

# PRE-MEETING AGENDA

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

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The City Commission will meet on Monday, May 5, 2008, at 5:30 p.m. at the rear entrance to the First Federal Bank (former Bank of Lenawee) for a tour of the facility.

# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
MAY 5, 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 APRIL 21, 2008 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. PRESENTATIONS
  - 1. **Rose to Mom Presentation** - Children will read an essay, written by them, on why their Mother is such a great Mom. To honor these special Moms, the Mayor will present a rose to each of them.
  - 2. **Recognition Award** - The Mayor's Youth Council will present 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 plays an important role as a tutor for several students. Kaitlyn was nominated by Celeste Jaimes, her counselor at Lenawee Christian School.
- V I. PROCLAMATION
  - 1. Proclamation presented to Chief Terry Collins in recognition of Police Memorial Week.
- V I I. PUBLIC COMMENT
- V I I I. REGULAR AGENDA
  - A. 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.
    - 2. Ord. 08-08. Second reading of an Ordinance to amend Section 2-452 of Chapter 2 of the Adrian City Code by changing the membership of the Planning Commission.
    - 3. Ord. 08-09. Second reading 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.

B. SPECIAL ORDER

1. SO-1. Public Hearing to hear and consider comments to adoption of the FY 2008-09 Budget & General Appropriations Act, which includes approval of water, sewer and Dial-A-Ride rates.

C. RESOLUTIONS

1. R08-066. Resolution to adopt the FY 2008-09 Budget and General Appropriations Act, which includes approval of water, sewer and Dial-A-Ride rates.
2. R08-067. Resolution to accept a section of Railroad Avenue into the city street system and amendment of the City of Adrian Local Street Map to reflect this change. The city will be eligible for additional Act 51 funds for the maintenance of this portion of Railroad Avenue.
3. R08-068. Resolution to implement the Option to Purchase Agreement for real estate at 153 and 155 E. Maumee Street, that the purchase be structured as a Municipal Installment Purchase Agreement, and that the City Administrator be authorized to notify the owner(s) that the city intends to proceed with the purchase of these properties.
4. R08-069. Resolution authorizing the City Administrator to proceed with negotiations of an Installment Purchase Contract with First Federal Bank for the purpose of financing the acquisition of 153 and 155 E. Maumee Street.
5. R08-070. Resolution to approve the purchase or two patrol vehicles through the state bid process and waiving of the city's bid process.
6. R08-071. Resolution to approve the purchase of copper piping from SLC Meter Service to maintain the city's Water Distribution System.
7. R08-072. Resolution to approve the appointment of Greg DuMars, Steve Sack, Dick Garno and Karol Bolton to the Housing Rehabilitation Review Board for two year terms.

8. R08-073. Resolution to (include) (exclude) the remaining delinquent invoices on the Special Assessment Roll. The following delinquencies were pulled from the 4-21-08 agenda for further review: Michael & Robin Johnson, 823 E. Church St; Eric Dittmer, 133 Union; Steven Black, 1127 July Dr; Joseph Burgess, 130 Seeley and Philip Roney, 513 Toledo St.
9. R08-074. Resolution authorizing the City Administrator to execute a 3-year extension to the original Access Agreement with DTE Energy. Will provide DTE Energy access across city land at the Public Works yard (231 Race St.) and property adjacent to the Kiwanis Bike Trail at the same location.
10. R08-075. Resolution authorizing the Parks & Recreation Department to proceed with the basic design option for the replacement of the Island Park entry bridge, including the removal of the gabion baskets around the retention area west of the bridge, regrading of the banks in that area, and the resulting budget amendments.

I X. PUBLIC COMMENT

X. COMMISSIONERS' COMMENTS

# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
APRIL 21, 2008  
7:00 P.M.**

Official proceedings of the April 21, 2008 regular meeting of the City Commission, Adrian, Michigan.

The regular meeting was opened with a moment of silence. The Pledge of Allegiance to the Flag was led by Boy Scout Troop #13.

PRESENT: Mayor McDowell, Commissioners Osborne, Valentine, Steele, Clegg, Mitzel and DuMars

Commissioner Mitzel moved to approve the minutes of the April 7, 2008, regular meeting of the Adrian City Commission, seconded by Commissioner DuMars, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #2798 through #2809	\$ 181,754.99
General Fund Vouchers #18623 through #18649	\$ 322,683.33
Clearing Account Vouchers amounting to	<u>\$1,232,676.56</u>
TOTAL EXPENDITURES	<u>\$1,737,114.88</u>

On motion by Commissioner Steele, seconded by Commissioner DuMars, this resolution was adopted by a unanimous vote.

**COMMUNICATION**

1. City of Adrian Financial Forecast

**CONSENT AGENDA**

**RE: POLICE DEPARTMENT: Traffic Control Order – E. Maumee by Comstock School**

**RESOLUTION CR08-020**

WHEREAS, the City Administrator has approved certain temporary control orders, and after review, has now made recommendation that they be made permanent, therefore, so be it

RESOLVED, that the permanent traffic control orders adopted October 6, 1958, be amended to include or change the following:

TCO-08-1: Install one handicapped spot and signage in front of Comstock School on East Maumee Street

**RE: POLICE DEPARTMENT: Traffic Control Order – S. Scott by Lincoln School**

**RESOLUTION CR08-021**

WHEREAS, the City Administrator has approved certain temporary control orders, and after review, has not made recommendation that they be made permanent, therefore, so be it

RESOLVED, that the permanent traffic control orders, adopted October 6, 1958, be amended to include or change the following:

TCO-08-2: Remove "Student Drop-Off Only" sign. Replace with "Bus Pick-Up Only" sign in front of Lincoln School on Scott Street.

**RE: COMMUNITY DEVELOPMENT – Reappoint Member to Planning Commission**

**RESOLUTION CR08-022**

WHEREAS, the term of office of Michael Jacobitz on the Planning Commission has expired; and

WHEREAS, this has created a vacancy which must be filled in accordance with the Adrian City Charter; and

WHEREAS, Michael Jacobitz has expressed a willingness to continue serving on the Planning Commission if reappointed; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Adrian City Commission does hereby approve the reappointment of Micheal Jacobitz to the Planning Commission for a three year term, expiring in 2011.

**RE: FINANCE DEPARTMENT – FY 2008-09 BUDGET AND GENERAL APPROPRIATIONS ACT – NOTICE OF PUBLIC HEARING**

**RESOLUTION CR08-023**

WHEREAS, the Adrian City Charter, as well as Michigan Public Act 5 of 1982, requires that a Public Hearing be held prior to the adoption of the proposed Budget and General Appropriations Act and that a notice of such hearing be published in a newspaper of general circulation at least one (1) week in advance of said hearing; and

WHEREAS, the Adrian City Charter provides that a budget be adopted no later than the second week of May for the ensuing fiscal year, accompanied by action authorizing a millage rate to fund said budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission shall meet in the Commission Chambers of City Hall on Monday, May 5, 2008, at 7:00 p.m. for the purpose of hearing comments regarding the adoption of the proposed FY2008-09 Budget and General Appropriations Act.

BE IT, FURTHER, RESOLVED, that the City Clerk is hereby directed to publish a Public Notice of said hearing, in accordance with the provisions of the City Charter, as well as state and federal statutes.

BE IT, FURTHER, RESOLVED that the Notice of Public Hearing shall include the date, time and place of said hearing, a summary of the entire budget, the citizen's right to present oral and written comments, and statements of where and when the proposed budget may be examined.

**RE: POLICE DEPARTMENT – Annual Purchase of Uniforms for Members of the TPOAM Union**

#### **RESOLUTION CR08-024**

WHEREAS, sealed bids were received March 27, 2008, for the annual purchase of uniforms for members of the TPOAM Union; and

WHEREAS, said bids have been tabulated and recommendations made by Cindy Prue, Assistant 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 bid for shirts, pants, patches, coveralls and jackets be awarded to Coyne Textile of Toledo, OH; the bid for knit shirts be awarded to Mugs N' More of Adrian, MI; and the bid for chamois shirts be awarded to Libra Industries of Jackson, MI, for the prices as listed in the bid tabulation, and under the terms and conditions as specified and as proposed in their sealed bids dated March 27, 2008.

*On motion by Commissioner DuMars, seconded by Commissioner Steele, Consent Resolutions CR08-020 through CR08-024 were adopted by a unanimous vote.*

#### **PUBLIC COMMENT**

The following residents disputed delinquent bills that they received: Diane Meyers, 1235 Berkshire Drive; Philip Roney, 513 Toledo Street; Daryl Etheridge, 1055 Michigan Avenue; Robin & Michael Johnson, 823 E Church Street; Eric Dittmer, 133 Union Street; Steven Black, 1127 July Drive; and Troy McLaughlin, 783 W Maumee Street.

The following resident disputed a parking ticket, which was not part of the Special Assessment Roll: Dane Tyson – 123 W Maumee Street.

## **REGULAR AGENDA**

### **ORDINANCES**

1. Ord. 08-07. Introduction 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.
2. Ord. 08-08. Introduction of an Ordinance to amend Section 2-452 of Chapter 2 of the Adrian City Code by changing the membership structure of the Planning Commission.
3. Ord. 08-09. Introduction of an Ordinance to amend Article II – Definitions; Article XVIII – ERO District; 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.

### **SPECIAL ORDER**

1. SO-1. Public Hearing to hear and consider comments to approval of a Special Assessment Roll for delinquent charges for storm water utilities, rental registration/inspection fees, parking assessments and improvements or abatements of public hazards on single lots in the City of Adrian.

Administrator Nelson stated that the following disputes were received by mail:

- Diane Dempewolf, 185 & 191 Joy Road – Disputed weed mowing. Objected to the price and the height reduction.
- Shannon Molnar, 618 Dennis Street – Disputed snow removal – felt she was charged too much.
- Joseph Brown, 358 Erie Street – He evicted tenant. Was told by police that he could not touch the items that were put out. The city picked them up and charged him for it.
- Arthur Moyer, 829 Sheffield – Broken furniture was not picked up by trash company. The city crews picked it up and billed him for it.
- Ben Shirk, 310 W Summit Street – Disputed 2 lawn mowing when property was in the name of the previous owners. Feels he should not have to pay.
- Joseph Burgess, 130 Seeley Street – Disputed trash removal. Evicted tenant and tenant had put the trash out too soon.

The following people appeared in person to dispute their delinquent invoices:

- Diane Meyers, 1235 Bershire Dr. – Stated she was unfamiliar with storm water utility. She will pay the bill
- Philp Roney, 513 Toledo Street – Disputed snow removal bill. Said that the city removed the snow less than 24 hours after the snowfall.
- Daryl Etheridge, 1055 Michigan Ave. – Disputed weed mowing bill. Felt that he should have been given a written notice before we cut the lawn.
- Robin & Michael Johnson, 823 E. Church – Disputed grass mowing bill. Said that they had mowed 4 days before the city mowed. They left their phone number – this could be a wrong address.
- Eric Dittmer, 133 Union St. – Disputed weed mowing bill. Said that the city mowed the property during a drought last summer. He was unaware of the Ordinance change regarding grass height.
- Steven Black, 1127 July Drive – Disputed mowing bill. He felt that the fee for mowing was too much.
- Troy McLaughlin, 783 W. Maumee – Disputed snow removal bill. Also appeared at last Commission meeting.

Commissioner Osborne suggested that we offer some relief for 513 Toledo Street and 783 W Maumee Street. Commissioner Steele recommended that 513 Toledo Street be removed as there was a dispute in the time and further review would assist in determining that.

Mayor McDowell closed the Public Hearing.

## **RESOLUTIONS**

### **RE: TREASURY DEPARTMENT - SPECIAL ASSESSMENT ROLL-DELINQUENT INVOICES**

#### **RESOLUTION R08-059**

WHEREAS, Sections 70-12, 74-169, 10-94 and 10.98 of the Adrian City Code provides that any expense or cost incurred by the City upon or in respect to any single lot, delinquent storm water utility, rental registration and inspection fees and parking assessments requires that the City Treasurer prepare a Special Assessment Roll for any such charges which have not been paid; and

WHEREAS, notice has been given and a hearing held for the purpose of reviewing the said Roll and hearing and considering any objections thereto.

NOW, THEREFORE, BE IT RESOLVED that the said Special Assessment Roll for the attached delinquencies be, and the same are hereby, confirmed.

Commissioner Steele moved to approve the Special Assessment Roll, with the exception of removing 358 Erie St., 823 E. Church St., 133 Union Street, 1127 July Drive and 130 Seeley Street from the Special Assessment Roll for further review, and that 783 W. Maumee and the balance of delinquencies be assessed, seconded by Commissioner DuMars, motion DIED for lack of support.

Commissioner Steele moved to amend his previous motion by permanently removing 358 Erie from the Special Assessment Roll, and that 823 E. Church, 133 Union, 1127 July Drive, 130 Seeley and 513 Toledo Street be removed for further review, and that 783 W. Maumee and the balance of delinquencies be assessed, seconded by Commissioner DuMars, motion ADOPTED by a 6-1-0 vote.

AYES: Mayor McDowell, Commissioners Valentine, Mitzel, Steele, Clegg, and DuMars.

