

# PRE-MEETING AGENDA

ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
OCTOBER 5, 2009  
5:30 P.M.

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The City Commission will meet for a pre-meeting study session on Monday, October 5, 2009 at 5:30 p.m. in the 2<sup>nd</sup> floor conference room at the former Adrian City Hall, 100 E. Church St. to discuss the following:

- I. Lake Adrian Public Access - (Report Attached)  
– *Shane Horn, Utilities Director*
- II. Discussion on Opra Districts - (Report Attached)  
– *Chris Atkin*
- III. Other Items as Time Permits



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## MEMORANDUM – UTILITIES DEPARTMENT

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DATE: September 30, 2009

TO: Dane C. Nelson, City Administrator

FROM: Shane A. Horn, Utilities Director  
Mark K. Gasche, Parks & Recreation Director  
Kristin L. Bauer, City Engineer

SUBJECT: Lake Adrian Public Access

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In considering the question of public access to Lake Adrian for fishing we recognize that fishing is an outstanding recreational activity. It is available to people of all ages, it is a low cost activity, and it something that can be done throughout most of the year. Many of us grew up fishing and have many fond memories of fishing with family and friends. Unfortunately, in the case of Lake Adrian, public access wasn't taken into consideration when the lake was built and as the surrounding property was developed over the years. Now there isn't a suitable location around the lake to provide public access other than near the Water Treatment Plant. And that brings security and liability into the decision process of whether or not public access is granted.

Our current security policy at the water plant is to prohibit public access to Lake Adrian as well as the pond in front of the plant. The security fence and motorized gate have been relocated to better accommodate chemical deliveries and to improve aesthetics along Bent Oak Avenue. The motorized gate on our main service drive is closed at all times. We have an intercom at the gate that the public may use to talk with plant personnel and gain entry to the plant.

We respectfully recommend that our present policy of restricting public access be continued, for the following reasons:

- The Vulnerability Assessment completed in 2004 recommended that we continue the perimeter fence to restrict access.
- Michigan Department of Environmental Quality sanitary survey recommended improved security procedures including perimeter fencing.
- The water plant provides an essential service to the community.
- Restricting public access may reduce our liability for future claims by utilizing fencing and signage.
- We have addressed security deficiencies at the plant as a result of the 2004 Vulnerability Assessment. Allowing unrestricted access would be taking a step backwards in regards to security and liability.
- We have made fishing available to the public through the Burr Ponds Park renovation project.

The following City of Adrian employees comprised the committee to further explore the public access issue at Lake Adrian:

Shane Horn	Utilities Department
Tim Ritchie	Utilities Department
Mark Gasche	Parks & Recreation
Robert Gentry	Parks & Recreation
Kristin Bauer	Engineering Department

The committee met at the water plant on Lake Adrian on Thursday August 6, 2009 to walk the grounds and discuss the alternatives discussed at the August 3, 2009 commission pre-meeting at the water plant.

### **Public Access from Riverside Avenue:**

The committee concluded that public access from Riverside Avenue would not be advisable for the following reasons:

- Clearing of the area could accelerate erosion of the bank and impact the existing roadway.
- The existing grade would require a large switch back to comply with ADA requirements.
- The construction costs involved with this site due to the existing grade features would make this site impractical for development.<sup>1</sup>

<sup>1</sup> The committee recommended the hiring of a consultant to further discuss this alternative and develop cost estimates if further discussion was requested. It is the opinion of the committee that this site would be cost prohibitive to develop into a public access site due to existing grade features.

### **Access From the North Drive:**

#### **Option 1:**

If public access is ultimately granted, one option to consider would be to open the North drive gate and continue fencing from the gate along the access road and tie into the existing fence that runs behind the plant (See Option 1 Drawing). A small parking area could be created just off of the access road. The intake area would be fenced off and protected from access. This would essentially open up the shoreline at the plant and also provide the security for the treatment plant and intake. We would not provide a boat launch; boats would be required to be carried from the parking area. I would recommend that we utilize the same private security firm that the Parks Department uses to clear the grounds and close the gate. The hours available for public access would be set from 7am-10pm everyday including weekends. The costs associated for Option #1 would be the following:

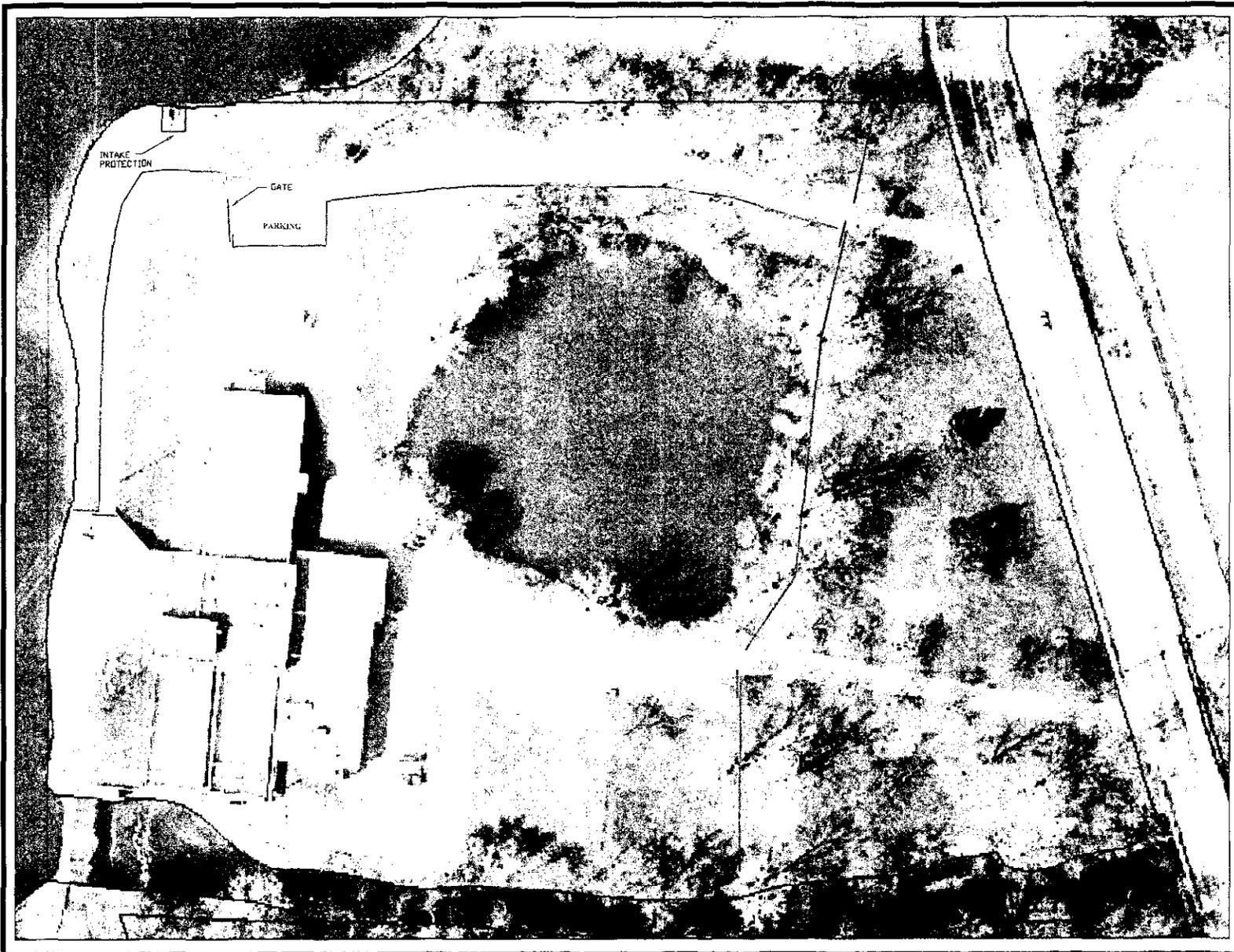
<u>Improvements</u>	<u>Estimated Cost</u>
788 ft. of fencing with installation	\$14,000
Private security (Based on 1/2 hr. per day)	\$ 2,093 annually
Mowing and trash pick-up (2 hrs per week for 36 weeks)	\$ 720 annually

**Option 2:**

While it is the opinion of the committee that the following additional improvements should be made to improve the safety and accessibility to the public, the following improvements could be phased in as funds become available.

<u>Improvements</u>	<u>Estimated Cost</u>
North drive paving	\$18,500
788 ft. of fencing with installation	\$14,000
ADA accessible switch back ramp with retaining wall	\$30,000
Clearing and grubbing	\$ 5,000
Bank slope improvements	\$30,000
Floating fishing pier w/abutment	\$90,000

Attachments: Security Measures at Water Treatment Facilities  
Lake Adrian Dam Observed Deficiencies and Recommendations  
Letter from Former Utilities Director Mr. Carl Nelson



UTILITIES DEPARTMENT  
CITY HALL  
100 E. CHURCH STREET  
ADRIAN, MI 49221  
(517) 264-4825

LAKE ACCESS  
PROJECT  
2009

WTP  
BENT OAK

NO.	ISSUE/REVISION	DATE

### OPTION 1

—— EXISTING FENCE  
- - - - PROPOSED FENCE

DATE September 14, 2009	DRAWN BY NTS	SHEET NO. 1 of 1
DESIGNED BY TJB:SAH		



John Engler, Governor

**DEPARTMENT OF PUBLIC HEALTH**

3423 N. LOGAN/MARTIN L. KING JR., BLVD.  
P.O. BOX 30195, LANSING, MICHIGAN 48909

Dennis L. Schornack, Acting Director

January 17, 1991

TO: Michigan Municipalities

ATTENTION: Water Superintendent

SUBJECT: Security Measures at Water Supply Facilities

Gentlemen:

Given the events which are transpiring in the Middle East and our country's involvement with those actions, the threat to vital facilities in our state from terrorist actions is certainly a possibility. As water system managers and regulatory officials, we must exercise reasonable precautions to avert possible impacts to water supply systems and respond appropriately should such a threat be posed.

As part of your overall contingency plan, we ask that you give thought to this area of potential risk and if necessary, make changes to your plan to address this concern. Particular attention must be given to providing reasonable security for your source, treatment and storage facilities. All possible means of access to these facilities should be locked at all times. Any suspicious activity by unauthorized persons in or around water supply facilities should be questioned and if warranted, local law enforcement officials alerted.

We suggest that you address this concern in a most discreet manner and not draw undue attention to the potential risk. Should you wish to discuss any element of your contingency plan or security measures with us, please contact your district engineer at your convenience.

Very truly yours,

A handwritten signature in cursive script that reads "James K. Cleland".

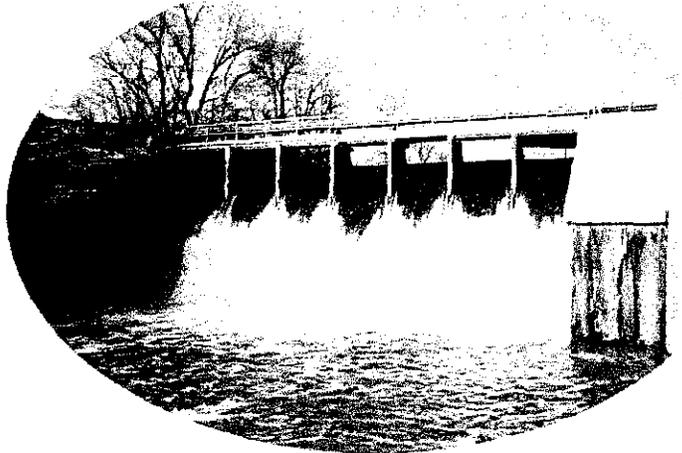
James K. Cleland, P.E., Chief  
Division of Water Supply  
Bureau of Environmental and  
Occupational Health

JKC:MKM

# LAKE ADRIAN DAM INSPECTION

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Dam Identification No. 594  
Hazard Potential: High  
Section 35, T. 06 S. – R.03 E.  
City of Adrian, Lenawee County, Michigan  
Wolf Creek



Per Part 315, Act 451 of 1994  
PREPARED FOR:

*City of Adrian Water Treatment Plant  
Attn: Tim Ritchie  
815 Bent Oak Avenue  
Adrian, Michigan 49221  
(517) 263-0923*

PREPARED BY:

*Spicer Group, Inc.*

INSPECTED BY:

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Raymond S. Trudgeon, P.E. #56257

Date of Inspection: **April 10, 2009**  
Date of Report: **August 31, 2009**

Project I.D. Number 117648SG2009

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**Spicer**  
group

## CONCLUSIONS AND RECOMMENDATIONS

### A. Overall Condition

Visual inspection of the dam indicates that the dam and its appurtenant structures are in fair to satisfactory overall condition. The spillways appeared to be in fair condition and their capacities adequate if properly operated. The calculated normal freeboard is 0.8 feet for the design event. The earthen embankment appeared to be sound and structurally stable at the time of the inspection and is in fair condition. The following is a list of observed deficiencies and recommendations.

### B. Observed Deficiencies and Recommendations

1. *Observation:* The riprap placed along approximately 500 lineal feet of the left upstream slope of the earth embankment is comprised of recycled reinforced concrete and is not uniform in its sizing or placement. Erosion has occurred around several of the larger pieces of riprap. Also certain pieces of riprap contain exposed sections of reinforcing steel, which poses a safety risk.

*Recommendation:* Remove the existing riprap material. In order to utilize materials, the removed riprap could be used as a form of energy dissipation in the outlet channel. Use engineered fill to widen the dam crest and reduce the gradient of the upstream slope of the embankment. Also install wave erosion protection through the use of filter fabric and riprap or other devices.

