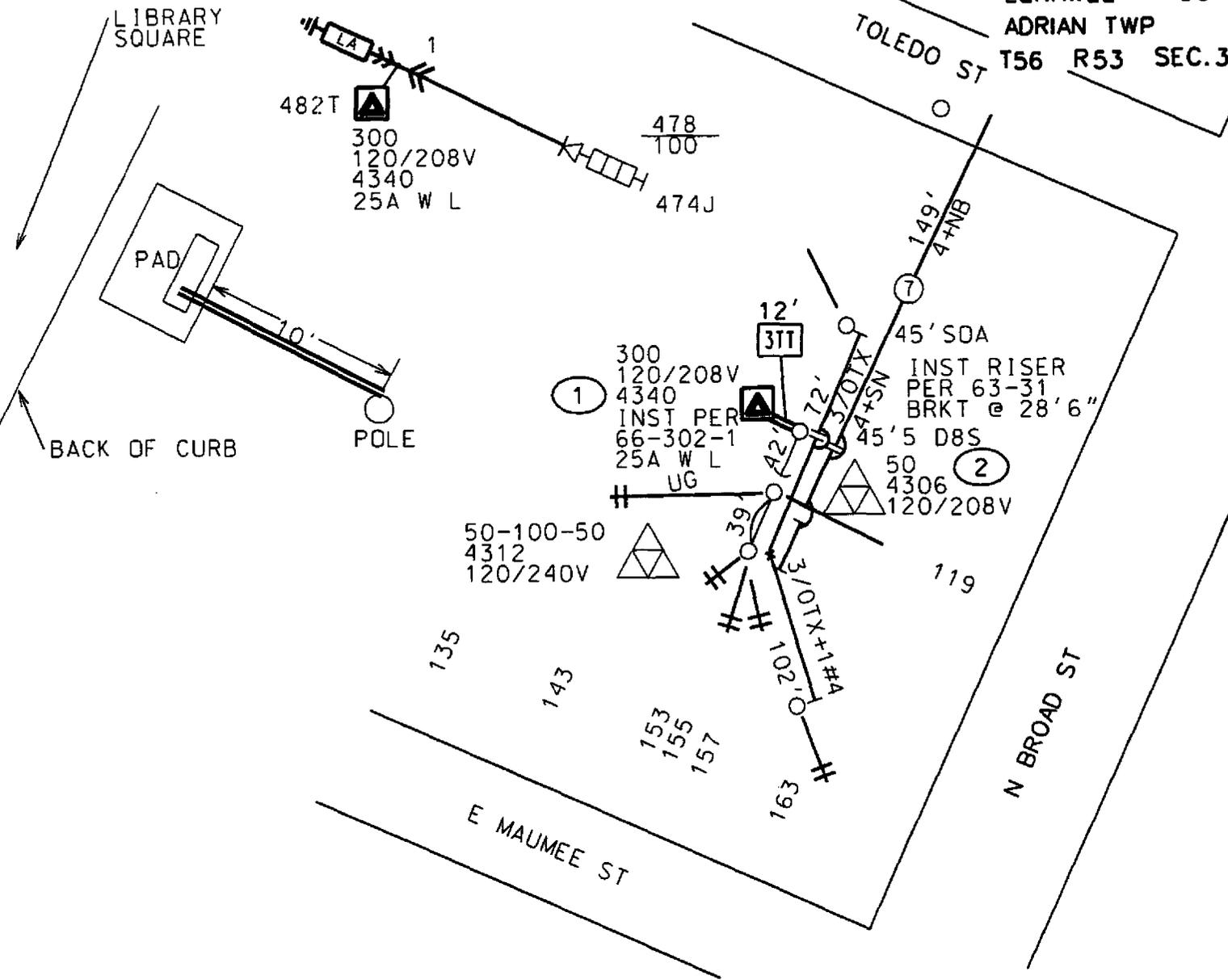
2. Additional Connected Customers

The Company will refund \$500 for each permanent residential customer and/or the first year's estimated revenue for each permanent general service customer who during the five-year refund period connects directly to the line extension covered by this Agreement. Directly connected customers are those who do not require the construction of more than 300 feet of primary and/or secondary distribution line. Refunds will not be made until the original customer(s) or equivalent is actually connected to the extension. Refunds will not include any amount of contribution in aid of construction for underground service made under Rule C6.2, Underground Policy, of the Company's Schedule of Rates Governing the Sale of Electric Service.





LENAWEE CO  
ADRIAN TWP  
T56 R53 SEC.35



**Consumers Energy**  
A CMS Energy Company  
DESIGNED BY: AGMORGEN  
DATE: 04/16/08  
APPROVED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_  
SHEET OF: \_\_\_\_\_  
SCALE: \_\_\_\_\_

**143 E MAUMEE ST**

INSTALL UG ELECTRIC FOR LIBRARY CONVERSION FROM 120/240V 3 PHASE TO 120/208V 3 PHASE

TAX CODE	460204	REQUEST NO.	03201708
STAKED	<input type="checkbox"/> YES <input type="checkbox"/> NO	TREES	<input type="checkbox"/> YES <input type="checkbox"/> NO
TLM NUMBER	5653354340	OF RODS	#
OHMS			
SUBSTATION	MAUMEE	WD NO.	0039
CIRCUIT	LENAWEE ST	CKT NO.	02
		LCP NO.	0474
UTIL. TYPE	EU	CATEGORY	RLOC
		TYPE	UGLN
		WORK ORDER	06818181

**-CONSTRUCTION CERTIFICATION-**

Work was constructed as Engineered or Changed as Indicated.  
All Salvageable Material Was Returned to Stores.

Signed \_\_\_\_\_ in Direct Charge of Work  
Dates: Started \_\_\_\_\_ Completed \_\_\_\_\_

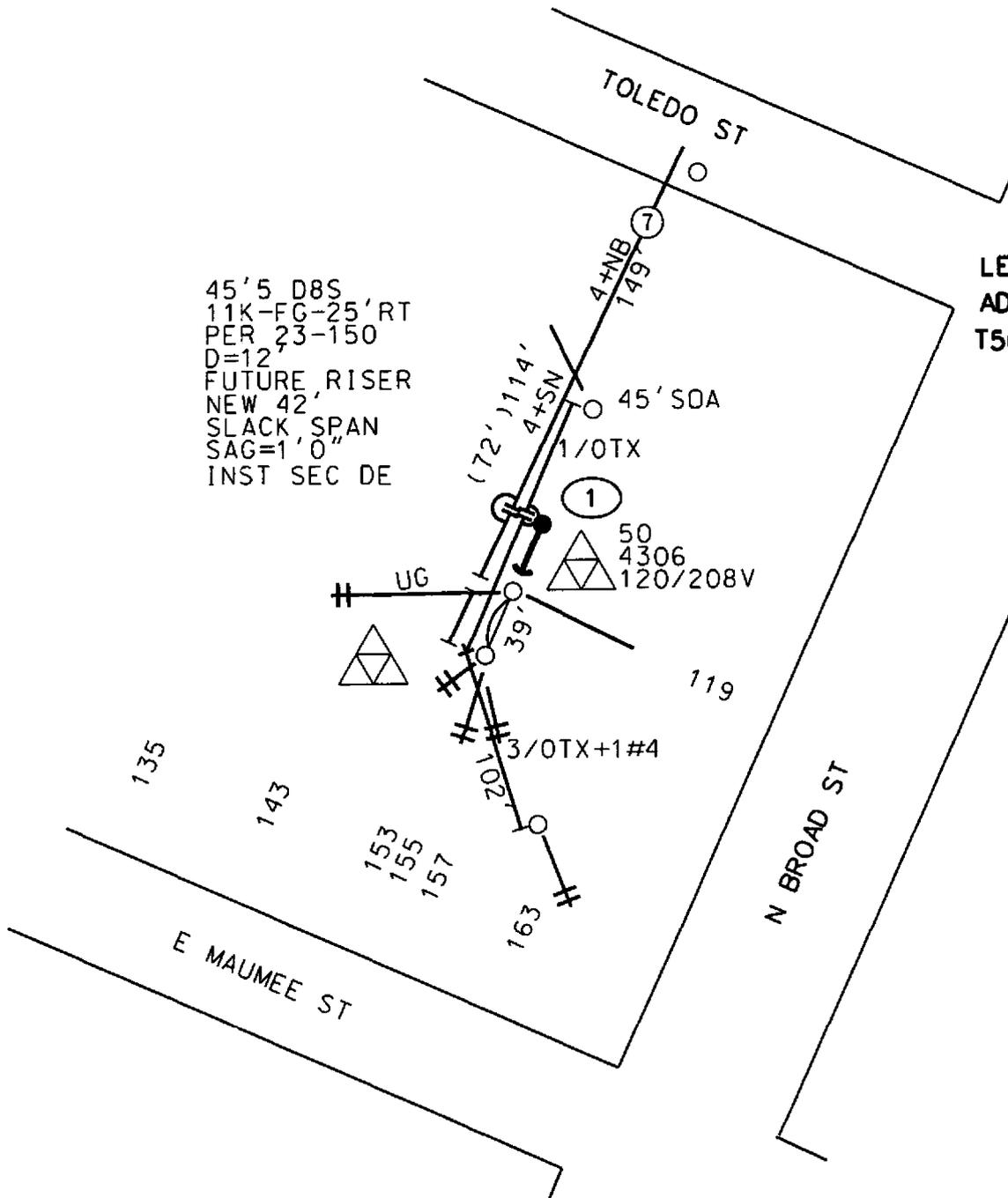
MISS DIG NOTIFIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