NAYS: Commissioner Osborne

ABSTAINED: None

**RE: INFORMATION TECHNOLOGY DEPARTMENT – Purchase of Police Department Server**

#### **RESOLUTION R08-060**

WHEREAS, the Police Department server is in need of replacement; and

WHEREAS, the Director of Information Technology recommends waiving the competitive bid process and acquiring the Police Department service from Hewlett-Packard, Omaha, NE at a cost of \$6,982.01; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the Information Technology Capital Equipment account (661-290.00-977.000); and

WHEREAS, the City Administrator recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the acquisition of a new Police Department server from Hewlett-Packard, Omaha, NE at a cost of \$9,982.01.

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 Mitzel, seconded by Commissioner DuMars, this resolution was adopted by a unanimous vote.

**RE: HUMAN RESOURCES DEPARTMENT – International Association of Firefighters’ (Local 1511) Union Contract Settlement – Resolution for Changing MERS Benefits**

**RESOLUTION R08-061**

WHEREAS, the Adrian City Commission, by Resolution No. R07-019 dated January 16, 2007, ratified the union contract settlement with the International Association of Firefighters’ (Local 1511), covering (3) Captains, (3) Lieutenants and (12) Firefighters for the period July 1, 2005 through June 30, 2008; and

WHEREAS, Section A of Article XIX – Retirement, of said contract specifies that *“Effective July 1, 2007, change the pension from F-55 with 25 years to F-50 with 25 years (in lieu of an increase in the retiree health savings plan)”*; and

WHEREAS, the Human Resources Director has requested, and the Michigan Municipal Retirement System (MERS) actuary has provided, a Supplemental Valuation Report calculating that the employer cost of the improved benefit will be \$22,584 annually as a result of increasing the Employer’s Contribution from 10.62% of payroll to 12.96% of payroll, a 2.34% increase; and

WHEREAS, the Finance Director indicates that the aforementioned cost increase will be reflected for the first time in the FY2009-10 Budget in the Retirement Contribution (Account 718.000) of each departmental budget; and

WHEREAS, the MERS Plan Document has been revised to require the approval of the governing body for any improved benefits, provided the following financial requirements are met:

- 1) At the time a supplemental actuarial valuation is requested, and at the time a new benefit provision is adopted, the employer must be current in the payment of all required employer and member contributions;
- 2) Both the requesting division and the participating municipality must be not less than 60% funded on an actuarial basis as of the last December 31 valuation date, based on the actual benefit provisions in effect when the supplemental valuation is requested or completed;
- 3) The proposed benefit provisions may not be adopted if the results of the supplemental valuation disclose there would be a funded percentage less than 60% on an actuarial basis (using the same valuation date, as in requirement (2), for either the division or the entire municipality; and

WHEREAS, the City of Adrian fulfills the aforementioned requirements; and

WHEREAS, in accordance with the provisions of the Collective Bargaining Agreement between the City of Adrian and Local 1511 of the International Association of Firefighter (IAFF), the Human Resources Director and City Administrator recommend City Commission approval of the F50/25 pension benefit for firefighters, effective July 1, 2007.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution and in accordance with the provisions of the Collective Bargaining Agreement between the City of Adrian and Local 1511 of the International

Association of Firefighters (IAFF), hereby approves the F50/25 pension benefit for firefighters, effective July 1, 2007.

BE IT, FURTHER, RESOLVED that the Human Resources Director is authorized to submit the required documentation to the Municipal Employees Retirement Commission (MERS) to effectuate this change.

On motion of Commissioner Valentine, seconded by Commissioner DuMars, the above resolution was adopted by a 6-1-0 vote.

AYES: Mayor McDowell, Commissioners Osborne, Valentine, Mitzel, Steele, and DuMars.

NAYS: Commissioner Clegg

ABSTAINED: None

**RE: DEPARTMENT OF FINANCE – Delinquent Property Tax Collection Policy-  
Waiver of Deminimus Delinquent Tax Penalties and Interest Obligations**

**RESOLUTION R08-062**

WHEREAS, Section 44a (MCL 211.44a) of The General Property Tax Act (PA 206 of 1893, as amended) provides for the collection of real and personal property taxes by the City Treasurer; and

WHEREAS, Subsection (5) of Section 44a of said Act provides for the imposition of penalties and interest when the tax becomes delinquent; and

WHEREAS, the calculation of the amount of interest and penalties, on occasion, results in an inconsequential amount, reflecting deminimus tax obligations of less than one (\$1.00) dollar; and

WHEREAS, due to the cost associated with the collection of these delinquent tax obligations, including bill preparation, postage, mailing and recordkeeping, as well as the adverse impact on the City's goodwill, the Finance Director and City Administrator recommend that the City Commission adopt a policy waiving deminimus delinquent tax penalties and interest for amounts of one (\$1.00) or less; and

WHEREAS, in accordance with the General Property Tax Act (MCL 211.44(4)), which specifies that the governing body may waive any or all penalties related to tax collections, the City Administrator recommends adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution and in accordance with the General Property Tax Act (Public Act 206 of 1893, as amended), and based on the aforementioned recommendations, does hereby establish a Property Tax Collection Policy that provides for waiver of all deminimus delinquent tax penalties and interest obligations for amounts of one (\$1.00) or less.

On motion by Commissioner DuMars, seconded by Commissioner Mitzel, this resolution was adopted by a unanimous vote.

**RE: DEPARTMENT OF FINANCE –FY2007-08 THIRD QUARTER BUDGET AMENDMENTS**

**RESOLUTION R08-063**

WHEREAS, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Units of Government, provides for adjustments to the Adopted Budget; and

WHEREAS, the Financial Forecast, prepared by the City of Adrian's Finance Department, has identified several variances between current projections and Estimated Revenues and Appropriations included in the Adopted and Amended FY2007-08 Budget, and recommends appropriate budget amendments; and

WHEREAS, the recommended budget amendments comply with the Uniform Budgeting and Accounting Act requirements that no appropriation measures be submitted to the City Commission that would allow total expenditures/expenses, including an accrued deficit, to exceed total estimated revenues, including with an available surplus; and

WHEREAS, the City Administrator has reviewed the Financial Forecast and proposed budget amendments and recommends their adoption.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission authorizes the Department of Finance to amend the FY2007-08 Budget in accordance with the attached schedule entitled City of Adrian FY2007-08 Third Quarter Financial Forecast and Recommended Budget Amendments.

BE IT, FURTHER, RESOLVED that the resulting Amended Budget shall comply with the Uniform Budgeting and Accounting Act (Public Act 621 of 1978) for Local Units of Government, which requires that no appropriations measure may be adopted in which total expenditures/expenses, including an accrued deficit, exceed total estimated revenues, including an available surplus.

On motion by Commissioner Steele, seconded by Commissioner DuMars, this resolution was adopted by a unanimous vote.

**RE: ADRIAN PUBLIC LIBRARY –Electrical Upgrade – Phase One Change Order**

**RESOLUTION R08-064**

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

WHEREAS, upon preliminary design review, the electrical consultants have recommended an expansion of the original plan to include anticipation of a combined electrical service to the proposed new City Hall and Police facility, resulting in a need for Change Order No.1; and

WHEREAS, Change Order No. 1 would upgrade the electrical service from 120/480 3-phase to 120/208 3-phase to provide a better load balance and more efficient service, as well as move the electrical equipment servicing the library from inside the building to behind the building in the Library Square, enabling the accommodation of City Hall and the Police Facility; and

WHEREAS, the additional cost associated with Change Order No. 1 amounts to \$1,500; 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 expanding the design of the electrical upgrades at the Adrian Public Library.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves Change Order No. 1 for the purpose of expanding the design of the electrical upgrades at the Adrian Public Library at an additional cost not to exceed \$1,500, bringing the total cost of the contract to \$7,460.

On motion by Commissioner Dumars, seconded by Commissioner Mitzel, this resolution was adopted by a unanimous vote.

**RE: UTILITIES DEPARTMENT –Authorization to Retain Contractor for Installing Valves at Merrick Street Distribution Facility**

#### **RESOLUTION R08-065**

WHEREAS, the Utilities Department is desirous of isolating the Water Distribution Line at the Merrick Street facility for the purpose of enhancing system security; and

WHEREAS, the Operations & Maintenance Superintendent has solicited and received a bid from Michigan Waterworks, New Hudson, MI to perform this work at a cost of \$13,500; 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 engagement of Michigan Waterworks, New Hudson, MI., in the City's Standard Professional Services Contract to perform the subject valve installation at a cost of \$13,500, and that because of past satisfactory performance and familiarity with the city's water system due to prior engagements, the competitive bid process be waived.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Michigan Waterworks, New Hudson, MI., in the City's Standard Professional Services Contract to perform the subject

valve installation at the Merrick Street Water Distribution facility at a cost not to exceed \$13,500.

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 DuMars, seconded by Commissioner Steele, this Resolution was adopted by a unanimous vote.

#### **MISCELLANEOUS**

1. Planning Commission Minutes
2. Zoning Board of Appeals Minutes
3. D.A.R.T. Passenger Ridership Report
4. Departmental Report
5. Community Development Work Program Report

#### **PUBLIC COMMENT**

Philip Roney, 513 Toledo Street and Steven Black, 1127 July Drive were advised that the next Commission meeting would be on May 5, 2008.

#### **COMMISSIONER COMMENTS**

The Brookside Drive erosion issue was discussed by the Commission. Administrator Nelson will contact the property owner regarding their findings.

The next regular meeting of the Adrian City Commission will be held on Monday, May 5, 2008, in the Commission Chambers on the 2<sup>nd</sup> floor of Adrian City Hall, 100 E. Church Street, Adrian, MI 49221.

Gary E. McDowell  
Mayor

Pat Baker  
City Clerk

PRESENTATION OF  
ACCOUNTS

May 5, 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 #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>
TOTAL EXPENDITURES .....	\$ <u>741,207.94</u>

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

May 5, 2008

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
2810	City of Adrian: Payroll	Payroll for Apr 18	\$ 45,981.81
2811	City of Adrian: Clearing	April 21 Ck Register	\$ 34,223.78
2812	City of Adrian: Clearing	April 21 Ck Register	\$ 758,000.00
2813	City of Adrian: Payroll	Payroll for Apr 25	\$ 21,165.23
2814	Citizens Gas Fuel Co	Heat Bills	\$ 1,413.95
2815	***VOID***		
2816	Thomas & Angie Lewis	Verizon Reimbursement	\$ 366.00
2817	Consumers Energy	Water Plant Electric	\$ 8,258.34
2818	Verizon North	O&M Phone	\$ 122.62
		<b>Total</b>	<b>\$ 869,531.73</b>
		LESS: CK# 2811 &2812	<b>\$ 792,223.78</b>
		<b>TOTAL</b>	<b>\$ 77,307.95</b>

5-May-08

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
18650	\$ 206,985.77	City of Adrian: Payroll	Payroll for April 18
18651	\$ 13,404.09	First Federal Bank	Soc Security for Apr 18
18652	\$ 366,508.97	City of Adrian: Clearing Acct	April 21 Check Register
18653	\$ 185.99	Citizens Gas Fuel Co	Omni Heat Bill
18654	\$ 167.20	Verizon North	Various Phone Bills
18655	\$ 119,876.04	Blue Cross Blue Shield of MI	May Hospitalization Ins
18656	\$ 4,175.05	Quick Service Transportation	Payroll W/E Apr 19
18657	\$ 21,395.08	City of Adrian: Payroll	Payroll for Apr 25
18658	\$ 3,728.08	First Federal Bank	Soc Security for Apr 25
18659	\$ 15,966.18	Consumers Energy	Various Electric Bills
18660	\$ 7,282.89	Citizens Gas Fuel Co	Various Heat Bills
18661	\$ 262.60	Verizon North	Police,Bohn Pool Phone