2. *Observation:* There are several areas of sloughing and beaching of embankment materials along the upstream slope. The riprap protection in these areas is irregular in sizing and placement. Also ruts from a gravel truck are present near the left end of the upstream slope of the earthen embankment. The continued erosion of embankment material may compromise the integrity of the dam and lead to its failure.

*Recommendation:* The use of engineered fill to repair the erosion problems shall be addressed at the same time as the previous recommendation.

3. *Observation:* At the time of the inspection sections of the left downstream embankment slope were void of vegetation since they were currently under construction. Soil erosion and sedimentation control measures were installed to prevent the migration of soil materials. Per owner these slopes have become vegetated with grass since the time of the inspection.

August 10, 2009

Gary McDowell, Mayor  
100 E Church Street  
Adrian, MI 49221

Dear Mayor Mc Dowell,

I have enjoyed fishing since I was a kid and I think the fishing docks such as at Burr Park are great. However, I am concerned about the proposed fishing dock for kids at the site of the Water Department dam and the Water Plant intake.

The hatred and violence so often displayed in today's society whether from mental revenge or get even reasons within society today, makes it prudent to prevent access to the extent possible at the Water Plant dam including the intake.

Sincerely,

A handwritten signature in cursive script that reads "Carl Nelson".

Carl Nelson  
Former Utilities Director



City of Adrian  
Community Development Department  
100 E. Church St.  
Adrian, MI 49221

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TO: Dane C. Nelson, City Administrator  
Hon. Gary McDowell, Mayor  
City Commissioners

FROM: Chris Atkin  
Director of Community Development

DATE: September 29, 2009

SUBJECT: Additional OPRA District(s)

To all:

Community Development received a phone call from David Rydzinski, president and owner of Officeville, Inc. requesting information about city tax abatements. Mr. Rydzinski is currently renting space in a building that has been foreclosed and would like to purchase it so he can continue operating his business at this location. He would like to renovate the interior, which he believes is functionally obsolete, so he can use part of the building to showcase some furniture and equipment they offer, in addition to some potential small businesses who are interested in renting part of the building for office space.

Under State of Michigan Act 146, Obsolete Property Rehabilitation Act of 2000, a qualified local governmental unit, by resolution of its legislative body, may establish one (1) or more obsolete property rehabilitation districts that may consist of one (1) or more parcels or tracts of land. As you are aware, there is one (1) established OPRA district in the City of Adrian that includes all parcels within the DDA District. By designating more districts it is believed that the additional offering of tax abatements to commercial properties will greatly increase the chance of economic development and reduce blighted and vacant structures within the city. Community Development is respectfully seeking permission to begin proceedings to create OPRA District #2, 1893 W. Maumee St., and OPRA District #3, 1853 W. Maumee St. (Brass Lantern).

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Chris Atkin".

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Chris Atkin  
Director of Community Development



100 E. Church St.  
Adrian, Michigan 49221



1" = 150'

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

# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
OCTOBER 5, 2009  
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- I I. ROLL CALL
- I I I. APPROVAL OF MINUTES OF THE SEPTEMBER 21, 2009 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS
  - 1. C-1. Communication from Michigan Government Finance Officers Association (MGFOA) regarding a Proclamation presented by the GFOA in recognition of governmental units who have attained the Certificate of Achievement for Excellence in Financial Reporting
  - 2. C-2. MGFOA Fall Training Institute Report
  - 3. C-3. Communication from Comcast regarding a change in channel lineup
  - 4. C-4. Communication from Comcast regarding price changes
- V I. CONSENT AGENDA
  - A. RESOLUTIONS
    - 1. CR09-053. Resolution to award bid for paving a portion of the Kiwanis Trail.
    - 2. CR09-054. Resolution setting a Public Hearing date to hear and consider comments to approval of an Industrial Facilities Exemption Certificate for Dairy Farmers of America, Inc.
- V I I. PUBLIC COMMENTS
- V I I I. REGULAR AGENDA
  - A. PUBLIC HEARINGS
    - 1. Public Hearing to hear and consider comments to the transfer of IFT No. 03-0518 from Delphi Automotive Systems to Inteva Products, LLC.

2. Public Hearing to hear and consider comments to the transfer of IFT No. 04-080 from Delphi Automotive Systems to Inteva Products, LLC.

B. RESOLUTIONS

1. R09-162. Resolution to approve the transfer of IFT No. 03-0518 from Delphi Automotive Systems to Inteva Products, LLC.
2. R09-163. Resolution to approve the transfer of IFT No. 04-080 from Delphi Automotive Systems to Inteva Products, LLC.
3. R09-164. Resolution to approve the purchase of a 2009 Chevy Tahoe through the State bid process and that the City's bid process be waived.
4. R09-165. Resolution authorizing easements be conveyed to the Michigan Department of Transportation for City-owned property as part of the two-way traffic conversion project.
5. R09-166. Resolution to appoint a Gas Rate Commissioner to serve on the Adrian Gas Rate Commission pursuant to its franchise
6. R09-167. Resolution authorizing the issuance and sale of general obligation capital improvement bonds, Series 2009A, for the acquisition, furnishing and equipping of a municipal complex, which includes City Hall, police and library facilities.
7. R09-168. Resolution authorizing the issuance and sale of general obligation capital improvement bonds, Series 2009B, for the acquisition, furnishing and equipping of a municipal complex, which includes City Hall, police and library facilities.
8. R09-169. Resolution authorizing the issuance and sale of general obligation capital improvement bonds, Series 2009C, for the acquisition, furnishing and equipping of a municipal complex, which includes City Hall, police and library facilities.
9. R09-170. Resolution to award the bid for a tandem axle dump truck and tow hooks for Public Works Department.
10. R09-171. Resolution to approve the reallocation of funds from the Division St. Project to the McKenzie Street Project, appropriation of additional funds and resulting budget amendments.

I X. PUBLIC COMMENTS

X. COMMISSION COMMENTS

# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
SEPTEMBER 21, 2009  
7:00 P.M.**

Official proceedings of the September 21, 2009 regular meeting of the City Commission, Adrian, Michigan.

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

PRESENT: Mayor McDowell, Commissioners Osborne, Miller, Steele, Clegg and DuMars

Mayor McDowell in the Chair.

Commissioner DuMars moved to approve the minutes of the September 8, 2009 regular meeting of the Adrian City Commission, seconded by Commissioner Osborne, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #3115 through #3122	\$ 65,551.88
General Fund Vouchers #19459 through #19479	\$289,332.78
Clearing Account Vouchers amounting to	<u>\$393,530.43</u>
TOTAL EXPENDITURES	<u>\$748,415.09</u>

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

**CONSENT AGENDA**

**RESOLUTIONS**

**RESOLUTION CR09-050**

**RE: POLICE DEPT. – Temporary Traffic Control Made Permanent at Entrance of Alley on Lowe Ave.**

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: 09-2: Install "Caution – Limited Truck Turn Radius Ahead" signs at the entrance of the alley on Lowe Avenue

### **RESOLUTION CR09-051**

**RE: ENGINEERING – Set Public Hearing for Abandonment of a Portion of Norton Street**

WHEREAS, Ms. Barbara Bearden, 534 Norton Street, has requested that the City of Adrian abandon a portion of Norton Street owned by her, namely lots 6, 7, 8 and 9 on either side of the platted rights-of way (ROW); and

WHEREAS, the City has been unable to ascertain ownership of an additional portion of Norton Street and, therefore, has no claim to said property and will Quit Claim that portion to Ms. Barbara Bearden; and

WHEREAS, the City Administrator and City Engineer have reviewed the request and have determined that it would not negatively impact the City since it is a dead-end street and the aforementioned portions of Norton Street do not receive Act 51 funds; and

WHEREAS, the owner, Barbara Bearden, has been notified and understands that the costs associated with this abandonment will be borne by her.

NOW, THEREFORE, BE IT RESOLVED, that the Adrian City Commission finds and determines it in the best interest of all parties involved to abandon the following portions of Norton Street described as follows:

**Description  
City of Adrian, Lenawee County, Michigan  
Norton Street Area for Abandonment**

All that part of Norton Street as delineated on the recorded plat of the Village of West Adrian (now part of the City of Adrian) as recorded in Liber F of Deeds, Page 625, Lenawee County Records, described as beginning at the Southwest Corner of Lot 7 of said plat; thence S 45° 10' 03" E 168.11 feet along the Northeasterly line of Norton Street; thence perpendicular to the said Northeasterly Line of Norton Street S 44° 49' 57" W 49.50 feet to a point on the Southwesterly Line of said Norton Street; thence N 44° 49' 49" W 29.74 feet (also known as N 44° 29' W) along the said Southwesterly Line of Norton Street as monumented; thence continuing along the said Southwesterly Line of Norton Street N 45° 10' 03" W 89.44 feet (also known as N 44° 29' W); thence N 00° 03' 30" E 69.48 feet along the westerly end of Norton Street as platted to the point of beginning.

Containing 0.16 acres.

Bearings are referenced to the easterly line of the plat of Alexander Park as recorded in Liber 12 of Plats; Page 48, Lenawee County Records.

**Description**  
**City of Adrian, Lenawee County, Michigan**  
**Area for Quit Claim of Adrian to Barbara Bearden**

All that part of Lot 6 of the recorded plat of the Village of West Adrian (now part of the City of Adrian) as recorded in Liber F of Deeds, Page 625, Lenawee County Records, described as beginning at the Northwest Corner of Lot 6 of said plat; thence S 45° 10' 03" E 89.44 feet along the Southwesterly line of Norton Street; thence N 89° 58' 17" W 63.49 feet (also known as N 89° 37' 28" W and N 89° 57' W); thence N 00° 03' 30" E 63.03 feet along the westerly line of said Lot 6 to the point of beginning.

Containing 0.05 acres.

Bearings are referenced to the easterly line of the plat of Alexander Park as recorded in Liber 12 of Plats, Page 48, Lenawee County Records.

and; be it

FURTHER RESOLVED that the City Commission will meet in the Commission Chambers located at the current City Hall, 100 E. Church St., Adrian, MI on Monday, October 19, 2009 at 7:00 p.m. for the purpose of hearing and considering any comments to abandoning the aforementioned portions of Norton Street.

**RESOLUTION CR09-052**

**RE: COMMUNITY DEVELOPMENT – Set Public Hearing to Transfer IFT Certificate #03-0518 and #04-080 from Delphi Automotive to Inteva Products, Inc.**

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551 ET. Seq., after a duly noticed Public Hearing held on the 15<sup>th</sup> day of March, 1993, this Commission, by resolution, established Adrian Industrial Development District No. 29; and

WHEREAS, due to a change in ownership, a request to transfer the Industrial Facilities Exemption Certificate Nos. 03-0518 and 04-080 from Delphi Automotive Systems to Inteva Products, LLC was received by the Adrian City Clerk on September 8, 2009; and

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission will hold a Public Hearing to hear and consider comments to the transfer of IFT Nos. 03-0518 and 04-080 from Delphi Automotive Systems to Inteva Products, LLC. on **Monday, October 5, 2009 at 7:00 p.m.** in the Commission Chambers at Adrian City Hall, 100 E. Church St., Adrian, MI.

On motion by Commissioner DuMars, seconded by Commissioner Clegg, Consent Resolutions CR09-050 through CR09-052 were adopted by a unanimous vote.

**PUBLIC COMMENTS**

There were none

**REGULAR AGENDA**

**RESOLUTION R09-157**

**RE: I.T. DEPARTMENT – Audio-Video Systems at City Hall and Police Training/ Chambers building**

WHEREAS, proposals have been requested by the I.T. Director for audio and video services to be installed at the Police Training/Chambers structure, and also at the second floor Conference Room at the new City Hall; and

WHEREAS, the proposals have been examined by the I.T. Director and a recommendation made to accept the proposal of Hardy Communications, Inc. of Midland, MI.

NOW, THEREFORE, BE IT RESOLVED that the proposal of Hardy Communications, Inc. for the structure located at 159 E. Maumee Street be accepted in the amount of \$45,916.32; and be it

FURTHER, RESOLVED that the proposal from Hardy Communications, Inc. be accepted for the second floor Conference Room at City Hall in the amount of \$2,179.00.

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

**RESOLUTION R09-158**

**RE: DEPARTMENT OF FINANCE – Delinquent Personal Property Taxes – Country Skillet Restaurant**

WHEREAS, in accordance with the General Property Tax Act (Public Act 206 of 1893, as amended) the City of Adrian Treasurer's Office administers and collects Real and Personal Property Taxes used to provide basic City services, such as police and fire services, as well as refuse pickup and disposal and road improvements; and

WHEREAS, Country Skillet Restaurant, located at 1422 S. Main Street was notified of outstanding delinquent personal property taxes, including administrative fees, for tax years 2006, 2007 and 2008 amounting to \$6,470.50, plus penalties of \$1,686.60, for a total of \$8,157.10, if paid by August 31, 2009; and

WHEREAS, the owner, Nasser Soubh, responded with an offer to bring all taxes current but requesting relief from the imposition of all penalties; and

WHEREAS, the Treasurer's Office responded by requiring submission of a cashier's check in the amount of \$6,470.50 in return for forwarding the request to the City Commission to forgive penalties on delinquent taxes for tax years 2006-2008 in the amount of \$1,686.60 be forgiven; and

WHEREAS, the taxpayer has submitted the required cashier's check, which is being held pending City Commission action on taxpayers request; and

WHEREAS, because the Country Skillet Restaurant is an ongoing business with resources to pay most of the outstanding tax obligation, the City Administrator recommends that only the City portion of the delinquent penalties in the amount of \$404.01 be forgiven, leaving a remaining balance of \$1,181.59 tax penalty payable to the county, LISD and public schools.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby accepts the \$6,470.50 cashier's check, submitted by Country Skillet Restaurant, in partial settlement of its outstanding delinquent Personal Property Tax liability for tax years 2006, 2007 and 2008, leaving a remaining balance of \$1,181.59 as of August 31, 2009.