CAD FILE: 06818181.001  
**TRS 565335**



LENAWEE CO  
ADRIAN TWP  
T56 R53 SEC.35

45' 5 D8S  
11K-FG-25' RT  
PER 23-150  
D=12"  
FUTURE RISER  
NEW 42'  
SLACK SPAN  
SAG=1' 0"  
INST SEC DE



A CMS Energy Company ELECTRIC

DESIGNED BY AGMORGEN DATE 04/16/08

APPROVED BY DATE

SHEET 1 OF 1 SCALE 1" = 100'

143 E MAUMEE ST

For: CITY OF ADRIAN  
CAROL SOUCHOCK  
LIBRARY DIRECTOR

TAX CODE 460204 REQUEST NO. 03201708

STAKED  YES  NO TREES  YES  NO

TLM NUMBER OF RODS OHMS

5653354306 #

SUBSTATION MAUMEE WD NO. 0039

CIRCUIT LENAWEE ST CKT NO. 02 LCP NO. 0474

UTIL. TYPE CATEGORY TYPE WORK ORDER

EO RLOC OHLN 06818182

CAO FILE: 06818182.001

TR S 565335

-CONSTRUCTION CERTIFICATION-

Work was constructed as Engineered or Changed as Indicated.  
All Salvageable Material Was Returned to Stores.

Signed \_\_\_\_\_ in Direct Charge of Work

Dates: Started \_\_\_\_\_ Completed \_\_\_\_\_

MISS DIG NOTIFIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**RE: ADRIAN PUBLIC LIBRARY –Electrical Upgrade – Phase Two – Consumers Energy Project**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution #R08-047 dated March 17, 2008, authorized the engagement of Service Electric Company, Adrian, MI in the City’s Standard Professional Services Contract for the purpose of designing electrical upgrades at the Adrian Public Library at a cost not to exceed \$5,960; and by Resolution #R08-064 dated April 21, 2008, approved Change Order No. 1, adding \$1,500 to expand the scope of the project to include electrical service design that anticipates addition of the new City Hall and police facility; and

WHEREAS, in preparation for Phase 2 implementation, which includes relocation of primary electrical service from inside the library building to the northeast corner of Library Square, the Library Director recommends engagement of Consumers Energy, as a sole provider of this service, to replace three electrical poles with a single new pole with ancillary equipment at a cost not to exceed \$25,463 (up to \$3,048 of this amount is refundable, depending upon the increased load on the meter for all three buildings); and

WHEREAS, the City Finance Director indicates that sufficient funds are available for this purpose in the Library Capital Improvement Account (101-738.00-975.000); and

WHEREAS, the Library Director and City Administrator recommend approval of this resolution for the purpose of preparing the new City Hall Complex site for implementation of Electrical Upgrade – Phase 2.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the engagement of Consumers Energy to replace three electrical poles with a single new pole, with ancillary equipment, to be located at the northeast corner of Library Square, at a cost not to exceed \$25,463.

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: May 13, 2008  
TO: Dane C. Nelson, City Administrator  
FROM: Shane A. Horn, Utilities Director   
SUBJECT: Replacement Parts for Clarifier Drives at Wastewater Plant

---

The Wastewater Treatment Superintendent, Ken Wesley, has solicited quotes for replacement parts for the clarifier drives at the Wastewater Plant. DuBois-Cooper Associates of Plymouth, MI, the sole source supplier of these parts, has submitted a quote in the amount of \$22,215.20. The Utilities Director has requested authorization to purchase the parts from DuBois-Cooper and that the bid process be waived.

I urge your favorable consideration authorizing this purchase from DuBois-Cooper in the amount of \$22,215.20 and that the bid process be waived. There are sufficient funds budgeted for this purchase.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

Attached is a memo from Ken Wesley, Wastewater Treatment Plant Superintendent that details the purchase of replacement parts for our Walker Process clarifier drive units at the plant. Walker Process is the sole provider of this equipment and these replacement parts would not be available from another supplier without a redesign of the existing equipment. Dubois-Cooper of Plymouth, MI is the local distributor for Walker Process and they have submitted a quote for \$22,215.20 for the purchase of these replacement drive parts. I respectfully recommend that we proceed with the purchase of these replacement parts from Dubois-Cooper and that the bid process be waived. The Wastewater Plant Capital Budget includes \$25,000.00 for this purchase.

cc: Jeff Pardee, Finance Director  
Ken Wesley, WWTP Superintendent

## DEPARTMENTAL CORRESPONDENCE

Date: 5/7/2008

Subject: Final Tank Drive Parts

To: Shane Horn

Dept.: Utilities

From: Kenneth P. Wesley

Dept.: Wastewater Plant

Please find the attached memo from Chuck Bayly regarding the replacement parts for our Walker Process drive units at the WWTP. After my review, I concur with Chuck's findings and now forward this onto you for your review.

As Walker Process is the sole source for these parts, I respectfully request that you seek the approval of the City of Adrian Commission to forgo the bidding process for the purchase these parts. The current Capitol Budget includes \$25,000 for the purchase of the replacement parts.

If there is anything more I can provide to aid in this process please let me know.

Kenneth P. Wesley

  
WWTP Superintendent

## DEPARTMENTAL CORRESPONDENCE

Date: May 6, 2008

Subject: Walker Process Parts Quote

To: Ken Wesley

Dept.: Wastewater Plant

From: Chuck Bayly

*Chuck Bayly*  


Dept.: Wastewater Plant

Please find attached a price quote for the replacement parts for the 100 ft Clarifier, 70 ft. Clarifier and the 55 ft thickener. This quote was supplied by the Walker Process Representative, DuBois-Cooper of Plymouth MI. After extensive research I have found that these parts are manufacturer specific and not available from another supplier without a complete redesign of the existing equipment, which in my opinion would be extremely cost prohibited. The total cost of the replacement parts will be \$ 22,215.20 which includes shipping. It is my understanding that this purchase has been budgeted for.

Due to the limited spare parts available to repair these units and the catastrophic effect to the treatment process should one of these units failed it would be my recommendation to purchase these parts from DuBois-Cooper as presented.

# DuBOIS-COOPER ASSOCIATES INCORPORATED

905 Penniman • P.O. Box 6161 • Plymouth, Michigan 48170-0161

PROCESS  
EQUIPMENT  
— FOR —  
MUNICIPAL &  
INDUSTRIAL  
WATER & WASTE  
TREATMENT

FILE COPY  
SPECIALIZED  
SALES ENGINEERING

May 5, 2008

Adrian WWTP  
1001 Oakwood Road  
Adrian, MI 49221

**Attention:** Charles H. Bayly, Chief of Maintenance & Operations

**Subject:** Walker Process Parts Quotes for Contract  
Numbers UW84858, UW 84857 and UW84864  
Walker Process Repair Quotes Numbers 13473, 13472  
and 13474

Dear Mr. Bayly:

Attached please find the Walker Process repair parts quote that you requested for the various pieces of equipment on the Walker Process clarifier equipment on your project.

The attached prices include freight but do not include any installation or start up nor any taxes.

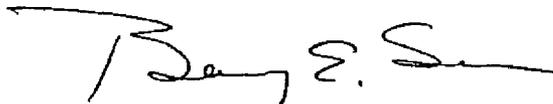
The prices are firm for 60 days from today's date.