\$	759,937.94	
\$	(366,508.97)	Less: CK# 18652
\$	<b>393,428.97</b>	

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. 4 IMPRINT, INC.	317.99		
2. ADRIAN AREA CHAMBER OF COMME	60.00		
3. ADRIAN CHARTER TOWNSHIP	13,266.73		
4. ADRIAN COMMUNICATIONS	551.70		
5. ADRIAN LOCKSMITH & CYCLERY	13.18		
6. ADRIAN MECHANICAL SERVICES C	1,473.40		
7. ADRIAN PAINTERS SUPPLY & EQU	21.90		
8. ADVANCE AUTO PARTS COMMERCIA	142.19		
9. ALEXANDER CHEMICAL CORP.	1,435.00		
10. ALL METALS INC.	246.18		
11. AMERIGAS	58.00		
12. ANN ARBOR COLLABORATIVE	1,400.00		
13. APOLLO FIRE EQUIPMENT CO	2,570.43		
14. ARCH WIRELESS	28.45		
15. B S N SPORTS	119.23		
16. BAKER & TAYLOR BOOKS	501.99		
17. BARRETT'S GARDEN CENTER	18.98		
18. BATTERY WHOLESALE	346.24		
19. GREG BELL CHEVROLET, INC	45.58		
20. BLACK SWAMP EQUIPMENT	606.32		
21. BOOK OF THE MONTH CLUB	49.44		
22. BOOKLIST	99.50		
23. BUCK & KNOBBY EQUIP CO INC	361.68		
24. CDW-G COMPUTER SUPPLIES	619.04		
25. CHAMBERS CONTROL COMPANY	2,430.00		
26. CITY OF ADRIAN	150.00		
27. CIVICPLUS	1,004.25		
28. COAST TO COAST DELI	57.50		
29. COMCAST	61.70		
30. COMFORT ENTERPRISES INC.	240.00		
31. COMPUTER CARE COMPANY, INC.	129.95		
32. CONTINENTAL SERVICE	21.95		
33. JOHN CRAIG	67.79		
34. THE DAILY TELEGRAM	176.00		
35. DARBY READY-MIX	615.25		
36. DOAN CONSTRUCTION CO	544.00		
37. DOWNUNDER MUNICIPAL SERVICES	2,537.50		
38. E & B SALVAGE LLC	12.75		
39. EAST JORDAN IRON WORKS INC	2,569.25		
40. ETNA SUPPLY COMPANY	1,571.54		
41. EXECUTONE COMMUNICATIONS LLC	1,316.16		
42. FEDERAL EXPRESS	152.31		
43. FLORIDA MICRO LLC	609.14		
44. FORESTRY SUPPLIERS, INC.	498.32		
45. GALE	190.23		
46. GALL'S INC	135.08		
47. GALLANT & SON	26.99		
48. J.O. GALLOUP COMPANY	1,339.35		
49. RICHARD GARNO	414.68		
50. GARRISON SCREEN PRINT	185.00		
51. GENTNER MATERIALS	1,201.24		
52. GENTNER TRUCKING CO	1,651.73		
53. GET FRAMED LLC	28.65		
54. GORDON FOOD SERVICE	861.85		
55. W W GRAINGER	60.16		
56. HABITEC SECURITY INC	40.50		
57. HACH COMPANY	164.29		
58. HAFELI STARAN HALLAHAN	558.45		
59. HUBBARDS AUTO CENTER	764.16		
60. HUDSON AREA AMBULANCE	125.00		
61. HURON LIME INC.	2,659.94		
62. I C M A	872.00		
63. I.T. RIGHT	750.00		
64. ICMA RETIREMENT CORPORATION	198.78		
65. INDUSTRIAL MILL SUPPLY CORP	202.90		
66. INGRAM LIBRARY SERVICES	105.04		
67. LUYE JACKSON REBUILDERS	147.50		
68. JAMES DELIVERY SERVICE	190.00		
69. JONES & HENRY, ENGINEERS	4,132.77		
70. KERKSTRA PRECAST	950.00		
71. LANSING SANITARY SUPPLY INC	429.40		
72. SUSAN LAUGHLIN	386.07		
73. LENAWEE COUNTY PRINTER	40.29		
74. LENAWEE COUNTY REGISTER OF D	76.00		
75. LENAWEE COUNTY TREASURER	27,234.46		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. DUSTIN LENT	84.40		
77. LIBRARY DESIGN ASSOCIATES IN	1,500.00		
78. LOWE'S CREDIT SERVICES	927.25		
79. M B ELECTRIC LLC	93.20		
80. CHARTER TOWNSHIP OF MADISON	42,919.20		
81. MANPOWER OF LANSING MI INC.	979.20		
82. GARY MCDOWELL	228.70		
83. MCGOWAN ELECTRIC SUPPLY INC	241.72		
84. MCMASTER- CARR SUPPLY CO.	114.68		
85. BEN MEADOWS COMPANY	194.00		
86. MEIJER, INC	129.09		
87. METROPOLITAN UNIFORM CO	263.17		
88. MGFOA	95.00		
89. MI. AMERICAN PUBLIC WORKS	150.00		
90. MICHIGAN CAT CORP	1,171.00		
91. MICHIGAN CHAPTER FBINAA	100.00		
92. MICHIGAN PIPE & VALVE INC	4,031.30		
93. MICHIGAN RURAL WATER ASSOC	450.00		
94. STATE OF MICHIGAN	1,206.00		
95. MICHIGAN STATE POLICE	68.43		
96. MICROMARKETING LLC	25.75		
97. MIDWEST TAPE	293.83		
98. MOORE MEDICAL CORP	431.96		
99. MUGS N' MORE IMAGING	140.25		
100. MUNICIPAL EMPLOYEES' RETIRE	40,281.73		
101. N.A.D.A. APPRAISAL GUIDES	120.00		
102. NATIONAL DIAGNOSTICS, INC.	28.00		
103. NATIONAL GRAPHIC SUPPLY CORP	484.18		
104. NORTH EASTERN UNIFORMS & EQU	277.95		
105. OMNIGRAPHICS INC.	150.22		
106. PALMER ENVELOPE CO.	130.52		
107. PEACHTREE BUSINESS PRODUCTS	372.40		
108. PEERLESS SUPPLY INC	1,997.11		
109. PLATINUM PLUS	7,257.16		
110. JOSEPH G POLLARD CO INC	20.01		
111. PROFESSIONAL EQUIPMENT	55.80		
112. PROFESSIONAL PUMP INC	3,006.44		
113. QUICK SERVICE TRANSPORTATION	2,028.75		
114. QUILL CORPORATION	407.71		
115. R.S. TECHNICAL SERVICES INC	1,088.99		
116. SUSAN RAPER	168.41		
117. ROWE INC	4,674.50		
118. S N S CLEANING SERVICE	1,592.00		
119. SAFEWAY MOVING & STORAGE	1,828.00		
120. SVELIVES.COM	240.00		
121. ED SCHMIDT GMC	130.72		
122. SCHOLASTIC INC	239.80		
123. SCHUG CONCRETE CONSTRUCTION	650.00		
124. SCORE AMERICAN SOCCER COMPAN	1,072.48		
125. SERVICE ELECTRIC CO OF ADRIA	494.00		
126. SERVICE LAMP CORP.	1,054.58		
127. SHAHEEN CHEVROLET INC.	47,014.00		
128. SIEMENS WATER TECHNOLOGIES	316.00		
129. SJS INVESTMENT CONSULTING IN	750.00		
130. SNYDER WIRELESS & SATELLITE	15.99		
131. SOIL & MATERIALS ENGINEERS I	350.20		
132. PAT SORISE	168.00		
133. CAROL SOUCHOCK	803.71		
134. SOUTHERN MI REC & PARK ASSO	80.00		
135. SOUTHWEST BRAKE & PARTS INC	94.51		
136. STITCH WIZARD EMBROIDERY INC	50.00		
137. STRATOS MICROSYSTEMS LLC	49.99		
138. SUPER LAUNDROMAT &	56.50		
139. T-MOBILE	29.99		
140. TELEDYNE ISCO, INC	949.00		
141. THERMO ELECTRON NORTH AMERIC	630.36		
142. THOMAS SCIENTIFIC	115.22		
143. TOBY'S INSTRUMENT SHOP INC	237.00		
144. TOLEDO PHYSICAL EDUCATION SU	317.06		
145. TRACTOR SUPPLY COMPANY	762.87		
146. THE TRUCK SHOP INC	14.95		
147. UIS PROGRAMMABLE	970.00		
148. UNITED PARCEL SERVICE	77.32		
149. UTILITIES INSTRUMENTATION	1,599.00		
150. WARREN HOLDING CO LLC	1,423.88		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. WATERWORKS SYSTEMS INC	1,705.00	_____	_____
152. WEISKOPF INDUSTRIES CORP	313.84	_____	_____
153. HOYT E. WHELAN CO.	287.08	_____	_____
154. JESSICA WHITEHOUSE	59.94	_____	_____
155. WOODLANDS LIBRARY COOPERATIV	99.00	_____	_____
156. ZEMLO, INC	200.00	_____	_____
***TOTAL ALL CLAIMS**	270,471.02		

# REGULAR AGENDA

0-1  
April 10, 2008

Honorable Mayor  
and City Commission:

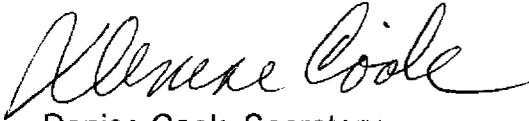
At their April 1, 2008, regular meeting, the Adrian City Planning Commission voted unanimously to recommend approval of amending Section 30.06 of Article XXX – Signs of the Zoning/Development Regulations.

This amendment would add a new subsection 6 which would allow banners or signs to be located on or within City property. This would allow sponsorship banners in City Parks as requested by the Adrian Area Little League. The Parks and Recreation Department asked that Community Development look into the feasibility of allow such signs.

In Favor of Motion: Johnson, McDowell, Clegg, Barr, Schebil, Dye, Jacobitz, Al-Omari

Against Motion: none

Respectfully submitted,



Denise Cook, Secretary

TO: Adrian City Planning Commission

FROM: James Tischler, AICP, PCP  
Director of Community Development

DATE: February 27, 2008

SUBJECT: Case 08-012  
Sponsorship Signs on City Property

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**RECOMMENDATION:** Community Development recommends the Planning Commission adopt the following resolution approving proposed text amendment to Section 30.06 of the City of Adrian Zoning Regulations, pertaining to sponsorship banners on City property.

Background

As you are aware, in response to a request from the Parks and Recreation Department, Community Development staff researched the "Sponsorship Banner" request and found that the Zoning/Development Regulations did not directly permit this type of signage. At your February meeting, the Planning Commission discussed this issue and then requested Staff to open a case file and submit text amendments to the Sign Ordinance that would permit "Sponsorship Banners".

Upon review, Community Development proposes that a text addition be made to Article XXX, Section 30.06 – Exceptions as presented in the attached resolution. The new text is shown in **bold** print.

**CASE 08-012  
RESOLUTION FOR TEXT AMENDMENT  
ARTICLE XXX, SECTION 30.06  
SPONSORSHIP BANNERS AND SIGNS ON CITY PROPERTY**

WHEREAS, The City of Adrian Parks and Recreation Department has requested authorization to place sponsorship banners within certain City park facilities; and

WHEREAS, the Community Development Department has conducted a review of the request and found that, such authorization is not present within the City of Adrian Zoning/Development Regulations; and

WHEREAS, the Adrian City Planning finds that placement of sponsorship banners or signs on and within City property and facilities has merit provided that appropriate review and authorization is made;

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts recommendation by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the following text amendments to Article XXX, Section 30.06 of the City of Adrian Zoning Regulations:

SECTION 30.06 EXCEPTIONS: The provisions of this chapter shall not apply to the following:

1. Signs erected by the City for street direction.
2. Special decorative displays for holidays, public demonstrations, or promotion or civic welfare or charitable purposes when authorized by the Building Department and on which there is no advertising material.
3. Signs being used for traffic control containing no legend for other than the control of traffic.
4. Signs or advertising copy on gasoline pumps, vending machines and the like shall be considered incidental to the principal sign and, therefore, not included in the computation of permitted sign area.
5. Temporary signs in the residential districts for non-occupational purposes shall be permitted, provided they conform to all other requirements of the Zoning/Development Regulations.
6. **Banners or signs located on or within City property that are requested by the City of Adrian for promotional purposes and authorized by the Building**

**Department provided they conform to all other requirements of the Zoning/Development Regulations.**

BE IT FURTHER RESOLVED that the Adrian City Planning Commission forwards this resolution with a request to the Adrian City Commission for adoption of an amendatory ordinance enacting said text amendments to the City of Adrian Zoning/Development Regulations.

On motion by Planning Commission Member \_\_\_\_\_, seconded by Planning Commission Member \_\_\_\_\_, this resolution was adopted by a \_\_\_\_\_ vote.

**ORDINANCE 08-07**

**AN ORDINANCE TO AMEND SECTION 30.06 OF ARTICLE XXX – SIGNS OF THE ZONING/DEVELOPMENT REGULATIONS**

The City of Adrian Ordains:

- 1. Add a Subsection 6 to Section 30.06 – Exceptions of Article XXX – Signs as follows:

SECTION 30.06 EXCEPTIONS: The provisions of this chapter shall not apply to the following:

- 1. Signs erected by the City for street direction.
- 2. Special decorative displays for holidays, public demonstrations, or promotion or civic welfare or charitable purposes when authorized by the Building Department and on which there is no advertising material.
- 3. Signs being used for traffic control containing no legend for other than the control of traffic.
- 4. Signs or advertising copy on gasoline pumps, vending machines and the like shall be considered incidental to the principal sign and, therefore, not included in the computation of permitted sign area.
- 5. Temporary signs in the residential districts for non-occupational purposes shall be permitted, provided they conform to all other requirements of the Zoning/Development Regulations.
- 6. **Banners or signs located on or within City property that are requested by the City of Adrian for promotional purposes and authorized by the Building Department provided they conform to all other requirements of the Zoning/Development Regulations.**

INTRODUCTION ..... April 21, 2008

SUMMARY PUBLISHED..... May 2, 2008

ADOPTION.....

COMPLETED PUBLICATION.....

EFFECTIVE DATE.....

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

0-2

**ORDINANCE 08-02**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ADRIAN, SECTION 2-452 OF CHAPTER 2, MEMBERSHIP**

Section 2-452 of Chapter 2 of the Adrian Code is hereby amended to read as follows:

**2-452 Membership**

The city planning commission shall consist of one member of the city commission to be selected by the city commission, as a member ex officio, and **eight** other persons who shall be appointed by the mayor, with such appointments to be subject to the approval by a majority vote of the members elect of the city commission. All members of the planning commission shall serve without compensation, and in the case of the appointed members, shall hold no other municipal office, except one of the appointed members may be a member of the zoning board of appeals. The terms of the ex officio member shall correspond to their respective official tenures. The term of each appointed member shall be three years or until his successor takes office. After a public hearing, a member, other than a member selected by the city commission, may be removed by the mayor for inefficiency, neglect of duty or malfeasance in office. The city commission may, for like cause, remove the member selected by the city commission. **The** ex officio member appointed under this section shall have full voting rights. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term **by the mayor in the case of a member selected or appointed** by the mayor, and by the city commission in the case of the member appointed by the city commission.