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

#### **RESOLUTION R09-159**

**RE: MICHIGAN MUNICIPAL LEAGUE – Designating Representatives for the Purpose of Voting at MML Conference**

WHEREAS, the Michigan Municipal League's Annual Conference will be held September 22 – 25, 2009 in Kalamazoo, MI, at which time votes will be cast for election of Trustees, policies brought before the annual meeting and other business that may come before the meeting; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Commissioner Greg DuMars as the official representative and Commissioner Chris Miller as the alternate representative to cast votes at the annual MML Conference to be held on the above dates at Kalamazoo.

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

#### **RESOLUTION R09-160**

**RE: PUBLIC WORKS – Purchase of Used Front End Loader and Waiving the Bid Process**

WHEREAS, the purchase of a used front end loader was recommended during the capital budget process; and

WHEREAS, a 2006 John Deere 444J high lift loader has been located at Buck & Knobby, Ottawa Lake, MI, at a price of \$91,300.00 which includes an extended

warranty on the power train and hydraulic system until September, 2011 or 3000 hours of use, whichever comes first; and

WHEREAS, the Finance Director has determined that funds are available in the Motor Vehicle Pool (662-441.62-977.000); and

WHEREAS, in the best interest of the City, it is recommended that 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 Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the purchase of a 2006 John Deere 444j high lift loader from Buck and Knobby of Ottawa Lake, MI at a cost of \$91,300.00 and that the bid process be waived.

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

#### **RESOLUTION R09-161**

#### **RE: PARKING PERMITS – Revised Permit Parking Regulations**

WHEREAS, the City has implemented the system for permit parking and off-street parking in downtown parking lots; and

WHEREAS, the current policy allows the Downtown Development Authority Director to determine appropriate locations for permit parking in said lots; and

WHEREAS, it appears that the current system has not been well accepted by the permit holders and the policy is in need of revision.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The purchaser of an annual or monthly parking permit for off-street parking in downtown parking lots in the City of Adrian shall have the right to park in any of said lots in any parking space in a downtown parking lot, subject to the following conditions:
  - (a) Permit parking shall not be included in marked handicapped spaces, fire lanes or loading zones.
  - (b) Overnight parking shall only be allowed in designated spaces under current regulations.
  - (c) Permit parking shall not be allowed for on-street parking.

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

#### **MISCELLANEOUS**

1. Parks & Recreation Quarterly Report

2. D.A.R.T. Passenger Ridership Report
3. Departmental Report

### **PUBLIC COMMENT**

The following people addressed the Commission about allowing access to Lake Adrian for fishing purposes: Wilbur Baggett, 1733 W. Gorman Rd., Eulogio Perez, 1947 Joy Rd. and Hailey Doyle, 604 Tabor Street.

### **COMMISSIONERS' COMMENTS**

There were none.

Commissioner Steele moved to go into closed session to discuss pending litigation, seconded by Commissioner Osborne, motion carried by a unanimous vote.

The next regular meeting of the Adrian City Commission will be held on Monday, October 5, 2009, at 7:00 p.m. in the Commission Chambers on the 2<sup>nd</sup> floor of City Hall, 100 E. Church St., Adrian, MI 49221.

Gary E. McDowell  
Mayor

Pat Baker  
City Clerk

CHECK  
REGISTER

October 5, 2009

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 #3123 through #3131.....	\$ 176,024.98
General Fund	
Vouchers #19480 through #19501	\$3,447,621.83
Clearing Account Vouchers	
amounting to.....	<u>\$1,056,128.87</u>
TOTAL EXPENDITURES .....	<u>\$4,679,775.88</u>

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

October 5, 2009

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
3123	City of Adrian: General Fund	August charges	\$ 47,900.49
3124	City of Adrian: IT Dept	July, Aug Services	\$ 3,803.84
3125	City of Adrian: Motor Pool	August charges	\$ 2,220.53
3126	City of Adrian: Payroll	Payroll for Sept 18	\$ 51,651.14
3127	Verizon North	Water Plant Phone	\$ 41.85
3128	City of Adrian: Clearing Acct	Sept 21 Check Register	\$ 184,008.54
3129	Citizens Gas Fuel Co	Various Heat Bills	\$ 148.20
3130	Consumers Energy	Various Electric Bills	\$ 55,047.94
3131	City of Adrian: Payroll	Payroll for Sept 25	\$ 15,210.99
<b>Total</b>			<b>\$ 360,033.52</b>
Less: CK# 3128			<b>\$ 184,008.54</b>
<b>TOTAL</b>			<b>\$ 176,024.98</b>

WW = \$ 105,847.72

WAT = \$ 254,185.80

5-Oct-09

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
19480	\$ 246,478.65	City of Adrian: Payroll	Payroll for Sept 18
19481	\$ 14,878.25	First Federal Bank	Soc Security for Sept 18
19482	\$ 136.36	City of Adrian	Chrgs for Muni St & Water
19483	\$ 119,456.29	Blue Cross Blue Shield of MI	October Hospitalization Ins
19484	\$ 2,000,000.00	United Bank & Trust	Investments
19485	\$ 1,000,000.00	First Federal Bank	Investments
19486	\$ 393.51	Verizon North	Various Phone bills
19487	\$ 40.00	Amanda Bowen	Recreation Refund
19488	\$ -	***VOID***	
19489	\$ 116,056.59	City of Adrian: Clearing Acct	Sept 21 Check Register
19490	\$ 13.00	Marne Davies	Recreation Refund
19491	\$ 15,491.94	Consumers Energy	Various Electric Bills
19492	\$ 4,216.64	Quick Service Transportation	Payroll W/E Sept 19
19493	\$ -	City of Adrian: Utilities	Transfer State MI Funds
19494	\$ 17,676.63	City of Adrian: Payroll	Payroll for Sept 25
19495	\$ 2,803.24	First Federal Bank	Soc Security for Sept 25
19496	\$ 200.00	Laurie Barkway	Recreation Refund
19497	\$ 200.00	Kyle Brooks	Recreation Refund
19498	\$ 200.00	John Durling	Recreation Refund
19499	\$ 20,775.50	Lenawee Fuels Inc	DPW, Cemetery Fuel
19500	\$ 60.79	Verizon North	Library Phone
19501	\$ 4,601.03	Quick Service Transportation	Payroll W/E Sept 26

\$ 3,563,678.42  
\$ (116,056.59) Less: CK# 19489  
**\$ 3,447,621.83**

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. ACS FIREHOUSE SOFTWARE	1,115.00		
2. ADRIAN LANDFILL	397.91		
3. ADRIAN LOCKSMITH & CYCLERY	100.75		
4. ADRIAN MECHANICAL SERVICES C	275.00		
5. ADVANCE AUTO PARTS COMMERCIA	3.89		
6. AIR SOURCE ONE, INC.	155.17		
7. AIRGAS GREAT LAKES	179.80		
8. AMERICAN LIBRARY ASSOC	469.90		
9. AMERICAN OFFICE SOLUTIONS	69.85		
10. AMERICAN RED CROSS	60.00		
11. AMERICAN WATER WORKS ASSN	494.34		
12. ARCH WIRELESS	31.54		
13. ASSOCIATED ENGINEERS	2,806.00		
14. BADER & SONS CO	16.28		
15. BAKER & TAYLOR BOOKS	1,064.67		
16. PATRICIA BAKER	88.00		
17. BATTERY WHOLESALE	881.77		
18. BAUDVILLE INC	31.00		
19. BDI	9.08		
20. BEAVER RESEARCH COMPANY	124.38		
21. GREG BELL CHEVROLET, INC	100.15		
22. BELSON ASPHALT PAVING INC	3,500.00		
23. BLACK SWAMP EQUIPMENT	2,155.21		
24. BRAKE CHAMBER TOOLS	49.95		
25. BUCK & KNOBBY EQUIP CO INC	3.33		
26. C-N CONSTRUCTION SUPPLIES IN	145.00		
27. CARUS CHEMICAL CORPORATION	7,962.60		
28. CDW-G COMPUTER SUPPLIES	326.50		
29. CHAMBERS CONTROL COMPANY	480.00		
30. COAST TO COAST DELI	54.50		
31. COCA-COLA USA	179.51		
32. COMCAST	6.30		
33. COMFORT ENTERPRISES INC.	223.76		
34. COMPUTER CARE COMPANY, INC.	239.85		
35. CONTINENTAL CARBONIC PRODUCT	806.65		
36. CONTINENTAL SERVICE	1,516.22		
37. CRIMECOG TECHNOLOGIES INC	7,295.00		
38. D-P EQUIPMENT CO	1,752.21		
39. NANCY DART	301.42		
40. DICK'S AMOCO INC	176.00		
41. DOAN CONSTRUCTION CO	748.50		
42. GREG DUMARS	247.50		
43. E & B SALVAGE LLC	71.40		
44. ECOSTEAM OF SE MICHIGAN INC	466.10		
45. ENVIRONMENTAL RESOURCE ASSOC	253.16		
46. ETNA SUPPLY COMPANY	1,127.33		
47. FASTENAL COMPANY	183.07		
48. FEDERAL EXPRESS	230.45		
49. GALL'S INC	1,280.82		
50. GALLANT & SON	367.57		
51. GE RAPID ENTRY	214.00		
52. GEAR UP INC	65.85		
53. GOODWILL INDUSTRIES	46.00		
54. GRAINGER INC.	407.74		
55. GUIDED BY GRACE	100.00		
56. HABITEC SECURITY INC	121.76		
57. HACH COMPANY	291.89		
58. HERITAGE PLUMBING & HEATING	90.00		
59. HILLS AUTO & TRUCK REPAIR IN	33.90		
60. SHANE HORN	96.20		
61. HUBBARDS AUTO CENTER	550.24		
62. HUNTINGTON CLEANERS	2,002.00		
63. HURON LIME INC.	6,050.88		
64. I.T. RIGHT	1,124.10		
65. ICMA RETIREMENT CORPORATION	155.76		
66. INDUSTRIAL MILL SUPPLY CORP	696.27		
67. INGRAM LIBRARY SERVICES	16.50		
68. J.E. JOHNSON DEVELOPMENT GRO	495,130.00		
69. JACKSON TRUCK SERVICE INC.	23.98		
70. JAMES DELIVERY SERVICE	190.00		
71. JANWAY COMPANY USA INC	302.64		
72. JONES CHEMICALS, INC.	3,096.31		
73. KENTWOOD OFFICE FURNITURE	15,000.46		
74. DAVE KNAPP FORD	120.83		
75. KNISEL'S TREE SERVICE	550.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. KRAFTBILT PRODUCTS	289.49		
77. KUHLMAN CORP.	1,930.00		
78. LENAWEE COUNTY COMMUNITY	75.00		
79. LENAWEE COUNTY PROSECUTORS	15,000.00		
80. LENCO PAINTING, INC.	7,962.00		
81. LEXIS NEXIS RM INC	150.00		
82. LONG'S SMALL ENGINE SERVICE	144.01		
83. MANPOWER OF LANSING MI INC.	881.28		
84. MAPLE CITY SWINGERS	337.50		
85. PATRICK MCDONALD	562.49		
86. GARY MCDOWELL	445.21		
87. MCGOWAN ELECTRIC SUPPLY INC	1,040.17		
88. MICHIGAN ECONOMIC DEVELOPERS	240.00		
89. MICHIGAN LIBRARY ASSOC	155.00		
90. MICHIGAN LIBRARY CONSORTIUM	92.00		
91. MICHIGAN PIPE & VALVE INC	80.00		
92. STATE OF MICHIGAN	1,803.63		
93. MICHIGAN TBA DISTRIBUTORS IN	25.65		
94. MICHIGAN WATER ENVIROMENT AS	125.00		
95. MICROMARKETING LLC	68.75		
96. MIDWEST TAPE	317.78		
97. MOBILE MONUMENT SERVICES	200.00		
98. MUGS N' MORE IMAGING	12.00		
99. MUNICIPAL EMPLOYEES' RETIRE	71,078.18		
100. MUNICIPAL SUPPLY CO	973.20		
101. MUNICIPAL UNEMPLOYMENT COMP	4,276.42		
102. NEWCO CONTROLS, INC.	894.00		
103. JOSHUA NORTH	18.17		
104. NORTHWEST FUEL INJECTION SER	334.26		
105. OTIS ELEVATOR COMPANY	5,248.85		
106. PAINTERS SUPPLY & EQUIP. CO	115.33		
107. JEFFREY PARDEE	421.30		
108. PEERLESS SUPPLY INC	1,281.09		
109. PEGASUS ENTERTAINMENT	95.00		
110. PLATINUM PLUS	1,030.93		
111. PRO INFO	863.00		
112. CINDY L PRUE	337.16		
113. PUBLIC LIBRARY ASSOCIATION	106.40		
114. PVS TECHNOLOGIES INC	8,846.90		
115. QUICK SERVICE TRANSPORTATION	62.84		
116. QUILL CORPORATION	1,454.20		
117. RECORDED BOOKS LLC.	74.25		
118. RED PAINT PRINTING LLC	68.00		
119. TIM RITCHIE	30.66		
120. SAFEWAY MOVING & STORAGE	648.00		
121. SANITAIRE	306.00		
122. SEBCO BOOKS	594.96		
123. TRACIE SEISER	82.64		
124. SERVICE ELECTRIC CO OF ADRIA	1,499.50		
125. SHAHEEN CHEVROLET INC.	35,379.40		
126. SHERWIN-WILLIAMS CO	265.12		
127. SHINE'S AUTO CLEAN	120.00		
128. SHIVELY-BOUMA INC	2,290.04		
129. SLUSARSKI EXCAVATING & PAVIN	309,468.70		
130. SOUTHWEST BRAKE & PARTS INC	438.75		
131. STATE CHEMICAL MFG CO.	193.65		
132. STRATOS MICROSYSTEMS LLC	1,177.24		
133. SUPER LAUNDROMAT &	137.15		
134. SUTPHEN CORPORATION	126.18		
135. T-MOBILE	29.99		
136. TANNER SUPPLY COMPANY	16.00		
137. THOMAS SCIENTIFIC	898.57		
138. TRACTOR SUPPLY COMPANY	446.81		
139. TRI STATE SUPPLY LLC	1,114.31		
140. TTB CLEANING LLC	280.00		
141. UTILITIES INSTRUMENTATION SE	1,375.00		
142. VAN BRUNT TRANSPORT INC	295.10		
143. WARREN HOLDING CO LLC	1,370.00		
144. WEISKOPF INDUSTRIES CORP	906.96		
145. WOODLANDS LIBRARY COOPERATIV	20.00		
**TOTAL ALL CLAIMS**	1,056,128.87		