All of these items are in stock in Aurora, Illinois.

When ordering these items, please refer to the Walker Process quotation numbers referenced above and on the attached.

We trust that you will find the listing complete but if you have any questions or need anything further, please feel free to contact us.

Very truly yours,  
Walker Process



Barry E. Simescu  
DUBOIS-COOPER ASSOCIATES, INC.  
District Representatives



Telephone: 734/455/6700  
Fax: 734/455/6711  
duboiscooper.com

Contract # UW84858 (70' tank)

Worm Gear & shaft set, WPE# 31370 & 31393	\$4886.5	4,886.50
Bearing, Upper Pinion, WPE# 25648	\$164.45	164.45
Bearing, Lower Pinion, WPE# 38277	\$64.4	64.40
Bearing, Front Worm Shaft, WPE# 388	\$20.70	20.70
Bearing, Back Worm Shaft, W/Locknut & Washer, WPE# 431, 24896, 62417 \$1061.45 ea.		2,122.90
Oil Seal, pinion upper (worm gear HSG seal), WPE# 17649 \$74.75		74.75
Oil seal, Worm shaft, front, WPE# 17098	\$12.75	12.75
Felt seal, 1/4" x 3/8" x 25" LG, Grade 5	\$41.50	41.50
Walker Process quote 13473		
	TOTAL:	7,387.95

*[Previously quoted 11/5/2004, Quote #11118]*

Contract # UW84857 (100' tank)

Bearing, Upper Pinion, WPE# 25648	\$164.45	164.45
Bearing, Lower Pinion, WPE# 38225	\$200.10	200.10
Bearing, Front Worm Shaft, WPE# 388	\$20.70	20.70
Bearing, Back Worm Shaft, W/Locknut & Washer, WPE# 431, 24896, 62417 2 req. \$1061.45 each		2,122.90
Oil Seal, pinion upper (worm gear HSG seal), WPE# 17649 \$74.75		74.75
Oil seal, Worm shaft, front, WPE# 17098	\$12.75	12.75
Felt seal, 1/4" x 3/8" x 25" LG, Grade 5	\$41.50	41.50
Worm Gear Housing gasket PN47235	\$87.40	87.40
Walker Process quote 13472		
	TOTAL:	2,724.55

*[Previously quoted 11/5/2004, Quote #11117]*

Contract # UW84864 (55' tank)

File 4S39742-1

#19 Worm Shaft PN 25341/11606 \$9200	9,200.00
#22 Oil seal (worm shaft) PN 17676 \$24.15	24.15
#23 Bearing (worm shaft) PN 394 \$37.95	37.95
#24 Bearing (worm shaft thrust) PN 431, 24896, 62417 2 req. \$1061.45 each.	2,122.90
#25 Locknut & washer included in #24 above	
#28 Worm gear included in #19 above	
#32 Bearing, upper (pinion shaft) PN 419 \$354.20	354.20
#33 Oil seal (pinion shaft) PN 17678 \$77.05	77.05
#36 Bearing, lower (pinion shaft) PN 38225 \$200.10	200.10
Felt seal 25 ft. PN 38449 \$41.50	41.50
Worm gear housing cover gasket PN 54476 \$44.85	44.85
Walker Process quote 13474	12,102.70

TOTAL QUOTE: \$ 22,215.20

SHIPPING INCLUDED.

**R08-078**

May 19, 2008

**RE: UTILITIES DEPARTMENT –Wastewater Plant - Replacement Parts for Clarifier Drives**

**RESOLUTION**

WHEREAS, the clarifier drives at the Wastewater Plant are in need of replacement parts to avoid a catastrophic impact on the treatment process should one of these units fail; and

WHEREAS, a quote was solicited and obtained from the sole source provider, Walker Process, the local distributor for DuBois-Cooper Associates, Inc., Plymouth, MI, amounting to \$22,215.20; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the Wastewater Capital Project Fund (497-554.00-977.551); and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution for the acquisition of replacement parts for the clarifier drives at the Wastewater Plant and waiver of the competitive bid process, recognizing the sole provider of the required replacement parts.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acquisition of replacement parts for the clarifier drives at the Wastewater Plant from Walker Process, the local distributor for DuBois-Cooper Associates, Inc., Plymouth, MI, at a cost not to exceed \$22,215.20.

BE IT, FURTHER, RESOLVED that, in the best interests of the City, the competitive bid process be waived, in accordance with the City's Purchasing Policy as specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

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

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**MEMORANDUM – UTILITIES DEPARTMENT**

---

DATE: May 13, 2008  
TO: Dane C. Nelson, City Administrator  
FROM: Shane A. Horn, Utilities Director   
SUBJECT: Construction Engineering for the Miles Drive Lift Station Removal

---

The Utilities Department is awaiting bids for the abandonment of the Miles Drive lift station and the addition of an 8-inch gravity line that will tie into a structure on March Drive. Jones & Henry of Toledo, OH, has submitted a quote in the amount of \$8,200 to provide engineering services on this project, including a Resident Project Representative (RPR) that will be on site during construction.

The Utilities Director has recommended that Jones & Henry be retained for the Miles Drive Project and that the bid process be waived, and I concur. There are sufficient funds for this contractual service.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

The Miles Drive lift station removal project is currently out for bid. This work will include the abandonment of the existing lift station at the corner of Miles and Division and will include the addition of an 8 inch gravity line that will tie into a structure on March Drive. Jones & Henry Engineers of Toledo, OH has submitted a quote to provide engineering assistance on this project that will include the presence of a Resident Project Representative (RPR) during construction. The quote from Jones & Henry for this project totals \$8,200.00. I respectfully recommend that we continue to use Jones & Henry of Toledo, OH for construction engineering assistance on this project and that the bid process be waived.

cc: Jeff Pardee, Finance Director  
Steve Eberle, O&M Superintendent  
Ken Wesley, WWTP Superintendent



# Jones & Henry Engineers, Ltd.

2000 WEST CENTRAL AVENUE, TOLEDO, OHIO 43606 • 419/473-9611  
www.jheng.com FAX • 419/473-8924

April 28, 2008

Mr. Shane Horn  
Utilities Director  
City of Adrian  
100 East Church Street  
Adrian, Michigan 49221

Subject: Proposal for Engineering Services,  
Construction Engineering for the  
Miles Drive Pump Removal

Dear Mr. Horn:

As requested, we have prepared a price proposal to provide engineering services during the construction of the Miles Drive Pump Station Removal Project. The scope of services is based on our previous discussions with you and your staff.

## Scope of Services

1. Attend the pre-bid meeting for the project and answer questions during the bidding.
2. Attend the bid opening review the bids, prepare bid tabulations and provide a letter of recommendation
3. Attend construction meetings as needed.
4. Review shop drawings
5. Provide Resident Project Representative (RPR) during the construction. It is expected that this will be full-time during the installation of pay items.
6. Review and provide recommendations for pay requests from the contractor.
7. Prepare mark-ups for record drawings. The City will do the actual modification of the project drawings.
8. Provide miscellaneous items associated with the construction project as requested by the City

## Fee Schedule

The estimated fee to provide the services listed above is \$8,200. The fee is based on providing 132 hours of service using Todd Brown as our key employee for the project. Actual charges will be on a time and expense basis.



Jones & Henry Engineers, Ltd.

Mr. Shane Horn  
April 28, 2008  
Page 2

We appreciate the City of Adrian's interest in our services for this project. If you have any questions, please contact me.  
Sincerely,

JONES & HENRY ENGINEERS, LTD.

A handwritten signature in black ink, appearing to read 'Joseph A. Hotz', is written over the company name.