INTRODUCTION..... April 21, 2008

SUMMARY PUBLISHED .....May 2, 2008

ADOPTION .....

COMPLETE PUBLICATION .....

EFFECTIVE DATE.....

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

0.3

**ORDINANCE 08-09**

AN ORDINANCE TO AMEND ARTICLE II – DEFINITIONS, ARTICLE XVIII – ERO EDUCATION RESEARCH OFFICE DISTRICT, ARTICLE VIII – RM-1 LOW RISE MULTIPLE FAMILY RESEDENTIAL 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.

The City of Adrian Ordains:

- 1. Add new Section 2.41.01 to Article II, Definitions to read as follows:

Section 2.41.01 Congregate Living Facility

A type of residential facility for a person or persons that is maintained by an organization recognized by the State of Michigan as a non-profit, whereby the facility complies with all requirements of the Michigan Property Maintenance Code. Persons living in such a facility are likely or contemplated to stay for a limited or temporary duration.

A. Fraternity or Sorority House

Fraternity or sorority house means a building, rented, occupied or owned by a national or local chapter of a regularly organized college fraternity or sorority which is officially recognized by a college or university, or by or on its behalf by a building corporation or association composed of members of such fraternity or sorority, as a place of residence.

B. Dormitory or Residence Hall

Dormitory or Residence Hall means those facilities used for housing students, which are owned and controlled by an educational institution and which are to be distinguished from hotels, motels, and boardinghouses. The terms "dormitory" and "residence hall" are to be used synonymously.

C. Student Group Home

Student Group Home means those facilities where occupants are students whose relationship is of a non-permanent character, where the common living arrangement(s) is organized by a college or university and is directly related to academic study, and where such arrangement(s) is likely or contemplated to exist for a limited or temporary duration.

- 2. Amend Subsection 9 of Section 18.1 of Article XVIII – ERO District to read as follows:

Section 18.1 Principal Uses Permitted: In an ERO Education-Research-Office District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. All uses permitted and uses permitted subject to special approval in O-S District, and meeting the requirements as set forth in said district with the exception of mortuary establishments and veterinary clinics which shall be expressly prohibited from this district.
2. Any uses which are charged with the principal function of education, research, design and technical training and experimental product development when conducted wholly within a completely enclosed building.
3. Facilities for human care such as convalescent and nursing homes.
4. Colleges, universities and trade schools.
5. Dormitories for students enrolled in, and quarters for instructors employed by, educational institutions when incidental to any permitted principal use.
6. Data processing and computer centers, including service and maintenance of electronic data processing equipment.
7. Studios for professional work or teaching of interior decorating, photography, music, drama or dancing.
8. Fraternity and Sorority House.
9. Student Group Homes for ten (10) or fewer occupants, owned and operated by a college or university, and subject to Section 2.41.01 (c) and Section 25.15A.
10. *Subsection 9 should be renumbered as subsection 10.*

Accessory uses customarily incidental, to any of the above permitted uses and located on-campus such as services for employees and other persons normally associated with the permitted uses such as: coffee shop, pharmacy, barber shop, tobacco shop, post office and parking structures.

3. Section 18.2, Required Conditions, is to remain as written (no changes were made to this section).
4. Add a new Section 18.3 of Article XVIII as follows:

SECTION 18.3 USES SUBJECT TO ZONING EXCEPTION PERMIT:

1. Student group homes for eleven (11) or more occupants, owned and operated by a college or university, and subject to Section 2.41.01 (c) and Section 25.15A.
5. Renumber Section 18.3 of Article XVIII to 18.4  
Renumber Section 18.4 of Article XVIII to 18.5
6. Add a new Subsection 5 to Section 8.2 of Article VIII RM-1 District to as read as follows:

Section 8.2 Uses Subject to Zoning Exception Permit:

1. Congregate living facilities, subject to Section 25.13
2. Single-room occupancy facilities, subject to Section 25.12
3. Housing for the elderly, subject to Section 24.02
4. Group family homes, subject to Section 2.52 (C) and Section 25.15
5. Student Group Homes subject to Section 2.41.01 (C) and Section 25.15A
7. Add a new subsection to Section 9.2 of Article IX – RM-2 District as follows:

Section 9.2 Uses Subject to Zoning Exception Permit:

1. Housing for the elderly, subject to Section 24.02.
2. Congregate living facilities, subject to Section 25.13.
3. Convalescent and nursing homes, subject to Section 25.09.
4. Private clubs and lodges, subject to Section 25.05.
5. Student Group Homes subject to Section 2.41.01 (C) and Section 25.15A.
8. Add a new subsection 4, Student Group Homes, to Section 15.03 of Article XV – B-3 District as follows:

*(Note: Ordinance 08-04, effective 3-18-08, deleted the previous Subsection 4 - Work Release Facilities)*

SECTION 15.03 USES SUBJECT TO A ZONING EXCEPTION PERMIT:

1. Sidewalk Cafes: *(text follows.....)*
2. Group family homes, subject to 2.52 (C) and Section 25.15.

3. Government and administrative buildings including courthouses, jails, fire stations and city hall, subject to the following standards and conditions: *(text follows.....)*
4. Student Group Homes subject to Section 2.41.01 (C) and Section 25.15A.
9. Section 25.15, Group Family Homes, is to remain as written (no changes were made to this section).
10. Add Section 25.15A of Article XV - Conditions for Specified Uses Subject to a Zoning Exception Permit to read as follows:

Section 25.15A Student Group Homes:

1. The home shall at all times be in compliance with applicable requirements of the Michigan Property Maintenance Code applicable to life and safety issues, as adopted by the City
2. The home shall be subject to annual inspection by the City. The owner may substitute a State of Michigan property inspection to satisfy this requirement, but such State inspection must be conducted and the report transmitted to the City annually.
3. The owner shall provide one (1) on- or off-site vehicle parking space for each person residing in the student group home. Off-site parking spaces must be assigned and be located within 400' of the home. On-site parking areas shall not be located within any front yard.
4. The home shall be subject to other provisions that the Planning Commission may deem necessary to protect the integrity of the neighboring area, and the health, safety and welfare of the residents of the City of Adrian.

INTRODUCTION .....April 21, 2008

SUMMARY PUBLISHED.....May 2, 2008

ADOPTION .....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

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

Commissioner \_\_\_\_\_, this Ordinance was \_\_\_\_\_ by a

\_\_\_\_\_ vote.

SO-1, R-1

May 5, 2008

**SPECIAL ORDER**

The Mayor called for the hearing and consideration of comments to the adoption of the proposed FY2008-09 Budget and General Appropriations Act.

Discussion

When the Mayor called for final objections \_\_\_\_\_

\_\_\_\_\_

and he declared the hearing closed.

# CITY OF ADRIAN, MICHIGAN

## NOTICE OF PUBLIC HEARING ON THE PROPOSED FY2008-09 BUDGET AND GENERAL APPROPRIATIONS ACT

### INCREASING THE PROPERTY TAX LEVY

The Adrian City Commission will hold a Public Hearing on Monday, May 5, 2008 at 7:00 p.m. in the Commission Chambers of City Hall, 100 E. Church Street, on the proposed 2008 City tax levy and on the proposed FY2008-09 City Budget and General Appropriations Act. Copies of the proposed Budget are available for public inspection during regular business hours in the office of the City Clerk beginning Monday, April 28, 2008.

The total number of mills to be levied under the General Property Tax Act is 15.6039 and the purpose for which the millage is levied is outlined below. **The City Commission has the authority to levy said millage and the property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.** Public comments, oral or written, are welcome at the hearing on the proposed tax levy, Budget and General Appropriations Act.

This Notice was authorized and directed by the Adrian City Commission at a meeting on April 21, 2008.

A summary of the proposed FY2008-09 Budget is as follows:

#### MILLAGE COMPARISON

	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Operating	13.7507	13.7507	13.7108	13.6293	13.6293
Solid Waste Collection	1.0000	1.0000	1.0000	1.0000	1.0000
Local Street Construction	<u>0.9833</u>	<u>0.9833</u>	<u>0.9804</u>	<u>0.9746</u>	<u>0.9746</u>
Total	<u>15.7340</u>	<u>15.7340</u>	<u>15.6912</u>	<u>15.6039</u>	<u>15.6039</u>

<u>REVENUES</u>	<u>AMOUNT</u>	<u>APPROPRIATIONS</u>	<u>AMOUNT</u>
GENERAL FUND:		GENERAL FUND:	
City Taxes	\$6,836,797	General Government	\$2,459,715
Finance Department	636,348	Public Safety	4,773,971
City Administration	15,700	PublicWorks/ City Engineer	1,422,415
Cemetery	57,600	Community Services	2,675,649
Police / Fire Departments	155,870	Other Activities	<u>559,002</u>
Inspection / Code Enforcement	258,300	TOTAL	\$11,890,752
Public Works / Engineering	24,500		
Parks & Recreation	365,235	MAJOR STREET FUND:	
Adrian Public Library	154,500	Street Construction	\$2,375,184
Donations / Contributions	249,200	Routine Maintenance-Roads	205,050
Other	2,681,117	Routine Maintenance-Bridges	13,500
Prior Years' Revenue	<u>455,585</u>	Traffic Service	135,500
TOTAL	\$11,890,752	Winter Maintenance	76,000
		Non-Motorized Transportation	58,800
MAJOR STREET FUND:		Admin. & Record Keeping	35,860
Intergovernmental Revenue	\$3,191,494	Trunk-line Maintenance	61,600
Investment Earnings	<u>20,000</u>	Transfers Out	<u>250,000</u>
TOTAL	\$3,211,494	TOTAL	\$3,211,494

LOCAL STREET FUND:

LOCAL STREET FUND:		Sidewalks	\$59,500
Intergovernmental Revenue	\$330,000	Street Construction	742,521
METRO Act	60,000	Routine Maintenance-Roads	410,700
Contribution-Other Funds	844,467	Routine Maintenance-Bridges	1,000
Prior Years' Revenue	110,614	Traffic Service	37,500
Investment Earnings	<u>2,000</u>	Winter Maintenance	56,000
TOTAL	\$1,347,081	Admin. & Record Keeping	<u>39,860</u>
		TOTAL	\$1,347,081
MUNICIPAL STREET FUND:		MUNICIPAL STREET FUND:	
City Taxes	\$461,789	Contribution -Local Streets	<u>\$471,789</u>
Investment Earnings	<u>10,000</u>	TOTAL	\$471,789
TOTAL	\$471,789		
HARRIET KIMBALL FEE ESTATE FUND		HARRIET KIMBALL FEE ESTATE FUND	
Donations - Private	\$870,674	Parks & Forestry Garage	\$19,340
Interest	10,000	Fee Estate Maintenance	<u>1,129,038</u>
Other	<u>267,704</u>	TOTAL	\$1,148,378
TOTAL	\$1,148,378		
OMNI FUND:		OMNI FUND:	
Forfeitures	\$80,800	Operating	<u>\$86,900</u>
Other	<u>6,100</u>	TOTAL	\$86,900
TOTAL	\$86,900		

COMMUNITY  
DEVELOPMENT:

COMMUNITY  
DEVELOPMENT:

Program Income	\$352,600
Grant Revenue	246,000
Investment Earnings	4,000
Sale of Property	<u>120,000</u>
TOTAL	\$722,600

Administration	\$163,957
CDBG Program	246,000
Housing Programs	252,900
Property Acquisition / Taxes	500
Contingency	<u>59,243</u>
TOTAL	\$722,600

ECONOMIC  
DEVELOPMENT:

State & Federal Grants	\$120,000
Investment Earnings	3,000
Donations-Private	150,000
Other Prior Years' Revenue	40,667
TOTAL	\$337,667

ECONOMIC  
DEVELOPMENT:

Economic Development	\$178,667
USEPA Assessment Grants	100,000
Other	<u>59,000</u>
TOTAL	\$337,667

BROWNFIELD  
REDEVELOPMENT  
AUTHORITY:

Property Tax Contrib. LDFA	\$14,000
	<u>37,000</u>
TOTAL	\$51,000

BROWNFIELD  
REDEVELOPMENT  
AUTHORITY:

Operating Contrib. Auto Parking	\$6,000
	<u>45,000</u>
TOTAL	\$51,000

DOWNTOWN  
DEVELOPMENT  
AUTHORITY:

City Taxes	\$34,000
Refuse Collection	22,000

DOWNTOWN DEVELOP  
AUTH

Administration	\$95,200
Other Projects	12,700

Interest	
Rent	1,000
Other	1,000
Prior Years' Revenue	14,000
	<u>56,000</u>
TOTAL	\$128,000

Transfer-Auto Parking	
Contingency	10,000
	<u>10,100</u>
TOTAL	\$128,000

TAX INCREMENT  
FINANCE FUND:

City Taxes	\$260,000
VSCI Grant	350,000
Bond Proceeds	250,000
Investment Earnings	20,000
Prior Years' Revenue	<u>134,859</u>
TOTAL	\$1,014,859

TAX INCREMENT  
FINANCE FUND:

Administration	\$96,379
Capital Projects	725,000
Debt Service	100,480
Other Projects	<u>93,000</u>
TOTAL	\$1,014,859

LOCAL DEV  
FINANCE  
AUTHORITY FUND

Current Property Tax	\$51,000
Prior Years' Revenue	301,000
Investment Earnings	<u>10,000</u>
TOTAL	\$362,000