# COMMUNICATIONS

C-1

# **MGFOA**

September 11, 2009

To Whom It May Concern:

The Michigan Government Finance Officers Association (MGFOA) Board of Directors presented the enclosed proclamation for your jurisdiction at the Association's 2009 Fall Training Institute held at Boyne Falls September 21-23. The proclamation provides recognition to those jurisdictions that have either successfully achieved the Certificate for Excellence in Financial Reporting or the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) of the United States and Canada.

Both of these awards represent the highest form of recognition in their professional field. Members of your jurisdiction are to commended, both professional staff who prepare these public documents as well as administrative officers and legislative bodies that support these activities, for setting the standard for others to follow. The MGFOA wishes your organization continued success in achieving these awards that reflect our common efforts to maintain an informed citizenry, which in turn strengthens our democracy.

Sincerely,

***Larry D. Gordier***

Larry D. Gordier, President  
MGFOA

Enclosure: MGFOA Proclamation

Michigan      4020 Copper View, Ste. 130  
Government    Traverse City, MI 49684  
Finance        231.947.0882  
Officers        [www.MIGFOA.org](http://www.MIGFOA.org)  
Association    [info@MIGFOA.org](mailto:info@MIGFOA.org)

# MICHIGAN GOVERNMENT FINANCE OFFICERS' ASSOCIATION

## PROCLAMATION

*WHEREAS, a fundamental objective of the Michigan Government Finance Officers' Association (MGFOA), established in 1938, is to foster improvement in methods of local government finance, including promotion of "best practices" relating to budgeting, accounting and financial reporting; and*

*WHEREAS, consistent with the aforementioned objective, the MGFOA supports the activities and programs of the Government Finance Officers Association (GFOA) of the United States and Canada, including the Certificate Programs for Budgeting and Financial Reporting; and*

*WHEREAS, the GFOA's Certificate of Achievement for Excellence in Financial Reporting has been promoting the preparation of high-quality Comprehensive Annual Financial Reports since 1945 and the GFOA's Distinguished Budget Presentation Award Program has been promoting the preparation of high-quality budget documents since 1984; and*

*WHEREAS, to earn the aforementioned Certificates, which represent the highest recognition in governmental finance, each jurisdiction must submit their documents to a panel of three practicing out-of-state professionals for review their content against a standard set of challenging criteria developed by Standing Committees of GFOA; and*

*NOW THEREFORE BE IT RESOLVED that the Michigan Government Finance Officers' Association, by authorization of its Board of Directors, issues this proclamation in recognition of the following governmental units for their exemplary accomplishment in achieving recognition accorded by the Government Finance Officers' Association (GFOA) of the United States and Canada for the Certificate of Achievement for Excellence in Financial Reporting and the Distinguished Budget Presentation Award.*

Larry D. Gordier

Larry D. Gordier, President

Michigan Government Finance Officers' Association

The government that has been recognized the most times for the Certificate of Achievement in Financial Reporting is the **City of Grosse Pointe Woods** (34 awards). The government that has been recognized the most times for the Distinguished Budget Award is the **City of Cadillac** (23 years). Governmental units accorded both the Certificate of Achievement in Financial Reporting and the Distinguished Budget Award:

<b>City of Alma</b>	<b>City of Ann Arbor</b>	<b>City of Birmingham</b>
<b>City of Cadillac</b>	<b>City of Farmington Hills</b>	<b>City of Flint</b>
<b>City of Grand Blanc</b>	<b>City of Grand Rapids</b>	<b>City of Holland</b>
<b>Ingham County</b>	<b>Kent County</b>	<b>City of Madison Heights</b>
<b>Muskegon County</b>	<b>City of Novi</b>	<b>City of Oak Park</b>
<b>Oakland County</b>	<b>Ottawa County</b>	<b>City of Portage</b>
<b>City of Troy</b>	<b>City of Rochester Hills</b>	<b>City of Sterling Heights</b>
<b>Washtenaw County</b>	<b>Wayne Charter County</b>	<b>Wayne County Airport</b>
<b>Michigan Municipal Employees Retirement System</b>		

Additional governmental units accorded the Certificate of Achievement in Financial Reporting:

City of Adrian	Allegan County	City of Alpena
City of Battle Creek	City of Bay City	Bay County
City of Belding	City of Big Rapids	City of Bridgman
City of Burton	Calhoun County	Cass County
Canton Charter Township	City of Charlotte	City of Dearborn
Detroit Public Schools	City of East Lansing	City of Fenton
City of Flushing	Genesee County	City of Gladwin
Village of Holly	Grand Blanc Charter Township	
City of Gross Pointe Farms	Grand Traverse County	Isabella County
City of Gross Pointe Woods	City of Huntington Woods	City of Jackson
Jackson County	Huron-Clinton Metro Authority	City of Kalamazoo
City of Lansing	Kent County Dept. of Aeronautics	Lapeer County
Macomb County	City of Marquette	City of Midland
Midland County	Meridian Charter Township	City of Monroe
Monroe County	City of Mount Pleasant	City of Muskegon
Plainfield Charter Township	Plymouth Charter Township	City of Port Huron
Portage Public Schools	Port Huron Area School District	Saginaw County
Saginaw Charter Township	Saint Clair County Road Comm.	Saint Clair County
City of Saint Clair Shores	City of Saint Johns	City of South Haven
City of Tecumseh	City of Three Rivers	Tuscola County
Waterford Charter Township	City of Wayne	City of Wixom
Wayne Charter County	City of Wyoming	Village of Zeeland
State of Michigan	Michigan County Road Commission	Self-Insurance Pool
	Michigan Judges' Retirement System	
	Michigan Public School Employees' Retirement System	
	Michigan State Employees' Retirement System	
	Michigan State Police Retirement System	
	Michigan State Lottery Commission	
	Wayne-Westland Community School District	

Additional governmental units accorded the Distinguished Budget Presentation Award:

City of Brighton	Delhi Charter Township	Delta College
City of Detroit	City of Hillsdale	City of Northville
City of Warren		



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## MEMO

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Date: September 28, 2009

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

From: Jeffrey C. Pardee, Finance Director  
Cindy L. Prue, Assistant Finance Director

Re: MGFOA 60<sup>th</sup> Annual Fall Training Institute Report

The following report provides a synopsis of the 60<sup>th</sup> Annual Michigan Government Finance Officers Association (MGFOA) Fall Training Institute, held at Boyne Mountain Resort in Boyne Falls, MI. September 20-23, 2009. The Fall Training Institute provides an intensive 2 ½ day series of seminars to Michigan Public Finance Officers covering a variety of subjects from current legislation to economic conditions to new financial reporting requirements.

**Monday, September 15th, 2008**

**9:00 – 9:50 am General Session: State and Local Government Outlook**

**Presiding: Larry Gordier, MGFOA President**

**Speaker: Robert J. Kleine, Treasurer, State of Michigan**

Michigan and the nation have been going through the worst economic downturn since the 1930s. The impact on state and local budgets has been unprecedented. The presentation focused on the outlook for the national and state economies and the impact on local government finances, addressing such questions as when will the recession end and what will the recovery look like? The implications of the state budget cuts and declining property values for local government finances were also discussed.

**10:00 - 10:50 am General Session: 2010: What Will Happen?**

**Presiding: Enid Pierson, Treasurer, City of Harper Woods**

**Speaker: Bill Ballenger, Editor of *Inside Michigan Politics***

Mr. Ballenger had an insightful presentation providing timely information about election issues, candidates, and their potential effect on the municipal environment. Never before have races for the state's four constitutional offices (Governor, Lieutenant Governor, Attorney General and Secretary of State), the entire U.S House delegation, every seat in both the state House and Senate, and two seats on the state Supreme Court appeared on the same ballot on the eve of a census and reapportionment, while

terms limits are in full sway. More than five dozen state legislators will reach term limits at the end of 2010. Nearly half of the 148-member legislature currently serving could be gone from office by 2011, replaced by the largest infusion of rookie lawmakers since the Depression. Control of the Supreme Court again hangs in the balance. Democrats could easily regain a majority of the justices for the first time since 1998 by winning just one of the two seats that will be on the ballot in 2010. 2010 is also the year the question of Constitutional Convention (every 16 years) must be on the ballot.

**11:00 – 11:50 am Keynote: Michigan and the Markets: Is there a Meaningful Recovery in my Lifetime?**

**Presiding: Michael Gormely, Director of Public Finance, Raymond James & Associates, Inc.**

**Speaker: David Sowerby, Chief Market Analyst, Loomis Sayles**

Mr. Sowerby provided an update regarding the Michigan business environment, focusing on the longer term outlook for the state's major industries. He detailed the disparities between the non-auto and auto sectors and what the net effect will be on Michigan's outlook over the next 12-14 months. Among topics in his discussion was the intermediate and longer-term outlook for key asset classes, such as equities, bonds and alternatives.

**Noon – 1:50 pm Luncheon / General Session: Legislative Update**

**Presiding: Laura Branchick, Vice President, Comerica Bank**

**Speaker: Anthony Minghine, Associate Executive Director, Michigan Municipal League**

Mr. Minghine provided an overview of the legislative issues that will affect local governments in the coming months, such as state revenue sharing.

**2:00 – 2:50 pm Financial Planning for Publicly-Owned Utilities**

**Presiding: Jeffrey C. Pardee, C.P.F.O., Finance Director, City of Adrian**

**Speaker: Mark Beauchamp, President, Utility Financial Solutions**

This high-level financial planning course was designed to teach techniques to assist in evaluating the financial health of a utility, including minimum cash reserve requirements, debt coverage ratios, and operating income targets. The City of Adrian has been fortunate to have Mr. Beauchamp under contract for its rate analysis during the past five years.

**3:00 – 3:50 pm SEC Rule 15c2-12 and Changes to Continuing Disclosure Requirements**

**Presiding: Michael Gormely, Director of Public Finance, Raymond James & Associates, Inc.**

**Speaker: Patrick McGow, Principal, Miller, Canfield, Paddock & Stone, PLC**

As of July 1, 2009, municipal bond issuers and obligated parties must file continuing disclosures and related documents with the Electronic Municipal Market Access (EMMA) system operated by the Municipal Securities Rulemaking Board (MSRB). The new filing requirements are a result of changes made by the Securities and Exchange Commission (SEC) to SEC Rule 15c2-12. EMMA is the only official repository for continuing disclosure documents and issuers no longer need to file with multiple repositories.

**4:00 – 4:50 pm Electronic Banking, Check Fraud, Positive Pay**  
**Presiding: Karen Lancaster, Finance Director, City of Ann Arbor**  
**Speaker: Christine Bridges, Vice President of Treasury Services for the Public Sector, JPMorgan Chase**

The presentation included information on the increase in fraud and the preventive controls that should be part of account structures to mitigate the opportunity for fraudulent activity. In addition, the presentation included discussion regarding electronic means to improve efficiencies and facilitate more timely mechanisms to receive and send transactional information.

**Tuesday, September 16th, 2008**

**8:30 - 9:05 am President's Welcome / Committee Reports**

**Board of Directors: Larry Gordier, MGFOA President and Deputy Finance Director, City of Eastpointe**

**Strategic Planning: Tim Soave, CPFO, Manager Fiscal Services, Oakland County**

**Legislative Committee: Denise Hammond, Treasurer, West Bloomfield Township**

**Mentoring Committee: Tim Haney, Finance Director, City of St. Clair Shores**

**Professional Development Committee: Pat McGow, Partner, Miller Canfield, Paddock & Stone**

**Standards Committee: Joe Heffernan, Partner, Plante & Moran**

**Technology Resource Committee: Mark Warner, Manager Plante & Moran, LLC**

**Intergovernmental Committee: Art Holdsworth, Director Dept. of Facilities & Operations, Oakland County**

**9:15 – 11:05 am General Session: Employee Management and Developing Leaders in Tough Economic Times**

**Presiding: Enid Pierson, Treasurer, City of Harper Woods**

**Speaker: Lewis G. Bender, Ph D, Professor Emeritus, Southern Illinois University**

Leadership has never been easy and contrary to popular belief, no one is born a leader. Skills need to be developed and sharpened to meet shifting circumstances. The current economic climate has resulted in downsizing, doing more with less and growing demands on the public sector. Developing and mentoring future leaders has never been more important or more challenging. This session outlined the trends and demands on public sector leaders and presented practical methods and concepts for managing employees and developing leaders for the future.