Joseph A. Hotz, P.E.  
Vice President

JAH/bjm

c: Mr. Steve Eberle

**R08-079**

May 19, 2008

**RE: UTILITIES DEPARTMENT –Wastewater Plant – Construction  
Engineering Services for Miles Drive Lift Station Removal**

**RESOLUTION**

WHEREAS, as contemplated in the FY2007-08 Capital Budget, the Miles Drive Lift Station Removal Project is about to be undertaken, which includes abandonment of the existing lift station at the corner of Miles Drive and Division Street and the addition of an 8 inch gravity line that will tie into a structure on March Drive; and

WHEREAS, a quote was solicited and obtained from Jones & Henry Engineers, Ltd., Toledo, OH amounting to \$8,200 to provide the following services:

- Provide technical assistance during the bidding process,
- Review shop drawings and planned construction materials,
- Provide Resident Project Representative (RPR) to perform continuous on-site inspections during the construction process,
- Review and recommend contractor's pay requests, etc.; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the Wastewater Capital Project Fund (497-553.00-975.133); and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution and engagement of Jones & Henry Engineers, Ltd., Toledo, OH, in the City's Standard Professional Services Contract in the amount of \$8,200 to provide engineering services during the Miles Drive Lift Station Removal Project and that the competitive bid process be waived due to the contractor's ongoing familiarity with the City's Wastewater System and this project, in particular.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Jones & Henry Engineers, Ltd., Toledo, OH in the City's Standard Professional Services Contract in the amount of \$8,200 to provide engineering services during the Miles Drive Lift Station Removal Project.

BE IT, FURTHER, RESOLVED that, in the best interests of the City, the competitive bid process be waived in accordance with the City's Purchasing Policy as specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

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

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

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

R-5

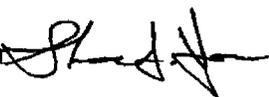
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**MEMORANDUM – UTILITIES DEPARTMENT**

---

DATE: May 13, 2008

TO: Dane C. Nelson, City Administrator

FROM: Shane A. Horn, Utilities Director 

SUBJECT: Construction Engineering During Concrete Restoration at Wastewater Plant

---

The primary settling tanks at the Wastewater Plant are in need of concrete restoration work. The Utilities Director has solicited a quote from Jones & Henry of Toledo, OH, to provide engineering services during this project, and they have submitted a proposal in the amount of \$8,000.00. This firm is very familiar with the project, as they designed the plans and bidding documents.

Shane has recommended that Jones & Henry be retained for engineering services during the restoration process and that the bid process be waived. I concur with his recommendation and urge your favorable consideration authorizing Jones & Henry to perform said services at a cost of \$8,000.00 and to waive the bid process.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

We currently are receiving bids for concrete restoration work in our primary settling tanks at the wastewater plant. I have solicited a proposal from Jones & Henry of Toledo, OH to provide engineering assistance during this project. Jones & Henry's proposal includes shop drawing reviews and periodic on-site inspections during the concrete restoration work. Jones & Henry's proposal for this work totals \$8,000.00. Jones & Henry has designed the plans and bidding documents for this project and have an intimate knowledge of the project area. I respectfully recommend that we continue to use Jones & Henry for engineering assistance for this project and that the bid process be waived. Funds are included in the wastewater plant capital budget for this work.

cc: Jeff Pardee, Finance Director  
Ken Wesley, WWTP Superintendent



# Jones & Henry Engineers, Ltd.

2000 WEST CENTRAL AVENUE, TOLEDO, OHIO 43606 • 419/473-9611  
www.jheng.com FAX • 419/473-8924

April 28, 2008

Mr. Shane Horn  
Utilities Director  
City of Adrian  
100 East Church Street  
Adrian, Michigan 49221

Subject: Proposal for Engineering Services,  
Engineering Assistance during Concrete Restoration  
of Primary Settling Tanks at Adrian WWTP

Dear Mr. Horn:

The City has requested we submit a price proposal to provide engineering assistance during the construction project to restore the concrete in east primary settling tanks at the Adrian WWTP.

Our services will include the following tasks:

1. Provide assistance during the bidding, answer questions, and review bids.
2. Review shop drawings and planned restoration materials
3. Provide on-site inspections during the work. Assume 6 to 8 weeks for construction with two visits per week- (60-hours used in proposal)
4. Review and recommend contractor's pay requests
5. Provide miscellaneous items associated with the construction project as requested by the City

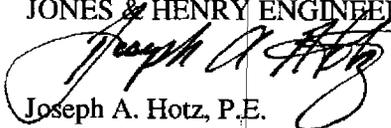
The cost for this service is \$8,000. Charges will be based on time and expenses and will not exceed the limit unless directed to do so by the City.

We can proceed by issuance of a purchase order.

If you have any questions, please contact me. We appreciate the City's request that we be part of this project.

Sincerely,

JONES & HENRY ENGINEERS, LTD.

  
Joseph A. Hotz, P.E.  
Vice President

JAH/bjm

c: Ken Wesley

**R08-080**

May 19, 2008

**RE: UTILITIES DEPARTMENT –Wastewater Plant – Construction  
Engineering Services for Concrete Restoration for Primary Settling  
Tanks**

**RESOLUTION**

WHEREAS, a concrete restoration project for the primary settling tanks at the Wastewater Plant, contemplated in the FY2007-08 Capital Budget, is about to be undertaken; and

WHEREAS, a quote was solicited and obtained from Jones & Henry Engineers, Ltd., Toledo, OH amounting to \$8,000 to provide the following services:

- Provide technical assistance during the bidding process,
- Review shop drawings and planned restoration materials,
- Provide on-site inspections during the construction process,
- Review and recommend contractor's pay requests, etc.; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the Wastewater Capital Project Fund (497-553.00-975.115); and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution and the engagement of Jones & Henry Engineers, Ltd., Toledo, OH in the City's Standard Professional Services Contract in the amount of \$8,000 to provide engineering services during the concrete restoration project for the primary settling tanks at the Wastewater Plant and that the competitive bid process be waived due to the contractor's ongoing familiarity with the City's Wastewater Treatment Plant and this project in particular.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Jones & Henry Engineers, Ltd., Toledo, OH in the City's Standard Professional Services Contract in the amount of \$8,000 to provide engineering services during the concrete restoration project for the primary settling tanks at the Wastewater Plant.

BE IT FURTHER RESOLVED that, in the best interests of the City, the competitive bid process be waived, in accordance with the City's Purchasing Policy as specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

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

R-6

DATE: May 14, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Trestle Park Erosion Control Project

The Parks and Recreation Director solicited and received proposals for erosion control at Trestle Park. Mr. Gasche has recommended that J. F. New of Ann Arbor, MI be retained for the design/build of this project at a cost of \$30,000. This firm's proposal includes an additional 20 linear feet of stabilization, and does not require any in-house work on the project.

Three firms responded to the offer to bid. I urge your favorable consideration to retain J. F. New of Ann Arbor, MI, for the design/ build of the Trestle Park Erosion Control Project at a cost of \$30,000. Sufficient funds are available in the Fee Estate Capital account for this work

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

**TO:** Dane C. Nelson, City Administrator  
**FROM:** Mark K. Gasche, Parks and Recreation Director  
**DATE:** May 14, 2008  
**SUBJECT:** Bid Recommendation – Trestle Park Erosion Control Project

Sealed proposals were received on Thursday May 8, 2008 for erosion control work at Trestle Park. Four vendors were invited to bid, with three responding as follows:

BIDDERS	Type of Proposal	BID AMOUNT	Additional City Costs	Total Predicted Cost	NOTES
Conservation Design Farms Elmhurst IL	Design Supervise	\$ 22,800.00 Plus \$2,200.00 expenses	\$13,920 Estimated Material Cost \$1,423 Fleet Rental and \$4,895 Equipment Rental	\$45,038 Approximately \$562.98LF	Additional costs do not include the in house labor cost as this is a cost to be expended normally.
Biotechnical Erosion Control Harvard. IL	Design Supervise	\$ 9,000	\$13,920 Estimated Material Cost \$1,423 Fleet Rental and \$4,895 Equipment Rental.	\$29,238 Approximately \$365.48LF	Additional costs do not include the in-house labor cost as this is a cost to be expended normally.
JF New Ann Arbor, MI	Design Build	\$ 30,000.00	\$0	\$30,000 Approximately \$300Lf	Included is some additional stabilization for another 20-feet downstream

After review with staff, I am recommending the bid be awarded to JF New of Ann Arbor, MI in the amount of \$30,000. We invited companies to submit proposals for both design/build and design/supervise in order to measure any cost savings by completing the installation with in-house crews.

Based on estimated material costs and rental rates for both fleet equipment and the large hydrohoe necessary to complete the work, plus having 5 to 6 staff members not working on other park maintenance items for a week to ten days; staff believes it to be more cost effective to go with the design/build proposal that was submitted. Additionally, JF New is proposing completion of an additional 20 linear feet, or 25% more, for the same cost. Funds for this project are budgeted in the Fee Estate Capital account.