LOCAL DEV FINANCE  
AUTHORITY FUND

Administration	\$149,674
Contingency	<u>212,326</u>
TOTAL	\$362,000

VIBRANT SMALL  
CITIES GRANT  
FUND

Grant Revenue	\$1,000,000
Local Match	1,185,000
Private Donations	<u>295,000</u>
TOTAL	\$2,480,000

VIBRANT SMALL CITIES  
GRANT FUND

Public Infrastructure	\$1,508,000
Façade Improvements	458,000
Downtown Wireless Network	58,000
Blight Reduction	258,000
Rental Rehab	<u>198,000</u>
TOTAL	\$2,480,000

BUILDING  
AUTHORITY -  
DEBT FUND

Investment \$100  
Earnings  
TOTAL \$100

BUILDING AUTHORITY -  
DEBT FUND

Other \$100  
TOTAL \$100

DDA DEBT FUND

Investment \$425  
Earnings  
Other 100,480  
TOTAL \$100,905

DDA DEBT FUND

Bond Interest Expense \$20,480  
Other 80,000  
Paying Agent Fees 425  
TOTAL \$100,905

CAPITAL  
PROJECTS FUND -  
WATER

Contribution - \$474,000  
Water Fund  
TOTAL \$474,000

CAPITAL PROJECTS  
FUND - WATER

Administration \$3,000  
Meter Reading & 75,000  
Maintenance  
Oakwood Facility 5,000  
Water Treatment Plant 61,000  
Capital Equipment  
Water Treatment Plant 80,000  
Capital Improvements  
Water Distribution - 120,000  
Capital Equipment  
Water Distribution - 130,000  
Capital Improvements  
TOTAL \$474,000

CAPITAL  
PROJECTS FUND -  
SEWER

Contribution - \$722,084  
Sewer Fund  
TOTAL \$722,084

AUTO PARKING SYSTEM:

Parking Fees \$40,100  
 Fines & Permits 30,000

Investment Earnings 100

Contribution - Other Funds 16,000

Special Assessment 30,000

TOTAL \$116,200

CAPITAL PROJECTS FUND - SEWER

Wastewater Plant Capital Improvements - \$274,484

Wastewater Plant Capital Equipment - 155,000

Sewer Collection System 292,600

TOTAL \$722,084

PUBLIC TRANSPORTATION SYSTEM:

Intergovernmental Revenue \$1,716,830

Fares 91,000  
 Contribution-General Fund 110,503

TOTAL \$1,918,333

AUTO PARKING SYSTEM:

Operating Expenses \$100,200

Depreciation 16,000  
 TOTAL \$116,200

PUBLIC TRANSPORTATION SYSTEM:

Operating Expenses \$421,333

Capital Outlay 1,497,000

TOTAL \$1,918,333

WASTEWATER TREATMENT:

Charges for Services \$4,382,045

Investment Earnings 70,000

Other 20,000  
 Prior Years' Revenue 433,007

TOTAL \$4,905,052

WASTEWATER TREATMENT:

Operating Expenses \$3,785,161

Capital Budget 722,084

Interest Expense 397,807

TOTAL \$4,905,052

WATER SYSTEM:

Charges for Services \$3,876,100

Interest 18,000

Other	20,000
Prior Years' Revenue	<u>205,899</u>
TOTAL	\$4,119,999

WATER SYSTEM:	
Operating Expenses	\$3,362,499
Capital Budget	474,000
Bond Interest	<u>283,500</u>
TOTAL	\$4,119,999

STORM WATER UTILITY:

Charges for Services	\$269,000
Investment Earnings	<u>100</u>
TOTAL	\$269,100

STORM WATER UTILITY:

Operating Expenses	\$238,000
Contingency	<u>31,100</u>
TOTAL	\$269,100

CAPITAL PROJECTS REVOLVING FUND

Special Assessments	\$95,628
Investment Earnings	<u>25,000</u>
TOTAL	\$120,628

CAPITAL PROJECTS REVOLVING FUND

Transfer Out - Streets	<u>\$120,628</u>
TOTAL	\$120,628

INFORMATION TECHNOLOGY FUND

Charges for Services	\$436,416
Prior Years' Revenue	<u>3653</u>
TOTAL	\$440,069

INFORMATION TECHNOLOGY FUND

Administration	\$307,920
Telecommunications	34,731
GIS Services	<u>97,418</u>
TOTAL	\$440,069

FIRE DEPT.-MOTOR POOL FUND:

Charges for Services	<u>\$129,961</u>
TOTAL	\$129,961

FIRE DEPT.-MOTOR POOL FUND:

Operating	<u>\$129,961</u>
TOTAL	\$129,961

PERPETUAL CARE FUND:

PERPETUAL CARE FUND:	
Contribution-General Fund	<u>\$30,000</u>

Investment            \$30,000  
Earnings  
TOTAL                \$30,000

TOTAL                \$30,000

LESS: INTRAFUND  
ELIMINATIONS

Transfers - In            \$5,565,939

TOTAL                \$5,565,939

TOTAL REVENUES        \$31,047,012

LESS:            INTRAFUND  
ELIMINATIONS

Transfers - Out+D55        \$5,565,939

TOTAL                \$5,565,939

TOTAL                \$31,047,012  
APPROPRIATIONS

# **INSTRUCTIONS TO NEWSPAPER**

The attached Notice of Public Hearing is required by Section 211.24E of the Michigan Compiled Laws, which provides:

1. The body of the Notice must be set in 12 point type or larger.
2. The headline:

**CITY OF ADRIAN, MICHIGAN**

**NOTICE OF PUBLIC HEARING ON  
THE PROPOSED FY2008-09 BUDGET  
AND  
GENERAL APPROPRIATIONS ACT**

**INCREASING THE PROPERTY TAX LEVY**

must be set in 18 point type or larger.

3. The Notice cannot be smaller than 8 column inches by 4 horizontal inches.
4. The Notice cannot be placed in the portion of the newspaper reserved for legal notices or classified advertising.
5. Publication should appear Friday, April 25, 2008 or Monday, April 28, 2008.
6. Send bill and Affidavit of Publication to:

Jeffrey C. Pardee, C.P.F.O.  
City of Adrian Finance Director  
100 E. Church Street  
Adrian, MI 49221

R-1

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

**RESOLUTION #08-\_\_  
May 5, 2008**

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 6000 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:

<u>Meter Size</u>	<b>Current</b> (Service Charge Per Month)	<b>Proposed</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.

<u>Connection Size (Inches)</u>	<b>Current</b> <u>Monthly Charge</u>	<b>Proposed</b> <u>Monthly Charge</u>
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:

<u>Meter Size</u>	<b>Current</b> <u>Service Charge Per Month</u>	<b>Proposed</b> <u>Service Charge Per Month</u>
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 \_\_\_\_\_, seconded by  
Commissioner \_\_\_\_\_, this resolution was adopted by a  
\_\_\_\_\_ vote.

R-2

DATE: April 30, 2008  
TO: Honorable Mayor and City Commissioners  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Accept a Section of Railroad Avenue into the City Street System

Kristin Bauer, City Engineer, recently met with MDOT and reviewed the ACT 51 map. During this meeting, it was discovered that a section of Railroad Avenue was never accepted into the city street system. Railroad Avenue was originally platted in 1872 as an alley, and when several roads and alleys were abandoned in 1933, this section was remaining.

Kristin has recommended that this portion of Railroad Avenue be accepted into the city street system since it has served as a street for a number of years. The city would then be eligible for Act 51 funds for its maintenance.

I urge your favorable consideration authorizing acceptance of this portion of Railroad Avenue into the city's street system and the amendment of the Local Street Map to reflect the same.

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

DCN:bjw

R-2

April 29, 2008

## MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer 

SUBJECT: Railroad Avenue



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Enclosed is a resolution to accept a section of Railroad Avenue as a public street within the City of Adrian. This street was originally platted as an alley in the Low's Addition to the city in 1872. In 1933, several roads and alleys of the Low's Addition were abandoned leaving this section remaining. Currently, this section of road serves three properties 1318, 1326 and 1336 Railroad Ave.

In my review of the ACT 51 map, I proposed to the Michigan Department of Transportation (MDOT) that this section of street has served as a street and we should receive ACT 51 funds for the maintenance and upkeep of such. Upon their review and site visit, they agreed and the enclosed resolution is being completed at their request for the acceptance of this street into the City of Adrian Street System.

During the review of our Act 51 map, several discrepancies were found and resolved with MDOT. Because of those changes and this addition, we should see a very slight increase in ACT 51 funds.



**Associated Engineers and Surveyors, Inc.**

**CIVIL ENGINEERS • LAND SURVEYORS**

237 North Main Street  
 Adrian, Michigan 49221  
 Phone : (517) 263-4515  
 Fax : (517) 263-4535

Steven A. Young, P.S.  
 Scott A. Merrillat, P.E.  
 Kevin L. Pickford, P.S.

**“Railroad Avenue” street addition  
 City of Adrian**

Description

A 20.0 foot wide parcel of land platted as a 20 foot wide alley and now known as “Railroad Avenue” being part of Low’s Addition to the City of 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 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 a point of ending on the westerly right of way line of the Norfolk & Southern Railroad (100 feet wide).

  
 Steven A. Young  
 Professional Surveyor #25885  
 State of Michigan



RAILROAD ST

0

600

1318

1326

1336

1127

1301

1313

1325

1329

1335

1236

635

1336

1365

1208

1216

1222

1314 0

1320

1328

640

641

1209

1235

645

1311

RE: STREET ADMINISTRATOR- Railroad Avenue Street Addition

**RESOLUTION**

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 \_\_\_\_\_,

seconded by Commissioner \_\_\_\_\_, this

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

R-3

**R08-068**

May 5, 2008

**RESOLUTION**

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



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**MEMO**

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Date: May 1, 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'.

**Re: Installment Purchase Financing of 153/155 E. Maumee Street**

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, as a component of the new City Office Complex in downtown Adrian. 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, in the amount of the \$542,000 purchase price (incidental closing costs will be absorbed by the General Fund Operating Budget).

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 2 – 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

Although the Request for Proposal asked for inclusion of amortization schedules, only First Federal Bank complied. The other proposals were not disqualified, however, the above financial comparison are estimates based percentage interest rates supplied by the vendors and applied by the Finance Department in preparation of pro-forma amortization schedules for each option.

Based on the aforementioned analysis, I respectfully recommend selection of the low bid: First Federal Bank - Option 2 - Ten-Year Amortization – Five-Year Balloon Payment. There will be no pre-payment penalty, which will enable refinancing of this component of the City Office Complex into an omnibus long-term bond at the City’s convenience and economic benefit.

The attached resolution has been prepared for consideration by the City Commission at their meeting of May 5<sup>th</sup>. If you have any questions or need for further information, please contact my office.

**CITY OF ADRIAN  
INSTALLMENT PURCHASE FINANCING PROPOSALS  
153/155 E. Maumee Street**

**UNITED BANK & TRUST  
Amortization Schedule  
Option 1 - Ten Year Amortization  
Three-Year Balloon Payment**

<b>Payment</b>	<b>\$542,000 Principal</b>	<b>3.68% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$23,466.06	\$10,111.31	\$33,577.37	\$518,533.94	10-28-08
2	23,903.83	9,673.54	33,577.37	494,630.11	04-28-09
3	24,349.77	9,227.60	33,577.37	470,280.34	10-28-09
4	24,804.03	8,773.34	33,577.37	445,476.31	04-28-10
5	25,266.76	8,310.61	33,577.37	420,209.55	10-28-10
6	420,209.55	7,839.24	428,048.79	0.00	04-28-11
	<b>\$542,000.00</b>	<b>\$53,935.64</b>	<b>\$595,935.64</b>		

**UNITED BANK & TRUST  
Amortization Schedule  
Option 2 - Ten Year Amortization  
Five-Year Balloon Payment**

<b>Payment</b>	<b>\$542,000 Principal</b>	<b>3.98% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$22,267.79	\$10,935.60	\$33,203.39	\$519,732.21	10-28-08
2	22,717.07	10,486.32	33,203.39	497,015.14	04-28-09
3	23,175.42	10,027.97	33,203.39	473,839.72	10-28-09
4	23,643.02	9,560.37	33,203.39	450,196.71	04-28-10
5	24,120.05	9,083.34	33,203.39	426,076.66	10-28-10
6	24,606.70	8,596.69	33,203.39	401,469.96	04-28-11
7	25,103.18	8,100.21	33,203.39	376,366.78	10-28-11
8	25,609.67	7,593.72	33,203.39	350,757.12	04-28-12
9	26,126.38	7,077.01	33,203.39	324,630.74	10-28-12
10	324,630.73	6,549.88	331,180.61	0.00	04-28-13
	<b>\$542,000.00</b>	<b>\$88,011.12</b>	<b>\$630,011.12</b>		

**UNITED BANK & TRUST**  
**Amortization Schedule**  
**Option 3 - Ten Year Amortization**  
**Straight Amortization - No Balloon Payment**