**11:15 am – 12:05 pm Governmental Accounting Standards Board (GASB) Update**

**Presiding: Karen Lancaster, Finance Director, City of Ann Arbor**

**Speaker: Joe Heffernan, Partner, Plante & Moran**

Participants learned of the new accounting pronouncements effective this year and in the near future. The focus was on two pronouncements, effective immediately: pollution remediation and Other Post-Employment Benefits (OPEB), as well as GASB Statement #54, which will change reporting requirements for fund balance and governmental fund types.

**1:10 – 2:00 pm GFOA Fiscal First Aid: Budgeting Tactics**

**Presiding: Jeffrey C. Pardee, CPFO, Finance Director, City of Adrian**

**Speaker: Tim Soave, CPFO Manager Fiscal Services, Oakland County**

Proper Fiscal First Aid involves not only identifying the source of difficulty and developing tactics to “stop the bleeding”; it is also about making sure those first response tactics don’t put the government in additional long-term fiscal distress. This session dealt with both short-term solutions and long-term changes aimed at fiscal stability.

**2:10 – 3:00 pm Bankruptcy Collection**

**Presiding: Enid Pierson, Treasurer, City of Harper Woods**

**Speaker: Al Mooney, Treasurer, City of Grand Rapids**

“Rules of the Game” were discussed, including appropriate responses after a party files a petition with the court and declares bankruptcy, errors which can be avoided, and a review of some of the notices and orders which can impact collections.

**3:10 – 4:00 pm Meet the Staff at the Michigan Department of Treasury**

**Presiding: Mark Warner, Manager, Plante & Moran, LLC**

**Speakers: Valdemar Washington, Deputy Treasurer, Local Government Services**

In an effort to provide greater access to the staff within the Bureau of Local Government Services, participants were provided with a who’s who in the Bureau. Telephone and Fax, as well as e-mail addresses were provided.

**4:10 – 5:00 pm Reading Actuary Reports**

**Presiding: Luke HUELSCAMP, Finance Director, MERS**

**Speaker: Sandy Rodwan, Finance Director, Rodwan Consulting Company**

Actuarial reports aren’t written in a foreign language – but sometimes it may certainly seem that way. This session helped translate and de-mystify the actuarial jargon. It is important for trustees, administrators and government officials to understand the information presented in the actuarial reports in order to accept the reports and act upon the recommendations they contain. This is especially true today given the effect of current market conditions and increasing cash flow needs. Rising contribution requirements due to decreased market values have increased awareness of pension costs and funding levels. This session helped to understand actuarial reports so that appropriate funding decisions can be made.

**Wednesday, September 17th, 2008**

**9:00 – 9:50 am Legal Implications of Collaboration and Consolidating Services**

**Presiding: Karen Lancaster, Finance Director, City of Ann Arbor**

**Speaker: Eric Lupher, Director of Local Affairs, Citizens Research Council**

Interest in interlocal collaboration and shared service delivery has grown because of the difficult financial conditions in which many Michigan local governments are operating. This session discussed approaches to the consolidation of local government service provision that can result in efficiencies. It focused on the role counties can play in assisting local governments provide services and suggested the role the state can play in creating incentives, providing assistance, and removing barriers to consolidated service delivery.

**10:00 – 10:50 am The American Recovery & Reinvestment Act (ARRA) of 2009**

**Presiding: Karen Lancaster, Finance Director, City of Ann Arbor**

**Speakers: Bill Roche, Director of Public Finance, Raymond James & Associates, and Paul Stauder, First Vice President, Stauder, Barch & Associates**

This presentation detailed new financing options which are available to municipalities under the ARRA of 2009, such as Build America Bonds and Economic Recovery Zone Bonds. The City of Adrian was mentioned prominently for their Downtown Government Complex Project and creative method of financing.

**11:50 – 11:50 am Investing in Turbulent Times**

**Presiding: Enid Pierson, Treasurer, City of Harper Woods**

**Speaker: Kenneth Duetsch, Chief Investment Officer, Citizens Bank Wealth Management**

Investing is simple, but for many reasons successful investing is not realized by most investors. Factors such as the media and the influence of our own emotions contribute to this lack of success. By taking a closer look at “Investing in Turbulent Times,” participants gained a better understanding of why making the right investment decisions is more difficult than most investors realize.

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

C-3



September 22, 2009

Dane C. Nelson, City Administrator  
City of Adrian  
100 E. Church St.  
Adrian, MI 49221

Dear Mr. Nelson:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of changes to the channel lineup. Customers will be notified of these changes by newspaper notice.

Effective October 27, 2009, Shop NBC Ch 385 will move from Digital Classic to Limited Basic and will require a digital receiver, a digital TV (that can see unencrypted QAM Digital signals) or CableCARD-equipped device.

Also, Fit TV will move from channel 182 to channel 160. The service level will not change.

Please direct any customer calls about Comcast products, services and prices to 1-888-COMCAST. Our Customer Account Executives are available 24 hours a day, 7 days a week. As always, feel free to contact me directly at 734-254-1888 with any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Frederick G. Eaton". The signature is written in a cursive style with a large initial 'F'.

Frederick G. Eaton  
Government Affairs Manager  
Comcast, Michigan Region  
41112 Concept Drive  
Plymouth, MI 48170



RECEIVED SEP 24 2009

September 22, 2009

Dane C. Nelson, City Administrator  
City of Adrian  
100 E. Church St.  
Adrian, MI 49221

Dear Mr. Nelson:

At Comcast, our goal is to continue to provide our customers with great products, service and value. We are proud to offer customers in Adrian the largest Video On Demand library, the most High-Definition choices, a faster high-speed Internet, and Comcast Digital Voice service – our low-cost, feature-rich digital phone service.

With the launch of Comcast Digital Voice, Comcast brought consumers in Adrian the first true alternative to traditional phone service. This competition has already saved consumers across the country billions of dollars. We understand the importance of choice and are glad that over 7 million of our customers have chosen Comcast as their provider of choice, making us the third largest residential phone provider in the U.S.

In addition to bringing our customers choice in phone service, Comcast leads the broadband revolution as America's largest residential broadband provider. Over the past five years we have consistently increased the speed of our Internet service without increasing the cost of the service to our customers. We recently doubled the download speed on our most popular broadband product from 6 Mbps to 12 Mbps. And, by the end of the year, we anticipate that approximately 200,000 subscribers will have access to a new level of service: Comcast High-Speed Internet Extreme (50Mbps/10Mbps).

Through innovation and technology Comcast has brought to its customers the fastest residential broadband speeds available from any provider. Our customers also receive additional valuable benefits at no extra charge, including Comcast's McAfee Security Suite (a \$120 value), Plaxo Premium (a \$59.95 value), and expanded content on Comcast.net (such as ESPN360, even more entertainment, multiple email accounts, shopping and security features).

While high-speed Internet and digital voice services are not increasing, the monthly price for Expanded Basic service is increasing from \$41.00 to \$42.99 effective with our November billing statements. Expanded Basic service is a component of our Preferred Basic and Digital Starter packages.<sup>1</sup> While Preferred Basic customers will see this increase, Digital Starter customers will see the \$1.99 increase to the Expanded Basic portion of their package and a \$1.99 decrease to the Digital Starter portion of their package, which includes Music Choice and the program guide; thereby keeping their monthly package price the same. Additionally, effective December 1, 2009, some of our installation prices will change. Please see the attached installation price sheet.

These changes to the cost of our cable service are the result of increased business and operational costs. As a way of example, Comcast spends about \$6 billion a year on programming alone to provide our customers the

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<sup>1</sup> Preferred Basic Service was no longer available for new subscriptions effective December 1, 2008.

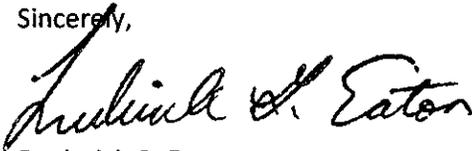
best content and the most video choices. While we have been aggressive at controlling these costs, we expect continued increases in the costs we pay for programming.

Despite the increased cost of doing business, Comcast has continued to add value to our services. In the past year, we have:

- Added more sports content including the NFL, NBA, NHL and ESPNU to our Digital Classic service level, giving customers access to top sports league programming.
- Added up to 10 channels in our all-digital markets, increasing the lineup on Digital Starter service with networks such as Bloomberg, LMN, CSPAN 3, Sprout, G4, Hallmark Movie Channel and History International.
- Begun to provide new converged services like Universal Caller ID to the TV and the PC that we deliver across all three platforms (TV, PC, and phone) at no additional charge.
- Continually enhanced the customer experience through better, more integrated products and an improved customer experience at all levels.

If you have any questions or need more information about these changes please feel free to call me directly at 734-254-1888.

Sincerely,



Frederick G. Eaton  
Government Affairs Manager  
Comcast, Michigan Region  
41112 Concept Drive  
Plymouth, MI 48170

Enclosure

## Residential Installation Rates

Due to increases in business costs the following prices will change effective December 1, 2009.

Type of Service	Previous Rate	Rate Effective 12/1/09
Technician Visit† .....	\$24.95	\$30.00
Cable/Video Installation†† .....	\$25.00	\$20.00
Install Additional Outlet.....	\$15.00	\$15.00
High-Speed Internet Installation†† .....	\$40.00	\$20.00
High-Speed Internet - Install Home Network.....	\$99.00	\$99.00
Digital Voice Installation†† .....	\$29.95	\$20.00
Digital Voice - Phone Jack Installation (install or relocation) ...	\$19.95	\$19.95
Hourly Service Charge.....	\$50.00	\$50.00
Wall Fish (per 15 minutes).....	\$12.50	\$12.50
Other Install (auto change - no home visit required) .....	\$ 1.99	\$ 2.99
Cable/Video Reactivation .....	\$ 1.99	\$ 5.00
High-Speed Reactivation .....	\$ 4.00	\$ 5.00
Digital Voice Reactivation .....	\$ 4.00	\$ 5.00
Customer Service Call .....	\$50.00	\$50.00

†The Technician Visit service charge will be added to any installation activity that requires a home visit. Only one \$30.00 fee charge per visit.

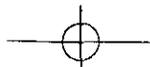
††In addition to the Technician Visit service charge.

Service not available in all areas. Prices exclude applicable fees and taxes. Commercial fees vary. Non-standard installations are based on the hourly service charge multiplied by the actual time spent on the activity.



Michigan Area

9/09  
F962



# CONSENT AGENDA

CR-1

**TO:** Dane C. Nelson, City Administrator  
**FROM:** Mark K. Gasche, Parks & Recreation Director  
**DATE:** September 29, 2009  
**SUBJECT:** Bid Recommendation – Kiwanis Trail Paving

I concur with the recommendation of the Parks & Recreation Director to award the bid for pulverizing, grading and repaving two sections of the Kiwanis Trail to Slusarski Excavating & Paving at a cost of \$13.85/LF. The total cost for the approximately 6,400 linear feet is \$88,640, unless a stone base is required, which would add \$19.50/ton to the total.

Fifteen firms were invited to bid with six responding. There are sufficient funds in the Parks & Forestry Capital Improvement account for this expense.

  
Dane C. Nelson  
City Administrator

Sealed bids were received on Tuesday, September 29, 2009 for the pulverizing, grading and repaving of two sections of the Kiwanis Trail totaling approximately 6,400 linear feet. The sections are from Sutton Road to the bridge south of Gady Road (4,800 LF) and Gady Road north to the bridge (1,600 LF). Fifteen contractors were invited to bid, with six responding as shown below.

BIDDER	ITEM I 10 foot wide	ITEM II 12 foot wide	ITEM III Base per ton
Gerken Paving Napoleon OH	\$ 17.00 lf	\$ 21.50 lf	\$ 18.00 ton
Quality Asphalt Paving Homer MI	\$ 15.81 lf	\$ 18.96 lf	\$ 20.00 ton
ABC Paving Trenton MI	\$ 20.45 lf	\$ 25.55 lf	\$ 30.00 ton
Slusarski Excavating Adrian MI	\$ 13.85 lf	\$ 16.45 lf	\$ 19.50 ton
Michigan Paving Jackson MI	\$ 15.66 lf	\$ 18.81 lf	\$ 25.00 ton
Belson Asphalt Reading MI	\$ 13.96 lf	\$ 13.96 lf	\$ 25.00 ton

After review with staff it is my recommendation that the bid be awarded to the low bidder for the 10ft width, Slusarski Excavating and Paving, Adrian, MI at the unit costs shown above. The total contract amount, not including additional base material if needed, would be \$88,640 to complete this project at a 10ft width. Stone base would be additional, if needed, at the unit cost of \$19.50 per ton. The funds for this project are budgeted in the Parks and Forestry Capital Improvement account.