**R08-081**

May 19, 2008

**RE: DEPARTMENT OF PARKS & RECREATION – Trestle Park Erosion Control Project**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution #CR07-085 dated May 7, 2007, adopted the FY2007-08 Budget and General Appropriations Act, which included provision for the Trestle Park Erosion Control Project; and

WHEREAS, four (4) sealed competitive bids were solicited and three (3) were received on Thursday, May 8, 2008 with the following results (Companies were invited to submit proposals for both design/build and design/supervise in order to measure any cost savings by completing the installation with in-house crews):

<u>Vendor</u>		<u>Type of Proposal</u>	<u>Additional Bid Amount</u>	<u>Total City Costs</u>	<u>Est. Cost</u>
Conservation Design Farms Elmhurst, IL		Design/ Supervise (80 Linear Feet)	\$25,000	\$20,238	\$45,238
Biotechnical Erosion Control Harvard, IL		Design/ Supervise (80 Linear Feet)	\$ 9,000	\$20,238	\$29,238
J.F. New Ann Arbor, MI		Design/ Build (100 Linear Feet)	\$30,000	\$ -0-	\$30,000

WHEREAS, based on estimated material costs and rental rates for both fleet equipment and a large hydrohoe necessary to complete the work, plus having 5 to 6 staff members deviated from other park maintenance projects for a week to ten days, the Parks & Recreation Director recommends the engagement of J.F. New, Ann Arbor, MI at a cost not to exceed \$30,000; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the General Fund – Fee Estate Capital Facilities Account (101-903.00-975.000); and

WHEREAS, the City Administrator recommends approval of this resolution and the engagement of J.F. New, Ann Arbor, MI in the City's Standard Professional Services Contract at a cost not to exceed \$30,000.

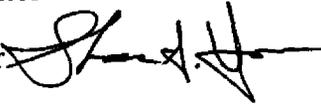
NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of J.F. New, Ann Arbor, MI in the City's Standard Professional Services Contract at a cost not to exceed \$30,000 to implement the Trestle Park Erosion Control Project.

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: May 15, 2008  
TO: Dane C. Nelson, City Administrator  
FROM: Shane A. Horn, Utilities Director   
SUBJECT: Water Line Stops at Merrick Street

---

I concur with the recommendation of the Utilities Director to approve a change order to the contract with Michigan Waterworks of New Hudson, MI in the amount of \$7,500.00. This firm was retained to install two line stops to allow removal of an active section of 16" water line. During construction, it was discovered that one of the lines was, actually, an 18" line that would require different fittings and equipment.

I urge your favorable consideration authorizing the change order to the contract with Michigan Waterworks in the amount of \$7,500.00 and that the bid process be waived.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

A resolution was approved at the April 21<sup>st</sup> commission meeting to approve a contract with Michigan Waterworks of New Hudson, MI for the installation of two 16" line stops at our Merrick Street facility for a total project cost of \$13,500.00. This work will allow us to replace two inoperable valves which will allow us to remove an active section of 16" distribution line that goes through this facility. We would like to remove this section of distribution pipe that goes through this facility to help facilitate a secure distribution system. In the course of this work, our contractor discovered that one of the sections of pipeline is actually an 18" line instead of 16". The contractor will incur additional cost for fittings and equipment to install a line stop on the 18" line. We have secured a cost from Michigan Waterworks to cover this changed condition at a total project price of \$21,000.00. This would be \$7,500.00 over our original approved contract. I respectfully recommend that this increase of \$7,500.00 to complete this work be approved. There are sufficient funds in the Water Distribution capital budget (496-552.00-975.110) for this work.

cc: Jeff Pardee, Finance Director  
Steve Eberle, O&M Superintendent

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**UTILITIES DEPARTMENT INTEROFFICE MEMORANDUM**

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**To: Shane Horn, Utilities Director  
Cindy Prue, Assistant Finance Director**  
**From: Steve Eberle, Superintendent of O&M**  
**Subject: Merrick St. water line stops**  
**Date: 5/14/2008**

---

On April 18, 2008 the City of Adrian Utilities Department requested two 16 inch water line stops on our distribution line beside the Merrick St facility by Michigan Waterworks. This request was approved by the commission. In preparing the stops it was discovered that the size of pipe changes in a different location that our city maps show. The pipe diameter increases from 16 inches to 18 inches. This change in diameter requires ordering a different collar for the one line stop. This causes a change in the scope of work to be done as well as a change in the cost. The cost for the new scope of work, one 16 inch line stop and one 18 inch line stop, will be \$21,000. I request that this change be approved and work to continue by Michigan Waterworks. There is sufficient funds allocated in the Water Distribution capital budget (496-552.00-975.110) for this work.

**R08-082**

May 19, 2008

**RE: UTILITIES DEPARTMENT –Merrick Street Distribution Facility Valve Installation – Change Order #1**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution R08-065 dated April 21, 2008, approved Michigan Waterworks, New Hudson, MI to perform the Merrick Street Water Distribution Facility Valve Installation Project, for the purpose of enhancing the security of the Water Distribution System, at a cost not to exceed \$13,500; and

WHEREAS, in the course of performing this work, the contractor discovered that one of the sections of pipeline is 18" rather than 16", resulting in Contract Change Order #1 at an additional cost of \$7,500 for fittings and equipment; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the Water Capital Project Fund – Small Water Line Distribution Construction account (496-552.00-975.110); and

WHEREAS, the Utilities Director and City Administrator recommend approval of Change Order #1 for the Merrick Street Distribution Facility Valve Installation Project with Michigan Waterworks, New Hudson, MI at an additional cost of \$7,500, for a total cost of \$21,000.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the approval of Change Order #1 for the Merrick Street Distribution Facility Valve Installation Project with Michigan Waterworks, New Hudson, MI at an additional cost of \$7,500, for a total cost of \$21,000.

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

# MISCELLANEOUS

ml-1

**DEPARTMENTAL REPORT**

MAY 19, 2008

	APRIL 2008	MARCH 2008	APRIL 2007	YEAR-TO-DATE 2008	YEAR-TO-DATE 2007
<b>POLICE DEPARTMENT</b>					
Complaints Answered	843	860	969	3,381	3,568
VIOLATIONS					
Moving Citations	115	139	176	469	615
3-6 am Parking Tickets	142	147	130	480	642
Non-Moving Citations	30	11	29	56	60
Downtown Parking Tickets	508	423	690	1,381	1,839
TOTAL VIOLATIONS	795	720	10,255	2,386	3,026
ARRESTS	108	151	139	513	516
<b>FIRE DEPARTMENT (See M-4)</b>					
<b>INSPECTION DEPARTMENT</b>					
Building Permits	58	258	51	124	121
Electrical Permits	17	19	42	70	113
Mechanical Permits	21	23	17	85	98
Plumbing Permits	9	7	6	24	31
Sidewalk Permits	0	0	1	0	3
Sign Permits	7	3	19	25	54
TOTAL PERMITS	112	77	136	328	420
Estimated Bldg.Costs	\$910,358	\$523,124	\$358,035	\$2,570,850	\$1,436,367
<b>PARKING SYSTEM</b>					
Meters in Operation	232	232	232	232	232
Parking Assessment	\$211	\$2,252	\$1,223	\$22,260	\$20,190
Lot Revenue	\$583	\$1,099	\$1,649	\$2,646	\$8,238
Street Revenue	\$0	\$0	\$0	\$0	\$0
Misc. Revenue	\$9	\$6	\$2	\$21	\$15
Permits	\$17,575	\$7,175	\$9,088	\$25,713	\$34,314
Fines	\$1,715	\$2,131	\$3,830	\$8,391	\$15,299
Token Sales	\$0	\$0	\$0	\$0	\$0
Contribut-GenFund	\$0	\$66,000	\$0	\$66,000	\$0
TOTAL REVENUE	\$20,093	\$78,663	\$15,792	\$125,031	\$78,056
<b>WASTE WATER DEPARTMENT</b>					
M. G. Pumped	209.401	225.588	161.816	854.510	641.622
Cost of Plant Operation	*	\$292,885	\$237,699	\$1,017,461	\$855,112
<b>WATER DEPARTMENT</b>					
M. G. Pumped	91	94	80	373	332
Number of Customers	6,313	6,297	6,357		
	<b>Industrial</b>	<b>Commercial</b>	<b>Residential</b>	<b>Other</b>	<b>TOTAL</b>
M. G. Sold Revenue	\$26,201	\$75,374	\$84,919	\$61,915	69,263 \$229,528