<b>Payment</b>	<b>\$542,000 Principal</b>	<b>4.27% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$21,943.54	\$11,732.42	\$33,675.96	\$520,056.46	10-28-08
2	22,418.54	11,257.42	33,675.96	497,637.91	04-28-09
3	22,903.83	10,772.13	33,675.96	474,734.09	10-28-09
4	23,399.62	10,276.34	33,675.96	451,334.47	04-28-10
5	23,906.14	9,769.82	33,675.96	427,428.34	10-28-10
6	24,423.62	9,252.34	33,675.96	403,004.72	04-28-11
7	24,952.31	8,723.65	33,675.96	378,052.41	10-28-11
8	25,492.44	8,183.52	33,675.96	352,559.97	04-28-12
9	26,044.26	7,631.70	33,675.96	326,515.71	10-28-12
10	26,608.03	7,067.93	33,675.96	299,907.68	04-28-13
11	27,184.00	6,491.96	33,675.96	272,723.68	10-28-13
12	27,772.44	5,903.52	33,675.96	244,951.24	04-28-14
13	28,373.62	5,302.34	33,675.96	216,577.63	10-28-14
14	28,987.81	4,688.15	33,675.96	187,589.82	04-28-15
15	29,615.29	4,060.67	33,675.96	157,974.53	10-28-15
16	30,256.36	3,419.60	33,675.96	127,718.17	04-28-16
17	30,911.31	2,764.65	33,675.96	96,806.86	10-28-16
18	31,580.43	2,095.53	33,675.96	65,226.43	04-28-17
19	32,264.03	1,411.93	33,675.96	32,962.40	10-28-17
20	32,962.40	713.52	33,675.92	0.00	04-28-18
	<b>\$542,000.00</b>	<b>\$131,519.16</b>	<b>\$673,519.16</b>		

**FIRST FEDERAL BANK**  
**Amortization Schedule**  
**Option 1 - Ten Year Amortization**  
**Straight Amortization - No Balloon Payment**

<b>Payment</b>	<b>Principal</b>	<b>3.96% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$22,264.31	\$10,910.46	\$33,174.77	\$519,735.69	10-28-08
2	22,769.67	10,405.10	33,174.77	496,966.02	04-28-09
3	23,170.84	10,003.93	33,174.77	473,795.18	10-28-09
4	23,689.39	9,485.38	33,174.77	450,105.79	04-28-10
5	24,114.14	9,060.63	33,174.77	425,991.65	10-28-10
6	24,646.42	8,528.35	33,174.77	401,345.23	04-28-11
7	25,095.69	8,079.08	33,174.77	376,249.54	10-28-11
8	25,600.87	7,573.90	33,174.77	350,648.67	04-28-12
9	26,116.21	7,058.56	33,174.77	324,532.46	10-28-12
10	26,677.63	6,497.14	33,174.77	297,854.83	04-28-13
11	27,178.95	5,995.82	33,174.77	270,675.88	10-28-13
12	27,755.84	5,418.93	33,174.77	242,920.04	04-28-14
13	28,284.79	4,889.98	33,174.77	214,635.25	10-28-14
14	28,877.77	4,297.00	33,174.77	185,757.48	04-28-15
15	29,435.47	3,739.30	33,174.77	156,322.01	10-28-15
16	30,028.01	3,146.76	33,174.77	126,294.00	04-28-16
17	30,632.47	2,542.30	33,174.77	95,661.53	10-28-16
18	31,259.63	1,915.14	33,174.77	64,401.90	04-28-17
19	31,878.36	1,296.41	33,174.77	32,523.54	10-28-17
20	32,523.54	651.23	33,174.77	(0.00)	04-28-18
	<b>\$542,000.00</b>	<b>\$121,495.40</b>	<b>\$663,495.40</b>		

**FIRST FEDERAL BANK**  
**Amortization Schedule**  
**Option 2 - Ten Year Amortization**  
**Five Year Balloon Payment**

<b>Payment</b>	<b>Principal</b>	<b>3.30% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$23,021.02	\$9,092.04	\$32,113.06	\$518,978.98	10-28-08
2	23,454.76	8,658.30	32,113.06	495,524.22	04-28-09
3	23,800.64	8,312.42	32,113.06	471,723.58	10-28-09
4	24,243.14	7,869.92	32,113.06	447,480.44	04-28-10
5	24,606.57	7,506.49	32,113.06	422,873.87	10-28-10
6	25,058.12	7,054.94	32,113.06	397,815.75	04-28-11
7	25,439.70	6,673.36	32,113.06	372,376.05	10-28-11
8	25,866.45	6,246.61	32,113.06	346,509.60	04-28-12
9	26,300.36	5,812.70	32,113.06	320,209.24	10-28-12
10	320,209.24	5,342.16	325,551.40	0.00	04-28-13
	<b>\$542,000.00</b>	<b>\$72,568.94</b>	<b>\$614,568.94</b>		

**HUNTINGTON BANK**  
**Amortization Schedule**  
**Option 1 - Ten Year Amortization**  
**Straight Amortization - No Balloon Payment**

<b>Payment</b>	<b>\$542,000 Principal</b>	<b>4.83% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$21,327.87	\$13,271.10	\$34,598.97	\$520,672.13	10-28-08
2	21,850.10	12,748.87	34,598.97	498,822.03	04-28-09
3	22,385.10	12,213.87	34,598.97	476,436.93	10-28-09
4	22,933.21	11,665.76	34,598.97	453,503.71	04-28-10
5	23,494.74	11,104.23	34,598.97	430,008.97	10-28-10
6	24,070.02	10,528.95	34,598.97	405,938.95	04-28-11
7	24,659.39	9,939.58	34,598.97	381,279.56	10-28-11
8	25,263.18	9,335.79	34,598.97	356,016.38	04-28-12
9	25,881.76	8,717.21	34,598.97	330,134.62	10-28-12
10	26,515.49	8,083.48	34,598.97	303,619.13	04-28-13
11	27,164.73	7,434.24	34,598.97	276,454.41	10-28-13
12	27,829.87	6,769.10	34,598.97	248,624.54	04-28-14
13	28,511.29	6,087.68	34,598.97	220,113.24	10-28-14
14	29,209.41	5,389.56	34,598.97	190,903.84	04-28-15
15	29,924.61	4,674.36	34,598.97	160,979.23	10-28-15
16	30,657.33	3,941.64	34,598.97	130,321.90	04-28-16
17	31,407.98	3,190.99	34,598.97	98,913.92	10-28-16
18	32,177.02	2,421.95	34,598.97	66,736.89	04-28-17
19	32,964.89	1,634.08	34,598.97	33,772.00	10-28-17
20	33,772.01	826.92	34,598.93	(0.00)	04-28-18
	<b>\$542,000.00</b>	<b>\$149,979.36</b>	<b>\$691,979.36</b>		

**KEY BANK**  
**Amortization Schedule**  
**Option 1 - Ten Year Amortization**  
**Straight Amortization - No Balloon Payment**

<b>Payment</b>	<b>\$542,000 Principal</b>	<b>5.37% Interest</b>	<b>Payment</b>	<b>Remaining Balance</b>	<b>Payment Date</b>
1	\$20,747.15	\$14,754.82	\$35,501.97	\$521,252.85	10-28-08
2	21,311.95	14,190.02	35,501.97	499,940.90	04-28-09
3	21,892.12	13,609.85	35,501.97	478,048.78	10-28-09
4	22,488.09	13,013.88	35,501.97	455,560.70	04-28-10
5	23,100.28	12,401.69	35,501.97	432,460.42	10-28-10
6	23,729.14	11,772.83	35,501.97	408,731.28	04-28-11
7	24,375.11	11,126.86	35,501.97	384,356.17	10-28-11
8	25,038.67	10,463.30	35,501.97	359,317.49	04-28-12
9	25,720.30	9,781.67	35,501.97	333,597.19	10-28-12
10	26,420.48	9,081.49	35,501.97	307,176.71	04-28-13
11	27,139.72	8,362.25	35,501.97	280,036.99	10-28-13
12	27,878.55	7,623.42	35,501.97	252,158.44	04-28-14
13	28,637.48	6,864.49	35,501.97	223,520.96	10-28-14
14	29,417.08	6,084.89	35,501.97	194,103.88	04-28-15
15	30,217.90	5,284.07	35,501.97	163,885.99	10-28-15
16	31,040.52	4,461.45	35,501.97	132,845.47	04-28-16
17	31,885.53	3,616.44	35,501.97	100,959.94	10-28-16
18	32,753.55	2,748.42	35,501.97	68,206.40	04-28-17
19	33,645.19	1,856.78	35,501.97	34,561.20	10-28-17
20	34,561.20	940.86	35,502.06	0.00	04-28-18
	<b>\$542,000.00</b>	<b>\$168,039.49</b>	<b>\$710,039.49</b>		

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

**RESOLUTION**

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

R-5  
DATE: April 30, 2008  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Purchase of Two Marked Patrol Vehicles

The Police Department has received a quote from Shaheen Chevrolet of Lansing, MI, for the purchase of two fully marked and equipped patrol vehicles through the State bid process at a cost of \$47,014.00. This price includes the transfer and/or replacement of equipment to the new vehicles. We have purchased patrol vehicles through this vendor in the past, and have been pleased with their service.

I urge your favorable consideration authorizing the purchase of two 2008 Chevrolet Impalas from Shaheen Chevrolet through the State bid process and that the City of Adrian bid process be waived.

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

DCN:bjw

R-5



**POLICE DEPARTMENT**

# MEMO

**To: Jeffrey Pardee**

**cc:**

**From: Chief Terrence Collins**

*TBC*

**Date:** 4-29-08

**Re:** Purchase and conversion of marked patrol units

---

We did not secure bids for the marked Police patrol units as we purchased them through the State of Michigan Police Equipment bid. This is the lowest price the police equipped vehicles may be purchased.

I wish to complete the conversion program to new emergency equipment on the cars. These two cars will leave only two cars to be converted in the 2009/2010 FY.

The purchase price on the patrol cars is \$18,007 per car for a purchase total of \$36014. The cost of the required new equipment plus the cost of stripping existing patrol cars and re-installing in the new units totals \$11,000.00 for a total cost of \$47,014.

I have made arrangements with Shaheen Chevrolet (supplier under the State bid) to issue the total check to them and they will issue a check to the equipment and installation company. As a result we need issue only one check.

The vehicles purchased will be two (2) 2008 Chevrolet Impala Police Package.

Most of the new equipment is purchased to replace the equipment which cannot be installed into the 2008 vehicles due to a change in the body style. Some is purchased to replace outdated equipment which is becoming costly to maintain.

**R08-070**

May 5, 2008

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

**RESOLUTION**

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
------------------	--------------------------------	-------------

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.

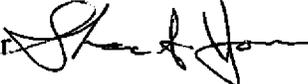
BE IT, FURTHER, RESOLVED that, due to the competitive bid process conducted by the State of Michigan and the economies of volume purchasing, the City's bid process be waived as provided by Chapter Twelve of the Adrian City Charter.

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

---

## MEMORANDUM – UTILITIES DEPARTMENT

---

DATE: April 29, 2008  
TO: Dane C. Nelson, City Administrator  
FROM: Shane A. Horn, Utilities Director   
SUBJECT: Copper Purchase for Water Services

---

I concur with the recommendation of the Utilities Director to authorize payment to SLC Meter Service of Davisburg, MI for ¾ and 1" copper pipe in the amount of \$5,800.00. A routine order had been placed with SLC to replenish stock; however, due to the rising cost of copper, the anticipated price exceeded the spending limitation for purchases that haven't gone through the bid process.

I urge your favorable consideration authorizing payment to SLC Meter Service in the amount of \$5,800.00 and that the bid process be waived.

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

DCN:bjw

SLC Meter Service of Davisburg, MI has been supplying our water meters and associated copper for water services for many years. Steve Eberle, O&M Superintendent has placed a routine order from SLC for 1000 ft. of ¾" copper and 300 ft. of 1" copper. Due to the rapid escalation of copper prices, the total invoice for this purchase was \$5,800.00. I respectfully recommend that we proceed with the payment of this invoice to SLC Meter Service of Davisburg, MI for \$5,800.00. There are sufficient funds available in the distribution system O&M budget for this routine expense.

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

# Invoice 223154

Invoice Date 04/16/08

**SLC METER SERVICE INC.**  
 10375 DIXIE HWY  
 DAVISBURG, MI 48350 USA

Telephone: 248/625-0667

**Bill To:**

ADRIAN, CITY OF  
 100 E CHURCH ST  
 ADRIAN, MI 49221  
 U.S.A.

**Ship To:**

ADRIAN, CITY OF  
 100 E CHURCH ST  
 ADRIAN, MI 49221  
 U.S.A.

Customer	Ship Via	F.O.B		Terms	
ADR1	Delivered	Origin		NET 30 DAYS	
Purchase Order Number		Salesperson	Order Date	Our Order Number	
STEVE		JD	04/08/08	200510	
Quantity Ordered	Quantity Shipped	Item Number	Unit of Measure	Unit Price	Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax
1000	1000	C-75X100	EACH	4.1500	4150.00
		0 COPPER 3/4" X 100' K SOFT		N	
300	300	C-1X100	EACH	5.5000	1650.00
		0 COPPER 1" X 100' K SOFT		N	

RECEIVED  
 APR 22 2008  
 CITY OF ADRIAN

\*\*\*\*NO STATEMENT SENT: PLEASE PAY FROM INVOICE\*\*\*\*  
 1.5% FINANCE CHARGE ON ACCOUNTS PAST 30 DAYS.  
 25% RESTOCKING CHARGE ON ALL RETURNS  
 NO Returns On Special Ordered Items. NO Returns Without Pre-Authorization.