**RESOLUTION**

**RE: DEPARTMENT OF PARKS & RECREATION – Kiwanis Trail Paving**

**RESOLUTION**

WHEREAS, the City Purchasing Office, on Tuesday September 29, 2009, received six (6) bids on behalf of the Department of Parks & Recreation for pulverizing, grading, and repaving two sections of the Kiwanis Trail, totaling approximately 6.400 linear feet, with the following results:

<u>Vendor</u>	<u>Location</u>	<u>10 ft. wide</u>	<u>Base Per Ton</u>	<u>Total Cost</u>
Gerken Paving	Napoleon, OH	\$17.00 lf	\$18.00	\$108,800
Quality Asphalt Pavg	Homer, MI	\$15.81 lf	\$20.00	\$101,184
ABC Paving	Trenton, MI	\$20.45 lf	\$30.00	\$130,880
Slusarski Excavating	Adrian, MI	\$13.85 lf	\$19.50	\$ 88,640
Michigan Paving	Jackson, MI	\$15.66 lf	\$25.00	\$100,224
Belson Asphalt	Reading, MI	\$13.96 lf	\$25.00	\$ 89,344

WHEREAS, the Parks & Recreation Director recommends engagement of the low bidder, Slusarski Excavating, Adrian, MI, at an estimated total cost of \$88,640 to perform the following scope of services, consisting of pulverizing, grading and repaving the below described sections of Kiwanis Trail:

- |   |                           |
|---|---------------------------|
| 1) Sutton Road to bridge south of Gady Road | 4,800 linear feet         |
| 2) Gady Road north to bridge                | <u>1,600</u> linear feet  |
| Total                                       | <u>6,400</u> linear feet; |

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose, including any necessary Base Repair, in the Parks & Forestry FY2009-10 Budget – Capital Facility Account (101-697.00-975.000); and

WHEREAS, the Parks & Recreation Director and City Administrator recommend selection of the lowest qualified bidder, Slusarski Excavating, Adrian, MI, and engagement in the City’s Standard Professional Services Contract for the above described repaving services at a cost not to exceed \$88,640, plus any necessary base repair at \$19.50 per ton.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Slusarski Excavating, Adrian, MI, in the City’s Standard Professional Services Contract for the above described repaving services at a cost not to exceed \$88,640, plus any necessary base repair at \$19.50 per ton.

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



## MEMO

100 E. Church St. Adrian, Michigan 49221-2773

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**DATE:** September 30, 2009

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

**FROM:** Chris Atkin  
Director of Community Development

**SUBJECT:** IFT Exemption Certificate for Dairy Farmers of America, Inc.

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On September 30, 2009 we received an application for an Industrial Facilities Exemption Certificate from Dairy Farmers of America, Inc. Our examination of the project indicates that Dairy Farmers of America, Inc. (formerly Diehl) is eligible for twelve (12) year abatement under current guidelines and they are currently receiving an abatement under certificate number 04-071 that will expire on December 30, 2016. The following is a breakdown of the project application as it applies to the term of the abatement:

- Retention of thirteen (13) jobs by the equipment expansion project;
- New personal property addition/expansion of \$1,915,644.00

After review and consideration of Dairy Farmers of America, Inc, longevity and commitment to and with the City of Adrian, it is my recommendation to the City of Adrian Commission that the above IFT Exemption Certificate be approved for a total of twelve (12) years, subject to execution of a City-Applicant IFT Letter of Understanding.

Chris Atkin  
Community Development Director



100 E. Church St . Adrian, Michigan 49221-2773

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## Application for Industrial Facilities District / Certificate

Date: **September 30, 2009**

Industrial Development: **X**  
Plant Rehabilitation: \_\_\_\_\_

Legal Name of Applicant: **Dairy Farmers of America, INC.**

Contact Person (title): **Leslie Hopps; Plant Manager**

Telephone: **517.265.5045** Fax: **517.265.4726**

Complete Address: **10220 N. Ambassador Dr., Kansas City, MO 64153**

Project Address: **1336 E. Maumee St., Adrian, MI 49221**

1. Name and nature of applicants business: **Dairy Farmers of America, INC. Processing of raw milk into condensed skim milk and dry milk products.**
- 2.
3. Subsidiaries of parent company and nature of business, if applicable: **DFA**
4. Localities (taxing jurisdictions) of current or previous operations ( include subsidiaries and corporate office locations): **Adrian, MI**
5. Type of product(s) to be manufactured under the certificate: **Skim Milk and Dry Milk Products and the removal of cream from raw milk.**
6. Type and cost of new construction or rehabilitation: **Not Applicable**
7. When will work begin: (month/year) **April 05, 2009**
8. When will construction be completed and/or new facility be occupied: (month/year) **Not Applicable**

9. Type and cost of equipment to be purchased: **Expansion of their reverse osmosis equipment costing \$1,915,644.00 (doubled processing capacity)**
10. When will first piece of equipment be ordered? (month/year) **April 05, 2009**
11. Current numbers of employees: **13**
12. Current wage range of present employees: **The current range of all employees working at this location range from \$14.00 - \$35.00/hr (hourly & salary)**
13. How many jobs are expected to be created within 2 years of project completion? **0**
14. Projected wage range of new jobs: **Not Applicable**
15. What types of jobs are expected to be created? **Not Applicable**
16. Legal description of the real property involved: **Attached**
17. Permanent parcel number: **XA0-345-0004-01**
18. Name and address of all property owners within the proposed district: **Sole Property Owner**
19. Current zoning of site: **I-2 General Industrial**
20. Is there any zoning or code issues/violations outstanding? **No**
21. Current SEV: Real Property: **\$669,400**                      Personal Property: **\$440,000**

Please attach additional sheets as necessary.

Questions or assistance concerning the Industrial Facilities Tax Exemption Policy or Procedures may be directed to the Community Development Department, City Hall, 100 E. Church Street, Adrian, MI 49221, 517-264-4861.

**New Machinery and Equipment**

<b>Description</b>	<b>Amount</b>	<b>Date Purchased</b>
Reverse Osmosis Equipment Expansion	\$ 1,915,644.00	Apr-09
	\$ 1,915,644.00	

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Pat Lake</i>	Date received by Local Unit <i>9-30-09</i>
STC Use Only	
Application Number	Date Received by STC

**APPLICANT INFORMATION**  
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <b>Dairy Farmers of America, Inc.</b>	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>2023</b>
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>1336 East Maumee St. Adrian, MI 49221</b>	1d. City/Township/Village (indicate which) <b>City of Adrian</b>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	1e. County <b>Lenawee</b> 3a. School District where facility is located <b>Adrian</b> 3b. School Code <b>46010</b>
	4. Amount of years requested for exemption (1-12 Years) <b>12</b>

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Company processes raw milk into condensed skim milk and dry milk products. This project consists of an \$1,915,644 upgrade to their reverse osmosis equipment.

6a. Cost of land and building improvements (excluding cost of land) ..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ <u>\$0.00</u> Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures ..... * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ <u>\$1,915,644.00</u> Personal Property Costs
6c. Total Project Costs ..... * Round Costs to Nearest Dollar	▶ <u>\$1,915,644.00</u> Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>		
Real Property Improvements	▶ _____	▶ _____	▶ <input type="checkbox"/> Owned	<input type="checkbox"/> Leased
Personal Property Improvements	▶ <u>4/5/09</u>	▶ <u>4/5/11</u>	▶ <input checked="" type="checkbox"/> Owned	<input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption.  Yes  No

9. No. of existing jobs at this facility that will be retained as a result of this project. **13**      10. No. of new jobs at this facility expected to create within 2 years of completion. **0**

11. Rehabilitation applications only. Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) \_\_\_\_\_

b. TV of Personal Property (excluding inventory) \_\_\_\_\_

c. Total TV \_\_\_\_\_

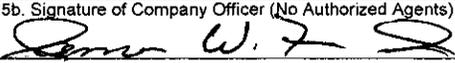
12a. Check the type of District the facility is located in:  
 Industrial Development District       Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)      12c. is this application for a speculative building (Sec. 3(8))?  
 Yes       No

**APPLICANT CERTIFICATION - complete all boxes.**

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Timothy Robinson, CEcD	13b. Telephone Number (517) 265-5141	13c. Fax Number (517) 263-6065	13d. E-mail Address timothy@onelenawee.org
14a. Name of Contact Person Leslie Hopps	14b. Telephone Number (517) 265-5045	14c. Fax Number (517) 265-4726	14d. E-mail Address lhopps@dfamilk.com
▶ 15a. Name of Company Officer (No Authorized Agents) James W. Fee, Jr.			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (816) 801-6161	15d. Date 9/29/09
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 10220 N. Ambassador Drive; Kansas City, MO 64153		15f. Telephone Number (816) 801-6160	15g. E-mail Address jfee@dfamilk.com

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission**  
Michigan Department of Treasury  
P.O. Box 30471  
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal



**IFT LETTER OF UNDERSTANDING**

Inteva Products, LLC

Company Name

1450 East Beecher Road

Adrian, Michigan 49221

**CITY OF ADRIAN**

**RE: Agreement with the City of Adrian**

Inteva Products, LLC (the Taxpayer) has submitted an application to you for the granting of an Industrial Facilities Exemption Certificate (IFT) pursuant to Michigan Public Acts of 1974, as amended.

To encourage the granting of the IFT and in recognition of investment the City of Adrian will be making toward the economic growth of the taxpayer and, thus, the economic growth of the municipality, I hereby agree, on behalf of the taxpayer, to the following:

- I. Administrative terms and Conditions. The City of Adrian and taxpayer acknowledge that the magnitude of the application for an Industrial Facilities Exemption Certificate is sufficiently large so as to warrant an agreement on certain administrative matters that develop and exist in the administration of the tax abatements. Therefore, the parties agree, as part of this agreement and the granting by the City of the applied for Industrial Facilities Exemption Certificate, to the following terms and conditions relative to the administration of the tax abatement:
  - A. Auditor and Audits:
    - i. Taxpayer shall obtain for the benefit of itself and the City, at taxpayer's sole cost and expense, a mutually agreed upon and independent accounting firm to prepare and provide the industrial

facilities' tax filings and ad valorem personal property tax filings for the term of the construction and use of the properties covered by the application for the Industrial Facilities Exemption Certificate. The independent accounting firms shall report to the taxpayer and the City jointly and equally.

- ii. The City and taxpayer shall accept as accurate the calculations and cost estimated used by the City to levy taxpayer's personal property assessments, including the assessed, state equalized and taxable values, for the current year and subsequent years, as reported by the independent accounting firm.
- iii. Taxpayer or the City may request to meet, discuss and bargain in good faith a modification of the terms specified in paragraph I.A (i) and (ii). The City and taxpayer may mutually agree to modify these terms.

**B. Reporting:**

(1) No later than the 1<sup>st</sup> day of February immediately following the second year after the issuance date of the IFT, the taxpayer shall submit a letter to the City of Adrian stating:

- i. The number of new jobs promised in the IFT application within a two year period and the actual number of new jobs created.
- ii. If the IFT was granted on the basis of job retention, the number of employees at the time of the application and the current number of employees.
- iii. If projection for creation or retention of jobs was not reached, give detailed explanation.
- iv. The estimated project cost given in the application and the actual project cost.
- v. If actual project costs differ substantially from project cost, give explanation.

(2) The taxpayer further agrees to submit a report regarding status of employment every two years, beginning two years after submission of the letter required in item I.B(1), on or before December 31<sup>st</sup>. If employment has not remained or exceeded the number given in the application, a detailed explanation for this shall be included. This report shall be submitted beginning with the fourth year after the issuance date of the IFT.

The taxpayer understands that if employment has not been retained or reached as stated in the application or the construction and/or expansion project has not been completed or expenditures made, as described in the application, the City has the right to, review the status reports and may petition by resolution, the State Tax Commission, for revocation of the IFT.

(3) The taxpayer agrees to remain within the City of Adrian for the period of the IFT in order to retain the benefits of the IFT unless permission for relocation is granted by the City of Adrian. The taxpayer further understands that if it chooses

to leave the City of Adrian without permission for relocation prior to the end of the term of the IFT, the City of Adrian has the right to recapture from the taxpayer, up to and including the total amount of the taxes abated by the IFT. The City of Adrian shall issue a denial of the City's consent for granting of an IFT in a governmental unit to which the taxpayer has relocated or transferred employment to, from the City of Adrian. The taxpayer may present to the City of Adrian Commission compelling circumstances, which would allow the City Commission, in its sole discretion, to approve such transfer.

- C. Appeal of Local Assessment; Costs: In the event that taxpayer appeals the City of Adrian's real and/or personal property assessment levied against its real and/or personal property to the Michigan Tax Tribunal, or beyond, taxpayer shall pay to the City, the City's reasonable costs of such appeal, including but not limited to attorney fees and appraisal costs. At such time the taxpayer appeals either real or personal property assessment(s) to the Michigan Tax Tribunal, the City of Adrian Commission, by resolution, will request revocation of real and/or personal IFT certificate(s) to the State Tax Commission.

II. Mutual Representation.

A. Taxpayer Representation: Taxpayer represents to the City that the persons executing this agreement has full power and authority to do so, and that they have obtained any and all necessary corporate resolutions to empower them to bind taxpayer to the terms hereof.

B. City Representation: The City represents to taxpayer that the person signing this agreement has the full power to do so and to bind the City of Adrian to the terms hereof, the same having acted upon and approved by the City Commission for the City of Adrian at the Commission's regular session of the **8th day of September 2009** upon motion duly made, seconded and carried.