\*Figure not available

M-J

**FIRE REPORT**  
Month of April, 2008

	This Month	Last Month	Last Year	To Date This Year	To Date Last Year
Structure Fires	0	1	3	4	6
Loss	\$0	\$2,000	\$156,000	\$55,000	\$157,000
Vehicle Fires	1	0	0	4	1
Loss	\$0	\$0	0	\$500	0
Other Fires	0	1	1	1	4
Loss	\$0	\$0	\$0	\$0	\$0
Smoke & Odor	2	2	8	19	27
False Alarms	6	5	6	26	29
Hazardous Conditions	11	11	4	36	25
Other	18	12	11	39	28
Medical Emergencies	134	158	125	609	523
Vehicle Accidents	6	8	15	22	36
Total Runs	178	198	176	760	682
Total Fire Loss	\$0	\$2,000	\$156,000	\$55,500	\$157,000

m-3

**CITY OF ADRIAN**  
**COMMUNITY DEVELOPMENT WORK PROGRAM REPORT**  
**May 14, 2008**

**I. Land Use**

A. Planning Commission (A-CPC)

i. Casework

- a. May Mtg – Approved text amendments for congregate living
- b. May Mtg – Approved amendments to 2006 Comprehensive Plan
- c. May Mtg – Approve site plan for North Towne Commons
- d. December Mtg – Public hearing to consider adaptive reuse – 440 E. Church Street – Barnabas Mission – on hold pending development “homeless shelter” language.
- e. December Mtg - Public hearing to consider rezoning 440 E Church - on hold pending development “homeless shelter” language.
- f. December Mtg – Review Site Plan for Barnabas Mission, 440 E Church – on hold pending development of “homeless shelter” language.
- g. Discussions to resolve on-site drainage with Adrian College & City Engineer -- ongoing
- h. Land Division – 413 South Dean Street – waiting on survey
- i. Land Division – 402 S Tecumseh – waiting on application and survey
- j. Land Division – 715 Lakeshire – waiting on go-ahead from applicant
- k. Pre-meetings with Planning Commission chair & vice chair re agenda

ii. Special Projects/Tasks

- a. Form-Based Code Project, ongoing
- b. Parks & Recreation Plan – organizing data, mtg. with Mark Gasche to coordinate; identified needs to conduct community survey work; prepared draft survey instrument
- c. Prepared and distributed Planning Commission Packets
- d. Respond to phone calls from Mike Ayre, Adrian College, regarding student housing issues
- e. Met with Chuck Reisdorf, Region 2, regarding review process and coordination of Comprehensive Plans in County
- f. Completed worked on Census data, LUCA Program – submitted April 2; made 850 changes to Census data base; coordinated address and rental property data with building & assessing departments and homeless shelter providers
- g. Attended Region 2 Executive Committee meeting
- h. Attended weekly staff meetings
- i. Attended Planning Commission monthly meetings – took minutes and other follow-up work
- j. Discussions with interested parties for Bed & Breakfast at 414 E Church
- k. Zoning Compliance review for 216 Division – Recovery Lifestyles
- l. Zoning Compliance review for 907 E Beecher – former A-1 Lock & key
- m. Admin site plan review – 922 E Beecher – for new restaurant
- n. Review of proposed parking lot at 414 Addison
- o. E-mail correspondence with Adrian Armory –exemption of sign regulations.

- p. Discussion with interested party about keeping pigeons in town.
- q. Answered questions from various realtors & appraisers on zoning and rebuild information for various sites
- r. Communication/discussion with individuals interested in scrap metal business at 1014 Erie Street
- s. Talked to R. Tillotson re: renewing temp use permit for farm stand
- t. Discussion w/resident on starting massage therapy business
- u. E-mail correspondence w/sign contractor re: new ground sign for 715 Lakshire
- v. Prepared material for automotive wholesaler license – 147 Toledo St.
- w. Sent zoning info to interested party re: 305 North Broad St.
- x. Discussion with interested party re: 1135 E Beecher
- y. Sent parking regulations. to architect re: Sterling Estates, 1203 Division
- z. Talked to several people regarding home offices
- aa. Responded by fax to zoning questions re: Applebee's-
- bb. Set up meetings, developed agenda, 3-Year Plan and Bylaws for CNU Michigan Chapter

## B. Board of Zoning Appeals (A-BZA)

- i. Casework
  - a. June Mtg – Variance request for 506 French Street
  - b. June Mtg – Temporary Use for 160 N Charles from Adrian College
  - c. May Mtg – Case 08-016, temporary use permit at 1165 N. Main street for a fruit and vegetable stand
  - d. May Mtg – Case 08-017, dimensional variance at 1014 Erie Street pertaining to the distance an industrial use must be from a residential district
  - e. May Mtg – Case 08-018, temporary use permit at 1357 S. Main Street for automotive windshield repair
  - f. May Mtg – temporary use permit at 1357 S. Main St. for a fruit and vegetable stand
  - g. May Mtg – temporary use permit – 1357 S Main – Dusseau Greenhouse
  - h. Attend ZBA Meeting
  - i. Pre-Meeting with ZBA Chair & Vice Chair regarding agenda
- ii. Special Projects
  - a. Rewrite Zoning Ordinance
  - b. Form-Based Codes research
  - e. Research other communities who have eliminated pole signs
  - f. Conducted discussions regarding elections for chair and vice-chair
  - g. Attend weekly staff meetings

## II. Downtown/Economic Development

### A. Downtown Development Authority (A-DDA)

#### Design

- a. DDA Façade Rehabilitation Program Administration – DDA Board Disposition – Project Administration
  - i. 132 North Main Street – Awaiting Project Completion
    - OPRA Exemption – Approved - Completed
    - Brownfield MBT Credits – Assisted Applicant with

- Part II application upon approval of Brownfield Redevelopment Plan
        - Federal Historic Tax Credit – Assisted Applicant/Architect with Phase I application – Received Preliminary Approval from SHPO requiring minimal amendments – provided assistance to architect and applicant in the provision of the additional requests from SHPO
          - Relocation of Public Dumpster – Working with City Engineering to develop bid specifications
            - Drafts currently under site plan review
  - ii. 113 W. Maumee Street – Received Applicant Prints/Awaiting Additional Construction Estimates (waiting on additional information from the applicant to proceed with project) Expected to be a \$500,000 full rehabilitation City Facilitation of Redevelopment Incentives
    - OPRA
    - DDA Façade
    - Public Infrastructure Covered Parking
    - Brownfield MBT Credit
    - Historic Tax Credits???
  - iii. Toledo Street South Municipal Parking Lot Dumpster Reconstruction Project – Receipt of Project Bids From Slusarski and Rock Hard Concrete
  - iv. Church Street Parking Lot Reconstruction Design Working with the City Engineer’s Department on Development of Prints and Supporting Bid Package
- b. Redevelopment Incentive Programs – Property Owner Assistance and Review
  - i. 132 N. Main Street – see above (ongoing)
  - ii. 113 W. Maumee Street – see above (ongoing)
  - iii. 101-111 E. Maumee Street – OPRA Exemption Request, Brownfield Redevelopment Plan Authorization/Development, Negotiation with Developer over Eligible TIF Activities, Local Historic District Establishment (ongoing) – awaiting developer submittals to allow for staff completion of a Brownfield Plan
- c. Discussions with Various Parties on Potential Development Opportunities
- d. Farmer’s Market Discussion/Analysis – Capital Improvements
- f. Two-Way Traffic Discussion with MDOT/URS, Inc. (ongoing) – Met with Nancy Jenkins of Senator Cameron Brown’s Office, Community Development Director and City Administration to discuss lack of response from MDOT – Senator’s Office has been helpful in providing assistance
- e. Two-Way Traffic Discussion with MDOT/URS, Inc. (ongoing) –
  - MDOT gave prelim. Approval for project
  - URS is developing cost estimate & analysis
- f. Economic Restructuring
  - i. Site Assistance for Business
  - ii. See Projects Above