Net due on 05/16/08

Nontaxable Subtotal	5800.00
Taxable Subtotal	0.00
Tax	0.00
<b>Total Invoice</b>	<b>5800.00</b>

**R08-071**

May 5, 2008

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

**RESOLUTION**

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

R-7  
**R08-072**

May 5, 2008

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

**RESOLUTION**

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

R.S

# MEMO

---



DATE: May 1, 2008  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Special Assessment Roll

At the last Commission meeting, the Commission set over five potential single lot assessments for further review. I am enclosing short memos from the Code Enforcement Officer which set forth the requested information. I have presented a resolution which individually lists all of the potential properties to be assessed. If, after discussion of this matter, the Commission determines to remove any or all of these potential assessments, they can be stricken from the overall resolution during the meeting.

Respectfully submitted

  
Dane C. Nelson  
City Administrator

DCN:bjw

attachments

# Memo

**To:** Dane Nelson, City Administrator  
**From:** Glenn Preston, Code Enforcement Officer  
**CC:** Sarah Osburn, City Attorney  
**Date:** 4/29/2008  
**Re:** 823 E Church Weed Mowing (Michael Johnson, Owner)

---

## **823 E Church Street Weed Mowing**

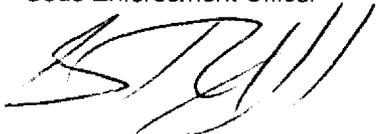
Dane,

Looking at the pictures of this property I do not remember having written a work order to have it mowed. Additionally, Robert Gentry is unable to find the file containing mowing done on this date. It is possible that it was mowed without an order by me, but that cannot be verified. I recommend dismissal of this charge as it cannot be determined why it was mowed.

Respectfully

Glenn Preston

Code Enforcement Officer



# Memo

**To:** Dane Nelson, City Administrator  
**From:** Glenn Preston, Code Enforcement Officer  
**CC:** Sarah Osburn, City Attorney  
**Date:** 4/29/2008  
**Re:** 122 & 133 Union Weed Mowing (Eric Ditmer, Owner)

---

## **122 & 133 Union Weed Mowing**

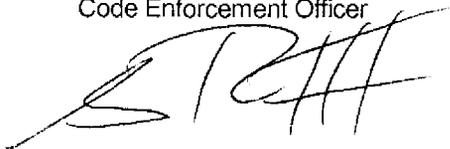
Dane,

I do not have the information as far as Mr. Ditmer's reason for appeal is on these two properties, other than I've been told that he claims there was a drought and that there is no way that the grass could have been over the 8" limit. According to records provided by the City of Adrian Wastewater treatment plant, there was a total of 1.38" of rain for the month of May 2007 and a total of 2.48" of rain before June 23, 2007 (the date that the lawns were mowed). For the two months combined starting the mowing season there was a total of 3.86" of rainfall, which by definition does not constitute a drought. Both properties were in violation of the weed ordinance and therefore were mowed by the city.

Respectfully

Glenn Preston

Code Enforcement Officer



# Memo

**To:** Dane Nelson, City Administrator  
**From:** Glenn Preston, Code Enforcement Officer  
**CC:** Sarah Osburn, City Attorney  
**Date:** 4/29/2008  
**Re:** 1127 July Drive Weed Mowing (Steven Black, Owner)

---

## **1127 July Drive Weed Mowing**

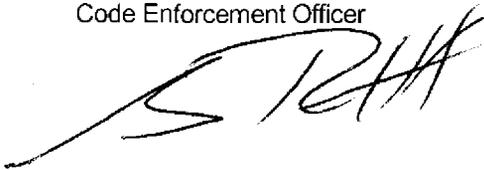
Dane,

Several days after we mowed this property Mr. Black called me very angry. He accused the city of watching his property and waiting for his wife to leave so we could go mow it, which obviously, was not the case. I do not recall if it was the back or front, but one or the other had been mowed while the remaining had not been and was well above the 8" limit. I understand that Mr. Black's complaint is now based not on the fact that we mowed it, but that it wasn't mowed to his satisfaction to justify the \$160 charge. It should be noted that all weed mowing is done on overtime, and that this is usually done only once or twice a week with several mowing jobs on the docket each time. It is not the policy of the city to mow these properties equivalent to that of a professional lawn care company as our only goal is to eliminate the violation and to move onto the next one. I recommend that this charge not be waived.

Respectfully

Glenn Preston

Code Enforcement Officer



# Memo

**To:** Dane Nelson, City Administrator  
**From:** Glenn Preston, Code Enforcement Officer  
**CC:** Sarah Osburn, City Attorney  
**Date:** 4/29/2008  
**Re:** 130 Seeley Boulevard trash pickup (Joe Burgess, Owner)

---

## **130 Seeley Boulevard trash pickup**

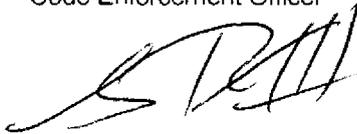
Dane,

Boulevard trash pickup was conducted at 130 Seeley on Thursday, May 10, 2007, four days after the scheduled pickup date. I concur with Mr. Burgess Claim that the entertainment center was in fact removed by time DPW picked up trash, however, as Mr. Burgess states in his letter, DPW did in fact pickup the remaining trash at this address. On that date the City of Adrian had five (5) other pickups. The total cost was divided equally amongst the six (6) total pickups, which is the reason for the charge of \$129 to Mr. Burgess. This charge included labor, equipment and landfill charges. I have included pictures of the other five (5) pickups for that date. As you can see, all of them were equal in size. While I understand Mr. Burgess Claim that the tenant put the trash out, even after he was dutiful in removing the initial curbside trash, it is my opinion that it would be unfair to waive the entire fee for this one property and not the other five (5).

Respectfully

Glenn Preston

Code Enforcement Officer



April 15, 2008

Joseph M. Burgess  
3303 Mardan Dr.  
Adrian, MI 49221

RECEIVED

Patricia M. Baker  
City of Adrian  
100 E. Church St.  
Adrian, MI 49221

RE: Invoice #: 0000001791

Dear Ms. Baker:

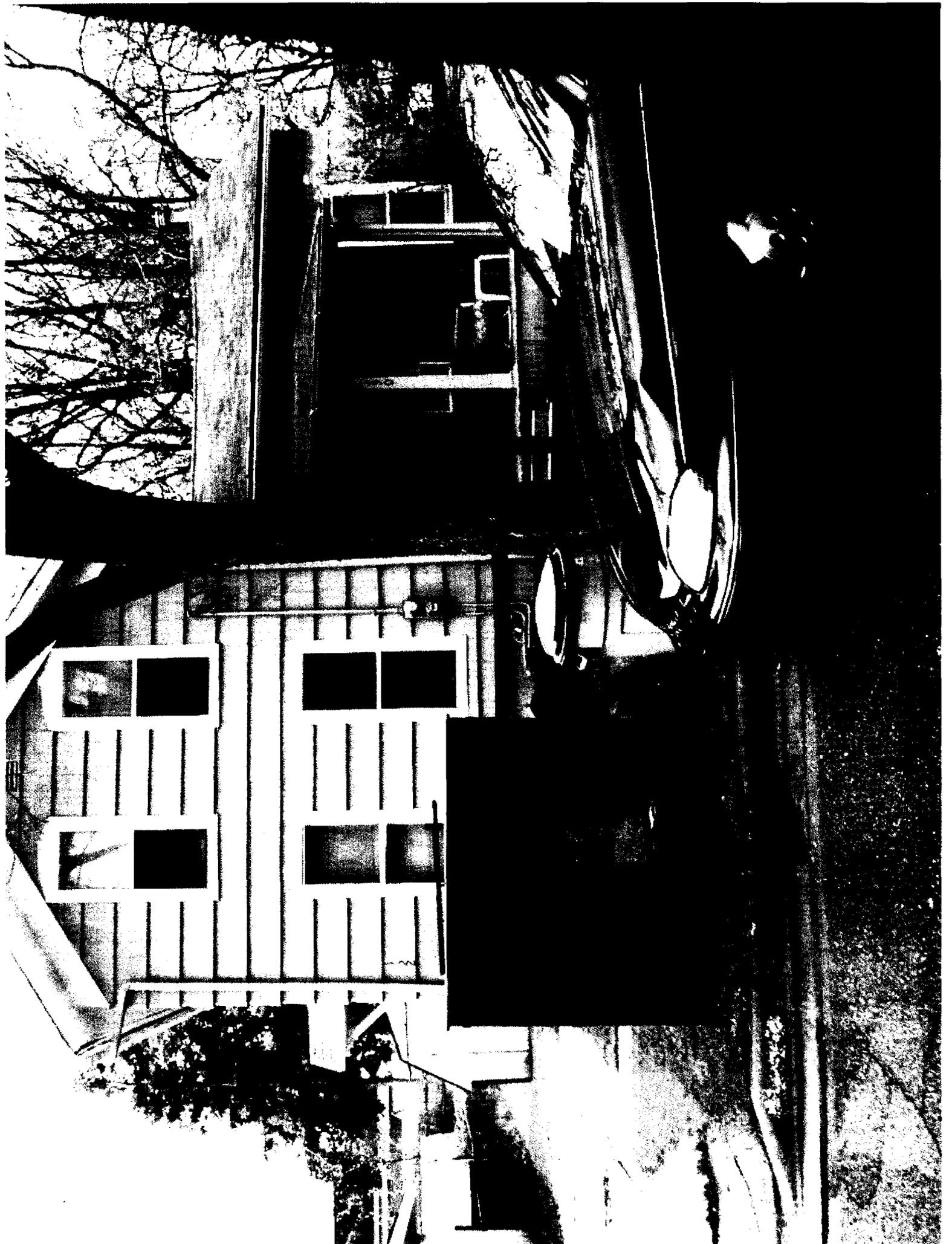
I am disputing the \$129.00 bill for trash pick up and administration fee for 130 Seeley St., Adrian, on 05/10/07 for one bag of garbage. The tenant at that address was in the process of being evicted and put trash out, including an entertainment center, on the wrong date. I personally went and took the entertainment center and trash off the boulevard. The tenant once again put one bag of garbage out on the boulevard on the wrong date, which was picked up by the city. I am requesting that you reconsider the \$129.00 charge for the pickup of one bag of garbage.

As per my conversation with Mr. Glen Preston, the garbage collector admitted to not taking the entertainment center.

Sincerely,



Joe Burgess



April 29, 2008

## MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

CC: Glenn Preston, Code Enforcement

SUBJECT: Snow Removal at 513 Toledo St



---

Enclosed you will find the aerial view of the lot at 513 Toledo St. The area bounded by the red line was the area cleaned by the City's contractor. I have also enclosed a copy of the before and after pictures of the property shoveled.

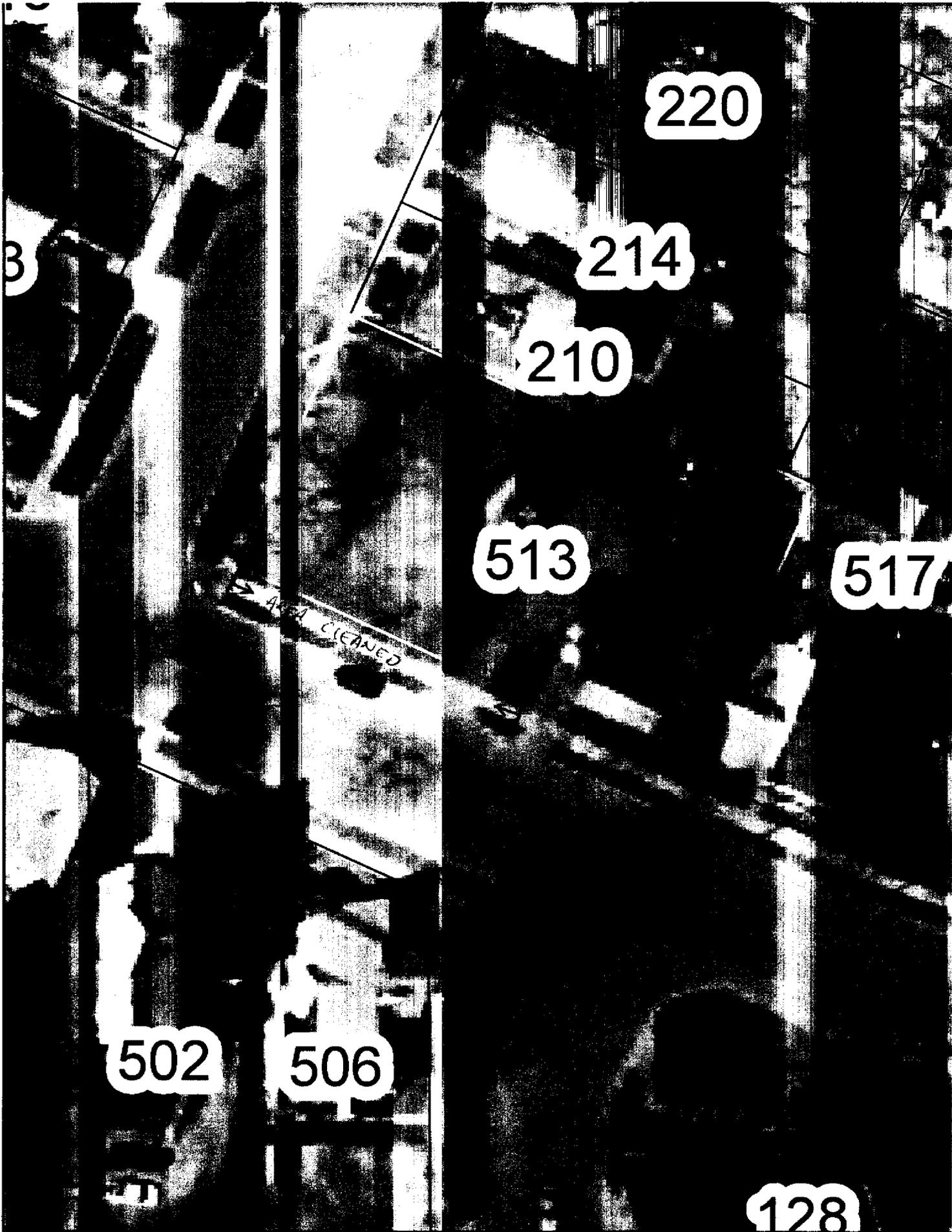
I have talked with Mr. Roney at length and have agreed that he had cleared his walk previous to this picture as you can clearly see on the right side of the walk on the before picture. When the before picture was taken the person holding the shovel is also standing on Mr. Roney's property that was clear to the concrete. In my discussion with Mr. Roney, I explained that if the snow drifts back over the walk following the initial clearing he is responsible for clearing the walk again. It appears to me that the snow in the before picture had blown back over the walk. Between the sidewalk and street, it can be seen that this snow is disturbed as you may expect it to look after the plow would go by and the snow on the walk looks to be fresh and "clean".