Witness

\_\_\_\_\_  
\_\_\_\_\_

Taxpayer Name: Inteva Products, LLC

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

City of Adrian, Michigan

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

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Grantor	Grantee	Sale Price	Sale Date	Inst Type	Terms of Sale	Liber & Page	Verified by	Prct Trans
DIEHL INC	DAIRY FARMERS OF AMERICA, I	2,640,000	02/10/2006	WD	WARRANTY DEED	2317-181	RPS	100.0
MICHIGAN MILK PRODUCERS	DIEHL, INC	1	01/27/2006	QC	QUIT CLAIM DEED	2317-178	RPS	0.0
MICHIGAN MILK PRODUCERS ASS	DIEHL INC	317,915	03/16/1993	WD	WARRANTY DEED	1244:637	RPS	0.0

Property Address 1336 E MAUMEE ST		Class: INDUSTRIAL, 301	Zoning: I-2	Building Permit(s)		Date	Number	Status																																																								
Owner's Name/Address DAIRY FARMERS OF AMERICA, INC. LESLIE HOPPS 1336 E MAUMEE ST ADRIAN MI 49221		School: ADRIAN SCHOOLS 46010		ELECTRICAL COM		04/01/2009	PE09-073																																																									
Description LOTS 6-7-8-10-11-24-25-26-27- 28 & 29 & VACATED LAND BETWEEN ADRIAN IMPR COS SUB NO. 3 OF A PORTION OF THE NE 1/4 OF THE SW 1/4 SEC 1 T7S R3E		P.R.E. 0%		PLUMBING COM		02/19/2009	PP09-009																																																									
		MAP #:		MECHANICAL COM		02/03/2009	PM09-024																																																									
		2010 Est TCV Tentative		ELECTRICAL COM		02/03/2009	PE09-022																																																									
Comments/Influences 9/11/06 - DONNA HANDED US A 2006 SUMMER TAX BILL INDICATING A CHANGE OF C/O NAME AND MAILING ADDRESS FOR THIS PROPERTY. 9/11/06 - DONNA HANDED US A 2006 SUMMER TAX BILL INDICATING A CHANGE OF C/O NAME AND MAILING ADDRESS FOR THIS PROPERTY.		X	Improved	Vacant	Land Value Estimates for Land Table IND01. INDUSTRIAL																																																											
		Public Improvements			<table border="1"> <thead> <tr> <th>Description</th> <th>Frontage</th> <th>Depth</th> <th>Front Depth</th> <th>Rate</th> <th>%Adj.</th> <th>Reason</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>50K 1ST ACRE</td> <td></td> <td></td> <td></td> <td>1.680</td> <td>Acres</td> <td>38481 100</td> <td>64,648</td> </tr> <tr> <td colspan="7">1.68 Total Acres Total Est. Land Value =</td> <td>64,648</td> </tr> </tbody> </table>					Description	Frontage	Depth	Front Depth	Rate	%Adj.	Reason	Value	50K 1ST ACRE				1.680	Acres	38481 100	64,648	1.68 Total Acres Total Est. Land Value =							64,648																															
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The Equalizer. Copyright (c) 1999 - 2000. Licensed to: City of Adrian, Lenawee County		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value																																																					
					2010	Tentative	Tentative	Tentative			Tentative																																																					
					2009	32,300	637,100	669,400			669,400S																																																					
		Who When What MM 11/09/2007 INSPECTE TM / / REFUSED			2008	32,300	649,500	681,800			660,346C																																																					
			2007	645,500		645,500			645,500S																																																							

\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

**RE: DAIRY FARMERS OF AMERICA, INC. - ACT 198 INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE APPLICATION ESTABLISHMENT OF PUBLIC HEARING**

**RESOLUTION**

WHEREAS, the State of Michigan has adopted the Plant Rehabilitation and Industrial Facilities Development Districts Act, Public Act 198 of 1974, as amended (Act 198); and

WHEREAS, Act 198 provides for creation of Industrial Development and Rehabilitation Districts, and for review and approval of exemption request certificates; and

WHEREAS, the City of Adrian has received an Industrial Facilities Exemption Certificate request from Dairy Farmers of America, Inc. for an investment of personal property within Adrian Industrial Development District #30; and

WHEREAS, Act 198 requires notification of the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on property within said Adrian Industrial Development District #30, and provision of an opportunity to be heard on this matter prior to consideration of action of the Industrial Facilities Exemption Certificate request.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby acknowledges receipt of said Industrial Facilities Exemption Certificate from Dairy Farmers of America, Inc., authorizes the scheduling of a public hearing for Monday, October 19, 2009, 7:00 p.m. in the Adrian City Hall to receive comments on this matter, and directs the City Clerk to provide notice to the appropriate taxing units and the public as required by Act 198.

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

REGULAR

AGENDA

20-1, R-1

October 5, 2009

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to the transfer of IFT #03-0518 from Delphi Automotive Systems Corporation to Inteva Products, Inc.

Discussion

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

\_\_\_\_\_ and he declared the hearing closed.



## MEMO

100 E. Church St. Adrian, Michigan 49221-2773

---

**DATE:** September 15, 2009

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

**FROM:** Chris Atkin  
Director of Community Development

**SUBJECT:** IFT Transfer for Inteva Products, LLC from Delphi Automotive Systems, LLC

---

As you are aware, Inteva Products, LLC has recently been approved, by resolution of the City Commission, an Industrial Facilities Tax Abatement (IFT) for the period of twelve (12) years, for a piece of equipment that will allow for the retention of two (2) jobs and the creation of two (2) jobs.

To assist with current and future production, job retention and job creation, Inteva has applied for the transfer of the time remaining on two (2) additional tax abatements that were awarded to Delphi Automotive Systems, LLC as allowed by Public Act 198 of 1974 of the State of Michigan. The first IFT, certificate number 03-0518, was approved by the City Commission March 09, 2001 and will expire on December 31, 2013. The second IFT, certificate number 04-080, was approved by the City Commission February 17, 2003 and will expire on December 31, 2018.

With careful review and consideration of Inteva Products, LLC longevity and commitment to and with the City of Adrian, it is my recommendation to the City of Adrian Commission that the above IFT Exemption Certificates be approved for transfer from Delphi Automotive System for the remaining years as indicated on the applications. All transfers will be subject to execution of a City-Applicant IFT Letter of Understanding.

Respectfully Submitted,

Chris Atkin  
Community Development Director



September 17, 2009

To: Chris Atkin – City Of Adrian

From: John Kuenzer – Inteva Products, LLC

Subject: Transfer of Delphi IFT's To Inteva Products, LLC

Chris,

Inteva Products, LLC would like your help in transferring the two (2) Delphi IFT's to Inteva Products.

Please advise me as what the next step in this process is.

Best Regards,

A handwritten signature in black ink that reads 'John Kuenzer'.

John Kuenzer

Inteva Products, LLC

1450 E. Beecher Street

Adrian, MI 49221

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of P.A. 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Pat Baker</i>	Date received by Local Unit <i>9/8/09</i>
STC Use Only	
Application Number	Date Received by STC

**APPLICANT INFORMATION**  
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <b>Inteva Products, LLC</b>		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>3089</b>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>1450 E. Beecher, Adrian, Michigan 49221</b>		1d. City/Township/Village (indicate which) <b>City</b>	1e. County <b>Lenawee</b>
2. Type of Approval Requested <input type="checkbox"/> New (Sec. 2(4)) <input checked="" type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located <b>Adrian</b>	3b. School Code <b>46010</b>
4. Amount of years requested for exemption (1-12 Years) <b>3 remaining from the original 12</b>			

5. Thoroughly describe the project for which exemption is sought: Real Property (Type of Improvements to Land, Building, Size of Addition); Personal Property (Explain New, Used, Transferred from Out-of-State, etc.) and Proposed Use of Facility. (Please attach additional page(s) if more room is needed).

The original request was for Huskee Part Picker that takes parts from machine and places it on a conveyor, and, an Automatic Rivet & Screw Machine that inserts rivets into a carrier. This equipment enables cycle time improvements to reduce cost of production and make parts more competitive.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ <u>\$0.00</u> Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation plus total costs	▶ <u>\$917,000.00</u> Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ <u>\$917,000.00</u> Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements	▶ _____	▶ _____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	▶ <u>10/23/00</u>	▶ <u>10/23/02</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption.  Yes  No

9. No. of existing jobs at this facility that will be retained as a result of this project. <b>42</b>	10. No. of new jobs at this facility expected to create within 2 years of completion. <b>0</b>
--	---

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of valuation for the entire plant rehabilitation district and obsolescence statement for property. The SEV data below must be as of December 31 of the year prior to the rehabilitation.

a. SEV of Real Property (excluding land) _____	_____	_____
b. SEV of Personal Property (excluding inventory) _____	_____	_____
c. Total SEV _____	_____	_____

12a. Check the type of District the facility is located in:  
 Industrial Development District       Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) <b>3/15/93</b>	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

**APPLICANT CERTIFICATION - complete all boxes.**

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Chris Atkin	13b. Telephone Number (517) 264-4857	13c. Fax Number	13d. E-mail Address catkin@ci.adrian.mi.us
14a. Name of Contact Person John Kuenzer	14b. Telephone Number (517) 265-4214	14c. Fax Number (517) 265-4371	14d. E-mail Address jkuenzer@intevaproducts.com
▶ 15a. Name of Company Officer (No Authorized Agents) John Kuenzer			
15b. Signature of Company Officer (No Authorized Agents) <i>John F Kuenzer</i>		15c. Fax Number (517) 265-4371	15d. Date September 8, 2009
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1450 E. Beecher Street, Adrian, Michigan 49221		15f. Telephone Number (517) 265-4214	15g. E-mail Address jkuenzer@intevaproducts.com

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit  <input type="checkbox"/> Abatement Approved for _____ Years (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:  <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code 46201	16d. School Code 46010
17. Name of Local Government Body City of Adrian	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk Pat Baker	19c. E-mail Address pbaker@ci.adrian.mi.us
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 100 E. Church St. Adrian, Michigan, 49221		
19e. Telephone Number (517) 264-4866	19f. Fax Number (517) 265-8798	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission**  
**Michigan Department of Treasury**  
 P.O. Box 30471  
 Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**R09-162**

October 5, 2009

**RE: COMMUNITY DEVELOPMENT – Transfer IFT Certificate #03-0518 from Delphi Automotive to Inteva Products, Inc.**

**RESOLUTION**

WHEREAS, the City of Adrian established Industrial Development District No. 29, established by Resolution on March 15, 1993 for Inland Fisher Guide Division, GMC, which was later renamed Delphi Automotive Systems Corporation; and

WHEREAS, the City of Adrian, on March 9, 2001, approved an Industrial Facilities Exemption Certificate, now identified as IFT No. 03-0518, for Delphi Automotive Systems Corporation for \$917,000.00 for machinery and equipment for twelve years, expiring December 31, 2013.

WHEREAS, Section 21 of Public Act 198 of 1974, as amended, provides for the transfer of Industrial Facilities Exemption Certificates (IFT) with the approval of the local governmental unit; and

WHEREAS, Delphi Automotive Systems Corporation is no longer the owner of the facility at 1450 E. Beecher Street, Adrian, MI, and Inteva Products, LLC is now the owner of the facility located within Industrial Development District No. 29; and

WHEREAS, Inteva Products, LLC is requesting the transfer of the existing components of Industrial Facilities Exemption Certificate No. 03-0518, which expires on December 31, 2013 and has an original investment of \$917,000.00; and

WHEREAS, the Community Development Director and City Administrator recommends approval of the transfer of the existing Delphi Automotive Systems Corporation's personal property components of the Industrial Facilities Exemption Certificate No. 03-0518 to the new owner, Inteva Products, LLC; and

WHEREAS, the Adrian City Commission held a public hearing on October 5, 2009 at 7:00 p.m. to hear and consider comments to the transfer of personal property components of the Industrial Facilities Exemption Certificate #03-0518 for Delphi Automotive Systems Corporation to Inteva Products, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the transfer of the personal property components of Industrial Facilities Exemption Certificate No. 03-0518; and be it

FURTHER, RESOLVED that the Adrian City Commission does hereby approve the IFT Agreement, as amended, as part of the documentation required to process the transfer of the Industrial Facilities Exemption Certificate.

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

SO-2, R-2

October 5, 2009

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to the transfer of IFT #04-080 from Delphi Automotive Systems Corporation to Inteva Products, Inc.

Discussion

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

\_\_\_\_\_ and he declared the hearing closed.