- iii. Environmental Assessment Work – completed Phase II ESA on 250 West Church Street (former Adrian Taxi Cab Location)
- iv. Downtown Liquor Licensing Proposal Submittal to City Commission and Subsequent Transmittal to State
- v.
- g. Promotions
  - i. Downtown Adrian Website Development/Management ([www.downtownadrian.org](http://www.downtownadrian.org))
  - ii. Downtown Advertising (cooperative) – working with Downtown Business Committee (ongoing) –
  - iii. Coordinating of Downtown Newsletter – ongoing
  - iv. Community Movie Program Work – (not specific to downtown)
  - v. Art-A-Licious Festival Planning – Committee Planning for 2008 Event including fund solicitation
  - vi. Downtown Business Guide – 2008 Development – Working with Momentum Advertising on Completion of an updated print downtown business directory/guide
- h. Organization
  - i. VSCI Grant Application – Met with Kent Kukuk 5/13/08
    - a. Revising RFGs and Budget
    - b. Consolidated project list and reallocated funds  
Infrastructure, Façade, Blight
    - c. Historic District Study Committee Work – Student will be completing Study Committee Report for the 101 – 111 E. Maumee Street proposed Local Historic District
    - d. Downtown Capital Improvements Plan – Worked with City Engineering Department on Plans for Church Street Municipal Parking Lot Reconstruction (included in City CIP)
    - e. Administration of Parking Validation Program (ongoing)

B. Economic Development/Redevelopment

- 1. Brownfield Redevelopment Authority (A-BRA)
  - i. 136 North Main Street (Proposed Site #3) –On-site structures have been demolished. Awaiting Site Plan approval and MDOT access permit.
  - ii. 1130 North Main Street (Proposed Site #4) – City Commission approved Brownfield Plan on 11/19/07. On-site structures have been demolished.
  - iii. Senate Downtown Revitalization Package / Senate Bill 973 -- CD staff is involved in development and support of this legislative effort. Senate Bill 973 (Lead Sponsor is Senator Brown) will separate federal and state historic preservation credits to add additional incentive for downtown rehabilitation projects. Substitute bill has been prepared.
  - iv. Adrian Silos – MDEQ has approved City request to use an additional \$91,000 for such work. Staff is currently awaiting proposals from project contractor.
  - v. Buckeye Products –Concrete sampling complete. Awaiting scheduling of sub-grade sampling under concrete.
- 2. GAIDC/Local Development Finance Authority (A-LDFA)  
GAIDC has executed a quit-claim deed for the West Beecher property to the

Adrian LDFA. Receipt of cash assets is pending.

3. Commercial/Industrial Development Assistance
  - i. GAIDC – Adrian Industrial Park  
Negotiations continuing with three (3) prospects

### **III. Housing/Historic Preservation**

- A. Neighborhood Enterprise Zones (NEZ)
  - i. Waiting for C of O for Habitat Home on Frank St
- B. HUD Good Neighbor Program
  - i. No acquisitions at present time
- C. MSHDA Programs
  - i. Property Improvement Program (PIP)
    - a. No applications at this time
  - ii. Downtown Rental Rehab (DRRH)
    - a. Four (4) projects were completed (5 MSHDA units created)
    - b. Four (4) of the (5) MSHDA units are occupied
    - c. MSHDA requiring all units (FMR & MSHDA) occupied before closing grant
  - iii. Submitted 2008-2009 Rental Rehabilitation Grant application – denied -- will submit another rental grant
- D. County CDBG
  - i. Lenawee County 2008-2009 CDBG environmental review completed
  - ii. Funds released for Lenawee County 2008-2009 CDBG
    - iii. Two (2) Emergency Loans in process utilizing program income

m-4

**ZONING BOARD OF APPEALS**  
MAY 1, 2008  
REGULAR MEETING  
MINUTES

The regular meeting of the Zoning Board of Appeals was called to order by Vice Chair Bily at 6:32 p.m. in the Commission Chambers of City Hall.

Present:                   Mike Berthold           Chair  
                              Cindy Bily              Vice Chair  
                              Greg DuMars           City Commissioner  
                              Mike Jacobitz  
                              Maralee Koleski

Also Present:           Mitch Blonde           Alternate  
                              Michael McGrath      Alternate  
                              Leslie E. Kettren     City Planner

**ELECTIONS FOR CHAIR AND VICE CHAIR**

Nominations were opened for Chair. Board Member Bily nominated Chair Berthold for another term. Board Member Blonde supported. There were no further nominations. Motion carried unanimously. Nominations were opened for Vice Chair. Board Member McGrath nominated Vice Chair Bily for another term. Board Member Koleski supported. There were no further nominations. Motion carried unanimously.

**APPROVAL OF MINUTES OF THE  
APRIL 1, 2008, REGULAR MEETING**

There were no corrections or additions to the minutes. Board Member Bily moved that the Minutes of the April 1, 2008, regular meeting be approved as presented. Board Member DuMars supported. Motion carried unanimously.

**CASE NO. 08-016  
REQUEST FOR TEMPORARY BUILDING/USE  
AT 1165 NORTH MAIN STREET**

The petitioners, Ralph and Mark Tillotson, were present for this meeting. The proposed use would be for a fruit/vegetable stand for the months of June through October. The hours would be 10 a.m. to 7 p.m. daily. The building would be removed by November 1. No electricity is needed for this use. The Board had approved this use in 2003 for a five year period or until a permanent Farmer's Market is established in the Central Business District. There was discussion

regarding having a fence around the sales area. It was felt that since Mr. Tillotson will put everything inside the building every night the intent of the ordinance has been met. Ms. Kettren talked about the status of the Farmer's Market. Betsy Lackey, Adrian Mall Manager, stated that the City has more than one of a lot of retail sales businesses, doesn't feel Mr. Tillotson's location would hurt other businesses. Board Member McGrath moved that the Zoning Board of Appeals make a finding that the submitted application is in compliance with standards for a temporary permit as found in Section 4.8 of the City of Adrian Zoning/Development Codes, and approve a temporary permit for parcel XAO-256-1010-01 for a period of five years, for the months of May 15 – November 1, approval would expire November 1, 2012, subject to the following conditions:

- a. The applicant must provide ten (10) onsite parking spaces in accordance with Ordinance requirements. One space must be designated as handicap accessible

Section 4.37(H)(3)(n) states that Open Air Businesses must provide 1 parking space for each 600 sq. ft. of lot area. The lot area is approximately 40,000 sq. ft. which would require 67 parking spaces. Given the nature of this business, staff believes that this is excessive and is recommending that 10 parking spaces be provided. The plan shows the approximate location of the parking lot

- b. All signage must comply with the City of Adrian Code of Ordinances, Article XXX, Signs
- c. Indoor and open sale products must be the same general type (Section 4.81)
- d. The square footage of the open sales area must be no greater than the indoor sales area (Section 4.81)
- e. An Egress Path Plan must be submitted and approved by the building inspector that shows the pathways within the structure
- f. Prior to issuance of a temporary permit, a signed agreement must be submitted between the property owner and the applicant stating the period of time the temporary structure and use will be on the subject property

Board Member Koleski supported.

In Favor of Motion: DuMars, Koleski, Jacobitz, Bily, Berthold.

Against Motion: none

Motion carried unanimously.

CASE NO. 08-019  
REQUEST FOR TEMPORARY BUILDING/USE  
AT THE ADRIAN MALL, 1357 SOUTH MAIN STREET

The petitioners, Ralph and Mark Tillotson, were present for this meeting. The request is for a temporary use for a fruit and vegetable stand during the months of June through October. Hours of operation would be 9 a.m. to 6 p.m. Mr. Tillotson stated he would like to ask for one year and that during that time there would be discussion with the City and Adrian Mall that might change what we may be asking for this evening, so I may not need as long a time. Mark Tillotson stated there is a setback problem, the grass area is owned by MDOT, and the ordinance requires a 75 foot setback, and that the City has talked with the mall about this. According to City records, this permit does not expire until next year. After discussion, Mr. Tillotson withdrew this request.