The snow was removed from the walks on March 7, 2008 because of a snow on March 4, 2008.

If you have any further questions please feel free to contact me.

A handwritten signature in black ink, appearing to read 'Kristin Bauer', is written over a horizontal line. The signature is fluid and cursive.

Kristin Bauer



*"respect for the individual voice, service for the common good"*



BEFORE



AFTER

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

**RESOLUTION**

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 (included) \_\_\_\_\_ or (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) \_\_\_\_\_ or (excluded) \_\_\_\_\_ 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) \_\_\_\_\_ or (excluded) \_\_\_\_\_ 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) \_\_\_\_\_ or (excluded) \_\_\_\_\_ 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) \_\_\_\_\_ or (excluded) \_\_\_\_\_ from the Special Assessment Roll.

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

R-9

**R08-074**

May 5, 2008

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

**RESOLUTION**

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

*need resolution*

**Kristin Bauer**

---

**From:** Daniel Strybel [dstrybel@secor.com]  
**Sent:** Wednesday, February 13, 2008 11:31 AM  
**To:** Kristin Bauer  
**Subject:** Access Agreement

Ms. Bauer:

Attached is the access agreement that DTE Energy executed with the City. DTE would like to continue to have access to sample the monitoring wells that were installed as indicated in the attached agreement. If you have any questions, please contact me. Thank you.

Daniel Strybel  
SECOR International Incorporated, now Stantec  
27280 Haggerty Road, Suite C-11  
Farmington Hills, MI 48331  
Office: 248-489-5900 (ext 235)  
Fax: 248-489-1088



SECOR  
INTERNATIONAL  
INCORPORATED

www.secor.com  
27280 Haggerty Road, Suite C-11  
Farmington Hills, MI 48331  
248-489-5900 TEL  
248-489-1068 FAX

July 27, 2004

Mr. Keith Dersham  
City of Adrian  
100 E. Church Street  
Adrian, MI 49221

DEC - EM&R  
JUL 30 2004

RE: Kiwanis Trail  
Adrian, MI

Dear Mr. Dersham:

Enclosed is an executed Access Agreement pertaining to the installation of monitoring wells, soil sampling and groundwater sampling at the above-referenced property. I will contact you when the field activities have been scheduled. If you have any questions, please contact me at 248-489-5900. Thank you.

Sincerely,  
**SECOR International Incorporated**

Daniel Strybel, CPG  
Project Manager

Enclosure

Cc: Darrell Grassmyer, DTE Energy Company

## ACCESS AGREEMENT

This Access Agreement ("Agreement") is made as of May 17, 2004, 2004, by and between **City of Adrian**, ("Owner"), and **DTE Energy Company**, a Michigan corporation, ("DTE") (collectively referred to herein as "the Parties"):

### Recitals

- A. Owner is the owner of certain real property located in the City of Adrian, Lenawee County, Michigan, more particularly described on Exhibit A attached hereto (the "Property").
- B. The Property is believed to be at or near the former location of a manufactured gas plant.
- C. DTE desires to perform a Remedial Investigation at the Property, including but not limited to conducting soil and/or groundwater sampling and testing, and Owner has agreed to grant access to DTE for such purposes, on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent to be legally bound, the Parties hereby covenant and agree as follows:

1. Access. Owner hereby grants to DTE, its successors, parents, affiliates, assigns and consultants, access to the Property for the purpose of performing a Remedial Investigation of the Property, including but not limited to the collecting and testing samples of soil and groundwater through the installation of one or more soil borings and/or monitoring wells ("Remedial Investigation"). In specific, the Remedial Investigation will consist of installing up to five monitoring well in support of an environmental investigation being conducted on the former manufactured gas plant site located on the Citizens Gas Fuel Company property (117 N. Winter Street, Adrian, Mi). The approximate locations of the proposed monitoring well are shown on the attached map (Exhibit B) as W-25, W-25D, W-26, W-32 and W-33.

These borings will be completed with a drilling rig. This rig may disturb the areas on which it drives and drills. All disturbed areas will be repaired following completion of drilling activities. The monitoring wells will be 2-inches in diameter, will be flush with the ground, and will be covered by an 8-inch (approximate) diameter metal cover. Three to four people will be on site to complete the monitoring well installation. Soil samples will be collected during each well installation. The monitoring wells will take up to 4 hours each to install; therefore DTE expects to be on the property for no more than three days for monitoring well installation.

Following the well installation, DTE would like to collect water samples from the monitoring wells. One to two people will be on site to perform the sampling. It is expected that the sampling of the monitoring well will take approximately 4-6 hours per sampling event.

1.1 At least two business days before entering the Property for the purposes of carrying out the Remedial Investigation, DTE and/or its agents will contact the Owner to inform him of their intent to enter onto the Property pursuant to this Agreement and to coordinate their activities.

1.2 DTE's investigatory activities shall be performed in a workman-like and professional manner, and at a time and in a manner so as to minimize the disturbance to Property Owner or occupants of the Property.

1.3 Owner and/or any successor Owners shall not interfere with DTE's access to the Property and/or investigatory activities thereon. Owner and/or any successor Owners shall not remove, alter, destroy, and/or otherwise interfere with any monitoring well installed on the Property without fourteen days (14) days prior notice and obtaining DTE's consent thereto. DTE shall not unreasonably withhold consent to the performance of any such activities. DTE and/or its agents shall provide Owner with a map depicting the location of any monitoring wells installed on the Property.

1.4 DTE will request Miss Dig to mark on the ground surface the locations of buried utilities (e.g., electrical lines, telephone lines, sewers, water mains and natural gas pipes) in the area to be investigated, provided that the area is part of the utility companies' easements. Miss Dig utility clearance service does not include marking of private buried sewer lines or utilities installed by the landowner, tenant or operator. Therefore, Owner will provide DTE and/or its agents with all reasonably available information, including a detailed map, if available, about the location of all subsurface structures at the Property. If the Owner, and successor Owners, or Owner's tenants has installed any subsurface structure and the Owner fails to disclose such information to DTE or if the information the Owner provides about such structures is inaccurate, DTE shall not be responsible for any damage to such subsurface structures.

1.5 Disposal and handling of any soils and/or other by-products of the investigatory activities will be removed as expeditiously as possible from the Property upon completion of the Remedial Investigation following characterization and approval of disposal at a licensed landfill and weather permitting.

1.6 Within a reasonable period of time at the end of the Remedial Investigation, and subject to DTE's determination that any monitoring wells installed by DTE on the Property will not be needed for future work and weather permitting, DTE and/or its agents will remove the well casings, plug all wells, and restore any surface features such that the portions of the Property on which any investigatory activities have occurred are returned to a condition at least as good as it was prior to the initiation of the Remedial Investigation.

2. **Term.** Subject to paragraph 1.6, access shall terminate upon DTE's written notification to the Owner or any successor Owner of the Property that no further Remedial Investigations, or other work, are necessary at the Property, provided that the term shall not exceed three years. If, at the end of such three year period, DTE wishes to extend the termination date, it may request an extension from the Owner. Such request must be made prior to the end of such period.

3. **Assignment.** Owner and any successor Owners of the Property may assign or otherwise transfer its interests in the Agreement and its rights hereunder, subject to the conditions set forth in herein. Any sale or other transfer or encumbrance of all or any part of the Property shall be subject to this Agreement.

4. **Notices.** All notices required under this Agreement shall be in writing and shall be deemed to have been given if delivered personally, mailed by certified or registered mail, overnight delivery service, or sent by telefacsimile to Owner or to DTE Energy with a copy to DTE at their respective address as set forth below, or to any other address that either party may furnish in writing during the term of this Agreement:

Corporate Secretary  
DTE Energy  
2000 2<sup>nd</sup> Avenue  
Detroit, MI 48226  
Facsimile: (313)235-7098

Darrell Grassmyer, Project Manager  
DTE Energy  
2000 2<sup>nd</sup> Avenue, 655 GO  
Detroit, MI 48226  
Facsimile: (313)235-5018

5. **Captions and Headings.** The captions and headings used in this Agreement are intended only for convenience and are not to be used in construing this Agreement.

6. **Applicable Law; Arbitration; Severability.** This Agreement shall be governed by the laws of the State of Michigan and any disputes arising out of this Agreement shall be settled by binding arbitration held in accordance with the commercial arbitration rules (or rules applicable to real estate transactions) of the American Arbitration Association, as well as the laws of the State of Michigan. An award rendered by the arbitrator shall be final and binding on all parties to the proceeding. Judgment upon the award rendered by the arbitrator may be entered in any court located within the State of Michigan having jurisdiction thereof. If any provision of this Agreement or its application to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

7. **Successors.** This Agreement and the covenants and conditions shall inure to the benefit of and be binding on Owner and his successors and assigns and shall be binding on DTE and its, affiliates, parents, successors, and assigns.

8. **Entire Agreement/Amendment.** The Agreement constitutes the entire Agreement between DTE and Owner and it may be modified only by written agreement of the Parties.

9. **Counterparts.** This Agreement may be executed in two or more counterparts, with the same effect as if all the signatures on the counterparts were on the same instrument.

*{Signature page follows}*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

Signed in the presence of:

Marsha K. Rowley  
Type/Print Name: MARSHA K. ROWLEY

Brenda J. Williams  
Type/Print Name:  
Bremda J. Williams

Owner

  
By: CHARLES E. CHASE  
Type/Print Name: Charles E. Chase  
Its: Mayor Pro-Tem

DTE Energy Company

Diane Martino  
Type/Print Name: Diane Martino

DTE Environmental Engineer  
Type/Print Name:

By: Darrell P. Grassmyer  
Type/Print Name: Darrell GRASSMYER  
Its: DTE SUPERVISOR

EXHIBIT A

Property commonly known as the City of Adrian DPW Yard at 231 Race Street, Adrian, Michigan; and,

Property known as the Kiwanis Bike Trail (located between 231 Race Street and the City of Adrian's Police Department's Vehicle Impoundment Yard

EXHIBIT B

Map Showing Approximate Locations of Monitoring Wells



R-10

DATE: May 1, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Island Park Bridge Project

The Parks & Recreation Director has requested authorization to proceed with the basic design option for the Island Park entry bridge replacement, which is included in the FY2008-09 Budget. He is also requesting that \$20,000 be added to the project cost for the removal of gabion baskets west of the bridge and regrading of the banks. The Finance Director has indicated that there are sufficient funds in the Undistributed Fee Estate account for this additional expense.

I urge your favorable consideration authorizing the Parks & Recreation Department to proceed with the basic design option for the replacement of the Island Park entry bridge, the removal of the gabions west of the bridge, and the resulting budget amendment in the amount of \$20,000.

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

DCN:bjw

R-10

# Memo

**To:** Dane C. Nelson, City Administrator  
**From:** Mark K. Gasche, Parks and Recreation Director  
**Date:** May 1, 2008  
**Subj:** Island Park Bridge – Design Recommendation

As you know, the replacement of the Island Park Bridge is in the FY 2008-09 budget. The budgeted amount for the project is \$150,000. As previously approved, we have hired Rowe Engineering to do the design and specification for work for the project. As requested, they have provided several design options – varying from a basic concrete box culvert to a clear span, timber frame covered bridge. The estimated cost of the project with these design options ranges from \$149,713 to \$612,700.

After reviewing the design options with staff, and getting feedback from the City Commission, I am recommending that we go with the basic design option. This 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. This is the only option which has a cost estimate that fits into our project budget.

There is one element of the proposed project not included in this design and cost estimate (or any of the designs) that we would like to have considered. That is the removal of the gabion baskets around the retention area west of the bridge, and regrading of the banks in that area. This would be a significant aesthetic improvement to the area. We would like to get this work done under the DEQ permit for this project. We have received a verbal estimate from a local contractor to do this work for \$15,000-\$20,000. Of course we wouldn't know the actual final cost until we bid the work, but our hope would be that it could be done on the lower side of that amount. Either way, this is a good price for this work and it would add a long lasting and significant improvement to the project. My recommendation is to include the gabion removal and bank regrading to the project, and add up to \$20,000 to the project for this purpose. The funds are available in the Fee Estate undistributed net income.

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

**RESOLUTION**

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	<u>20,000</u>
Total	<u>\$ -0-</u>

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