CASE NO. 08-001  
REQUEST FOR VARIANCE AT 1014 ERIE STREET

Mr. Greg Grover and Mr. Rod Leon were present to represent the applicant Mr. Aaron Dumm, B.A.R. Metals, LLC, who was also present. Ms. Kettren informed the Board that Mr. Grover was her personal attorney. Mr. Grover explained his client's request. The request is to operate a recycling center for ferrous and non-ferrous metals, their intention is to demolish several of the older buildings on the property, remodel the one building for it's office, establish a scale, put in two curb cuts for vehicle access, put a privacy screening around the fence so that when the project is done, the only thing that people from the outside will be able to see is the very top of the crane. This location is the former site of the American Chain & Cable Company (ACCO). This property is zoned I-2 General Industrial, which allows junk yards but requires them to be 800 feet from any residential district and 300 feet for any other district (Section 21.02 (5,a)). The applicant has started clean up of the site. Mr. Grover talked about this use not involving automobiles or toxic materials; there will be no sales to the general public; items should not be on the site for more than 2 weeks. They will be using the building; the recycled material will be inside the building. Mr. Grover talk about the requirements of Section 21.02 (5) being antiquated. The Board asked if the petitioner has access to the entire building all the way to Dean Street. Mr. Dumm stated if need be. Mr. Leon explained their problem with the definition of a junk yard (Section 2.73), there will be not be anything abandoned, it is not for sale, doesn't believe "abandoned" applies to this. The Board was in receipt of a petition in favor of this request. Ms. Kettren stated that the City had a hard time identifying it and based on the Application for Zoning Compliance we identified it as a junk yard. Mr. Dumm said the hours of operation would be in the winter from 8:00 a.m. to 4:00 p.m., the summer will be 7:30 a.m. to 5:00 p.m., may be open on Saturdays in the summer which will probably be a half day. The Board was of the opinion that it would be hard to find the criteria necessary to approve this request in the affirmative. Mr. Dumm talked about street access to the site, there is an existing gate on Michigan Street, and the City Engineer did not have a problem with having a curb cut on Erie Street. The Board stated that

if you have a scale and gate on Erie Street side you will infringe onto the residential side of this site. Chair Berthold opened the meeting for public comments. Karen Verlinden, owner of 834, 830 and 826 Erie, talked about raccoon problem caused by this site being abandoned, feels it is a danger to children, understood the ground is contaminated, and is in support of this request. Arthur Horn, 315 and 321 South Dean, is in support of this request, feels petitioner has enhanced property from what it was. Bradley Roulo, 911 Erie, petitioner has cleaned property up and is in support of request. David Bailiff, 1013 Frank, we need these jobs, in support of this request. Sharon Williams, 925 Erie and 309 South Dean, was in support of request. Ms. Kettren feels the ordinance is rather antiquated, feels the 800 feet is excessive. The Board discussed tabling this in order to have the Planning Commission consider amending the ordinance. The petitioner asked for a temporary use permit. Mr. Dumm stated that junk yards sell to the general public; they will be doing processing and will not sell to the general public. Mr. Dumm stated that the steel will be outside but not above fencing, crane is used for magnetic purposes. After discussion, Board Member Jacobitz moved that the Zoning Board of Appeals make a finding that the proposed use of this facility fits within the I-1 Light Industrial District described in Section 20.02 (2) (b and c) and it is in fact a processing facility that processes previously prepared materials and it would, therefore, be permitted in the I-2 District. Board Member Bily supported. Ms. Kettren stated that the City Attorney has defined this use as a junk yard. Chair Berthold asked for a roll call vote.

In Favor of Motion: Bily, Berthold, DuMars, Koleski, Jacobitz.

Against Motion: none

Motion carried unanimously.

There was discussion about the buildings being vacant for longer than six months. The Board was of the opinion that these buildings have been there for a long time and it would not be possible to move them back to meet the present day setbacks in the I-2 District. Board Member Jacobitz moved that the Zoning Board of Appeals grant a variance to the setback requirements of up to 50 feet for 1014 Erie Street. Board Member DuMars supported. The Board then discussed the Findings of Fact.

Findings of Fact: (Section 27.05 (3))

- a. That there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Ordinance. These hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.  
There is practical difficulty. This is a pre-existing building and it would be impractical to move the building to meet the required setbacks.

- b. That a genuine hardship exists because of unique circumstances or physical condition such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property uses in the same zoning district, and shall not be recurrent in nature.

This is a unique property with unique circumstances.

- c. That the hardship or special conditions or circumstances do not result from actions of the applicant.

Special conditions do not result from actions of the applicant. This is a pre-existing building.

- e. That the variance will be in harmony with the general purpose and intent of this Ordinance and will not cause a substantial adverse effect upon surrounding property, property values, and the use and enjoyment of property in the neighborhood or district.

Granting the variance would be in harmony with the ordinance.

- f. That granting the variance will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.

If there were someone else of similar circumstance we would find in support of that.

- g. That the variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the hardship.

Fifty feet is the required setback and is, therefore, the minimum amount.

- h. That the variance shall not permit the establishment, within a district, of any use which is not permitted by right within the zoning district, or any use for which a special use permit or a temporary use permit is required.

This is a permitted use.

The findings have been met. Chair Berthold asked for a roll call vote.

In Favor of Motion: Berthold, DuMars, Koleski, Jacobitz, Bily.

Against Motion: none

Motion carried unanimously.

CASE NO. 08-018  
REQUEST FOR TEMPORARY USE AT THE ADRIAN MALL  
1357 SOUTH MAIN STREET

Mr. Charles Hollister, CMH Enterprises, was present for this meeting. The applicant is requesting a temporary use permit for repair of automobile windshields during the months of May through October 2008. The hours of operation will be 10 a.m. to 7 p.m. daily. The base of the structure is aluminum with a 10' x 10' pop-up awning which would be taken down and removed daily. The location will be along the US-223 frontage, where the ATM machine used to be. Betsy Lackey, Adrian Mall Manger, talked about the three seasonal businesses that would like to be in this area. The property is zoned B-4 Shopping Center District which requires a 75 foot setback. The Board was in receipt of staff comments recommending approval for one year and subject to meeting sign requirements, and that the Planning Commission and City Commission approve text amendments to address cumbersome and confusing regulations in the B-4 District; the applicant would continue to operate the business at his own risk and if the text amendments are denied, the applicant would be required to immediately remove the temporary structure and cease operation in that location. The grass area along US-223 is owned by MDOT and should be considered as part of the setback. Mr. Hollister said his hours can be adjusted to match the Adrian Mall hours. The Board discussed the applicant's sign. The sign is portable and is 6' x 6', which is larger than the ordinance allows. The Board decided to have the sign considered by the Building Inspector. There were no comments from the audience; nor were there any telephone calls or written communications received. Board Member Bily moved that the Zoning Board of Appeals grant a temporary use for CMH Enterprises at the Adrian Mall subject to the following conditions:

1. Approval granted for a one year period from May 9 to November 1, 2008,
2. Hours will be from 9 a.m. to 6 p.m.
3. All signage must comply Section 30.00 through 30.23. A permit for signage is subject to approval by the Building Inspector.

Board Member Jacobitz supported. Carla Ayres, Assistant Manager for the Adrian Mall, talked about out-lot leasing. A roll call vote was made.

In Favor of Motion: DuMars, Koleski, Jacobitz, Bily, Berthold.

Against Motion: none

Motion carried unanimously.

CASE NO. 08-020  
REQUEST FOR TEMPORARY BUILDING/USE  
AT THE ADRIAN MALL, 1357 SOUTH MAIN STREET

Ms. Betsy Lackey, Adrian Mall Manager, was present to represent the applicant Mr. Scott Dusseau. The applicant is requesting a five year temporary use permit to construct a 36' x 60' metal greenhouse for the purpose of retail sales of plants. The temporary structure would be built in April – selling goods and services through May and June – and the building would be removed in July. The hours of operation will be 9 a.m. to 6 p.m. daily. Mr. Dusseau was given verbal approval to erect the greenhouse prior to this meeting subject to receiving approval from the Board. There was a misunderstanding on the length of time approved last year and Mr. Dusseau wished to be open for Mother's Day weekend. There were no comments from the audience; nor were there any telephone calls or written communications received. The greenhouse requires electrical and the State Electric Code only allows 90 days at a time for temporary electrical. Board Member Bily moved that the Zoning Board of Appeals approve a temporary permit for this request subject to the following conditions:

1. Greenhouse shall be permitted from April 8 through July 8, for not more than 90 days.
2. Approval shall expire on July 8, 2012.
3. Hours shall be from 9 a.m. to 6 p.m.
4. Submit egress path plan to Building Inspector.

Board Member Koleski supported. A roll call vote was made.

In Favor of Motion: Koleski, Jacobitz, Bily, Berthold, DuMars

Against Motion: none Motion carried unanimously.

COMMUNICATION ITEMS

Walking Audit: Ms. Kettren talked briefly about this and that the schools may come back with suggestions.

Packet Distribution: Staff needs extra time to prepare the agenda packets, so they will be delivered on Friday instead of Wednesday.

There being no further discuss the meeting adjourned at 8:51 p.m.

Respectfully submitted,

Denise Cook, Secretary