#64-030

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of P.A. 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Pat Baker</i>	Date received by Local Unit <i>9/8/09</i>
STC Use Only	
Application Number	Date Received by STC

**APPLICANT INFORMATION**  
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <b>Inteva Products, LLC</b>		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>3089</b>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>1450 E. Beecher, Adrian, Michigan 49221</b>		1d. City/Township/Village (indicate which) <b>City</b>	1e. County <b>Lenawee</b>
2. Type of Approval Requested <input type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Research and Development (Sec. 2(9)) <input checked="" type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Rehabilitation (Sec. 3(1))		3a. School District where facility is located <b>Adrian</b>	3b. School Code <b>46010</b>
4. Amount of years requested for exemption (1-12 Years) <b>8 remaining from the original 12</b>			
5. Thoroughly describe the project for which exemption is sought: Real Property (Type of improvements to Land, Building, Size of Addition); Personal Property (Explain New, Used, Transferred from Out-of-State, etc.) and Proposed Use of Facility. (Please attach additional page(s) if more room is needed).  <b>The original request was for the installation of new Injection Molding Machines; related machinery &amp; equipment.</b>			
6a. Cost of land and building improvements (excluding cost of land) ..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		▶ <b>\$0.00</b> Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures ..... * Attach itemized listing with month, day and year of beginning of installation plus total costs		▶ <b>\$21,328,000.00</b> Personal Property Costs	
6c. Total Project Costs ..... * Round Costs to Nearest Dollar		▶ <b>\$21,328,000.00</b> Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.			
<u>Begin Date (M/D/Y)</u>		<u>End Date (M/D/Y)</u>	
Real Property Improvements	▶ _____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased	
Personal Property Improvements	▶ <u>1/1/03</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased	<u>12/31/07</u>
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
9. No. of existing jobs at this facility that will be retained as a result of this project. <b>400</b>		10. No. of new jobs at this facility expected to create within 2 years of completion. <b>0</b>	
11. Rehabilitation applications only. Complete a, b and c of this section. You must attach the assessor's statement of valuation for the entire plant rehabilitation district and obsolescence statement for property. The SEV data below must be as of December 31 of the year prior to the rehabilitation.			
a. SEV of Real Property (excluding land) .....			
b. SEV of Personal Property (excluding inventory) .....			
c. Total SEV .....			
12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District			
12b. Date district was established by local government unit (contact local unit) <b>3/15/93</b>		12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**APPLICANT CERTIFICATION - complete all boxes.**

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name <b>Chris Atkin</b>	13b. Telephone Number <b>(517) 264-4857</b>	13c. Fax Number	13d. E-mail Address <b>catkin@ci.adrian.mi.us</b>
14a. Name of Contact Person <b>John Kuenzer</b>	14b. Telephone Number <b>(517) 265-4214</b>	14c. Fax Number <b>(517) 265-4371</b>	14d. E-mail Address <b>jkuenzer@intevaproducts.com</b>
▶ 15a. Name of Company Officer (No Authorized Agents) <b>John Kuenzer</b>			
15b. Signature of Company Officer (No Authorized Agents) <i>John F. Kuenzer</i>		15c. Fax Number <b>(517) 265-4371</b>	15d. Date <b>September 8, 2009</b>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <b>1450 E. Beecher Street, Adrian, Michigan 49221</b>		15f. Telephone Number <b>(517) 265-4214</b>	15g. E-mail Address <b>jkuenzer@intevaproducts.com</b>

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Years (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code <b>46201</b>	16d. School Code <b>46010</b>
17. Name of Local Government Body <b>City of Adrian</b>	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk <b>Pat Baker</b>	19c. E-mail Address <b>pbaker@ci.adrian.mi.us</b>
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) <b>100 E. Church St. Adrian, Michigan, 49221</b>		
19e. Telephone Number <b>(517) 264-4866</b>	19f. Fax Number <b>(517) 265-8798</b>	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission  
Michigan Department of Treasury  
P.O. Box 30471  
Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**RE: COMMUNITY DEVELOPMENT – Transfer IFT Certificate #04-080 from Delphi Automotive to Inteva Products, Inc.**

**RESOLUTION**

WHEREAS, the City of Adrian established Industrial Development District No. 29, established by Resolution on March 15, 1993 for Inland Fisher Guide Division, GMC, which was later renamed Delphi Automotive Systems Corporation; and

WHEREAS, the City of Adrian, on February 17, 2003, approved an Industrial Facilities Exemption Certificate, now identified as IFT No. 04-080, for Delphi Automotive Systems Corporation for \$ 21,328,000.00 for machinery and equipment for twelve years, expiring December 31, 2018; and

WHEREAS, Section 21 of Public Act 198 of 1974, as amended, provides for the transfer of Industrial Facilities Exemption Certificates (IFT) with the approval of the local governmental unit; and

WHEREAS, Delphi Automotive Systems Corporation is no longer the owner of the facility at 1450 E. Beecher Street, Adrian, MI, and Inteva Products, LLC is now the owner of the facility located within Industrial Development District No. 29; and

WHEREAS, Inteva Products, LLC is requesting the transfer of the existing components of Industrial Facilities Exemption Certificate No. 04-080, which expires December 31, 2018, and has an original investment of \$21,328,000.00; and

WHEREAS, the Community Development Director and City Administrator recommends approval of the transfer of the existing Delphi Automotive Systems Corporation’s personal property components of the Industrial Facilities Exemption Certificate No. 04-080 to the new owner, Inteva Products, LLC; and

WHEREAS, the Adrian City Commission held a public hearing on October 5, 2009 at 7:00 p.m. to hear and consider comments to the transfer of personal property components of the Industrial Facilities Exemption Certificate No. 04-080 for Delphi Automotive Systems Corporation to Inteva Products, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the transfer of the personal property components of Industrial Facilities Exemption Certificate No. 04-080; and be it

FURTHER, RESOLVED that the Adrian City Commission does hereby approve the IFT Agreement, as amended, as part of the documentation required to process the transfer of the Industrial Facilities Exemption Certificate.

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

R-3

DATE: October 1, 2009

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Purchase of 2009 Chevy Tahoe – Police Dept.

I concur with the recommendation of the Police Chief to purchase a 2009 Chevy Tahoe through the State bid process from Shaheen Chevrolet of Lansing, MI at a cost of \$35,379.40. The Police Chief has recommended that this unit replace two Chevy Impala patrol vehicles currently in our fleet, which would reduce our maintenance and insurance costs.

I urge your favorable consideration authorizing the purchase of a 2009 Chevy Tahoe from Shaheen Chevrolet and that the normal City bid process be waived.

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

DCN:bjw

R-3



**POLICE DEPARTMENT**

# MEMO

**To:** Jeff Pardee, Finance Director

**From:** Terrence B Collins, Chief of Police *TBC*

**Date:** September 25, 2009

**Re: Purchase of Chevy Tahoe**

---

We are requesting the purchase of a 2009 Chevrolet Tahoe Special Service vehicle from Shaheen Chevrolet.

This purchase by-passes the City bid process because the vehicle is priced as part of a State Bid. To finalize the purchase a check is needed, payable to Shaheen Chevrolet, on October 5, 2009.

The capitalization costs of the vehicle are included in the submitted amount, and will be paid by Shaheen Chevrolet to Cruiser's Inc.





988 RICKETT RD BRIGHTON, MI 48116  
 (PHONE) 810.229.0122 (FAX) 810.229.0124

# Invoice

Invoice Number:  
22974  
 Invoice Date:  
Sep 10, 2009  
 Page:  
1

**Sold To:** Adrian PD  
 100 E Church St  
 Accounting Dept  
 Adrian, MI 49221

**Ship To:** Adrian PD  
 100 E Church St  
 Adrian, MI 49221

Customer ID		Customer PO		Payment Terms	
ADRI02				Net 30 Days	
Customer Phone		Shipping Method		Order Number	Due Date
517-263-2161				20350	10/10/09
Quantity	Item	Description	Unit Price	Extension	
1.00	NON-INV	Star Phantom Windshield LED	475.00	475.00	
1.00	NON-INV	Sound Off Ghost Light Grille LED Set	178.00	178.00	
1.00	NON-INV	Star Rear Deck Upper DL-15-36RB	450.00	450.00	
1.00	NON-INV	Star Side Mirror	240.00	240.00	
1.00	NON-INV	Star Side Quarter R/B Set DL15-6W-1K	325.00	325.00	
1.00	NON-INV	Star Hide Away LED Corner Kit	355.00	355.00	
1.00	NON-INV	License Plate LED Kit	145.00	145.00	
1.00	NON-INV	LCS 800 Siren/Light Unit	475.00	475.00	
1.00	NON-INV	Star D-44 Siren Speaker	155.00	155.00	
1.00	NON-INV	Headlight Flasher	95.00	95.00	
1.00	NON-INV	Taillight Flasher	80.00	80.00	
1.00	NON-INV	Driverside Rear Cargo Barrier	375.00	375.00	
1.00	NON-INV	Dual Weapon Mount with Shroud	395.00	395.00	
1.00	NON-INV	Center Console Solution	325.00	325.00	
1.00	NON-INV	MDC Mounting Solution	295.00	295.00	
1.00	NON-INV	Antenna Cables and GPS	75.00	75.00	
2.00	NON-INV	Antenna Cables and Radio	55.00	110.00	
1.00	NON-INV	Charge Guard Time Unit	75.00	75.00	
1.00	DRA009Y	Drawer Assy, 12H X 38W X 32D	565.00	565.00	
1.00	SHOP SUPPLY	Miscellaneous Shop Supplies	195.00	195.00	
1.00	LABOR	Installation Labor	1,325.00	1,325.00	
		2010 TAHOE			

Subtotal 6,708.00  
 Sales Tax  
 Shipping & Handling  
**TOTAL INVOICE 6,708.00**

All past due invoices will be subject to a 1.5% monthly (18%per annum) service charge. All claims must be made with 24 hours after receipt of order. Returns of current product may incur a minimum 15% restocking charge. Obsolete product may not be accepted. The following is made in lieu of all warranties express or implied - Cruisers, Inc. only obligation shall be to replace such quantity of the product proven to be defective. Cruisers, Inc. shall not be liable for any injury, loss or damage, direct or consequential, arising out of the use of or the inability to use the product. Before using, installer or user shall determine the suitability of the product for his intended use, and installer or user assumes all risk and liability whatsoever in connection therewith. No statement or recommendation not contained herein shall have any force or effect unless in an agreement signed by an officer of Cruisers, Inc.

**R09-164**

October 5, 2009

**RE: POLICE DEPARTMENT – Authorization to Purchase One (1) Chevrolet Tahoe**

**RESOLUTION**

WHEREAS, the FY2009-10 budget provides for the replacement of two (2) Chevrolet Impala patrol vehicles, fully marked and equipped, at an estimated cost of \$57,000, including ancillary equipment; and

WHEREAS, the Police Chief recommends that, instead, one (1) Chevrolet Tahoe would better meet the operational need of the Police Department, as well as result in a cost savings; and

WHEREAS, the State of Michigan Department of Management and 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 one (1) Chevrolet Tahoe, including transfer and installation of ancillary equipment, are as follows:

Shaheen Chevrolet Lansing, MI	2009 Chevy Tahoe	\$35,379.40
----------------------------------	------------------	-------------

WHEREAS, sufficient funds are available in the FY2009-10 General Fund Police Department Capital Equipment Budget (101-301.000-977.000) 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 and that the bid of \$35,379.40 be accepted and that the City purchase one (1) Chevrolet Tahoe fully marked and equipped patrol vehicle from Shaheen Chevrolet, Lansing, MI and, further, that two (2) Chevrolet Impala marked patrol vehicles be deleted from the City's vehicle fleet.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of one (1) Chevrolet Tahoe patrol vehicle, fully marked and equipped, from Shaheen Chevrolet, Lansing, MI, at a cost not to exceed \$35,379.40.

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 \_\_\_\_\_  
by a \_\_\_\_\_ vote.

R-4  
September 29, 2009

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Two Way Traffic Easements

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In 2004, the City began the process of studying the feasibility of converting the one-way streets in the downtown area to all two-way traffic. This process was completed and recently we received approval from the Michigan Department of Transportation (MDOT) to proceed with this project.

During the design phase it became apparent that several corners needed to be expanded to accommodate larger semi-truck turning. It was also discovered that several areas currently had sidewalk encroachments on private properties.

The enclosed easements are for City owned properties being conveyed to the Michigan Department of Transportation (MDOT).

I recommend these easements be executed for purposes of completion of the two-way traffic conversion.

jrr-9-24-09

# HIGHWAY EASEMENT

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION  
*This information required by P.A. 286 of 1964*

MDOT 0638 (12/02)

The Grantors City of Adrian

100 E. Church Street

Adrian, Michigan 49221

for the sum of One Dollar ( \$1.00 ) conveys to the Michigan Department of Transportation, whose address is 4701 W. Michigan Ave., Jackson, MI 49201, an easement for highway purposes, in, over, and upon the real estate located in the **CITY** of **ADRIAN** , County of **LENAWEE**, described as:

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

Subject to the following:

This conveyance includes the consent of the grantors to the removal at any time of such trees, shrubs and vegetation as, in the judgment of the Michigan Department of Transportation, is necessary to the construction and maintenance of the highway. Notice to the grantors of the removal by the Michigan Department of Transportation of such trees, shrubs, and vegetation is not required. The grantors agree that no trees, shrubs or vegetation shall be cut or removed from the highway right of way easement by the grantors, their heirs, successors and assigns, without the written permission of the Michigan Department of Transportation. The grantors agree for themselves, their heirs, successors and assigns, that no billboard, or advertising device, shall be erected, permitted or maintained on the right of way as described. The undersigned Mortgagee consent to this easement and hereby agrees that all existing, and future mortgages shall be subordinate to the easement.

PROPERTY TAX CODE NUMBER: XAO-385-0025-00

CONTROL SECTION: 46061	PARCEL: 270	NAME: CITY OF ADRIAN
JOB NUMBER: N/A	FED ITEM NUMBER: N/A	FEDERAL PROJECT NUMBER: N/A

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009

_____ Witness -	_____ Grantor -

**CORPORATE ACKNOWLEDGMENT**

STATE OF MICHIGAN

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

by \_\_\_\_\_ and \_\_\_\_\_  
Name of Officer Name of Officer

the \_\_\_\_\_ and \_\_\_\_\_ respectively  
Title of Officer Title of Officer

of \_\_\_\_\_ a \_\_\_\_\_, on behalf of the  
Name of Corporation/Partnership/Entity Type of Entity

corporation/partnership/entity \_\_\_\_\_ Michigan \_\_\_\_\_

NOTARY PUBLIC - \_\_\_\_\_ COUNTY \_\_\_\_\_ COMMISSION EXPIRES \_\_\_\_\_

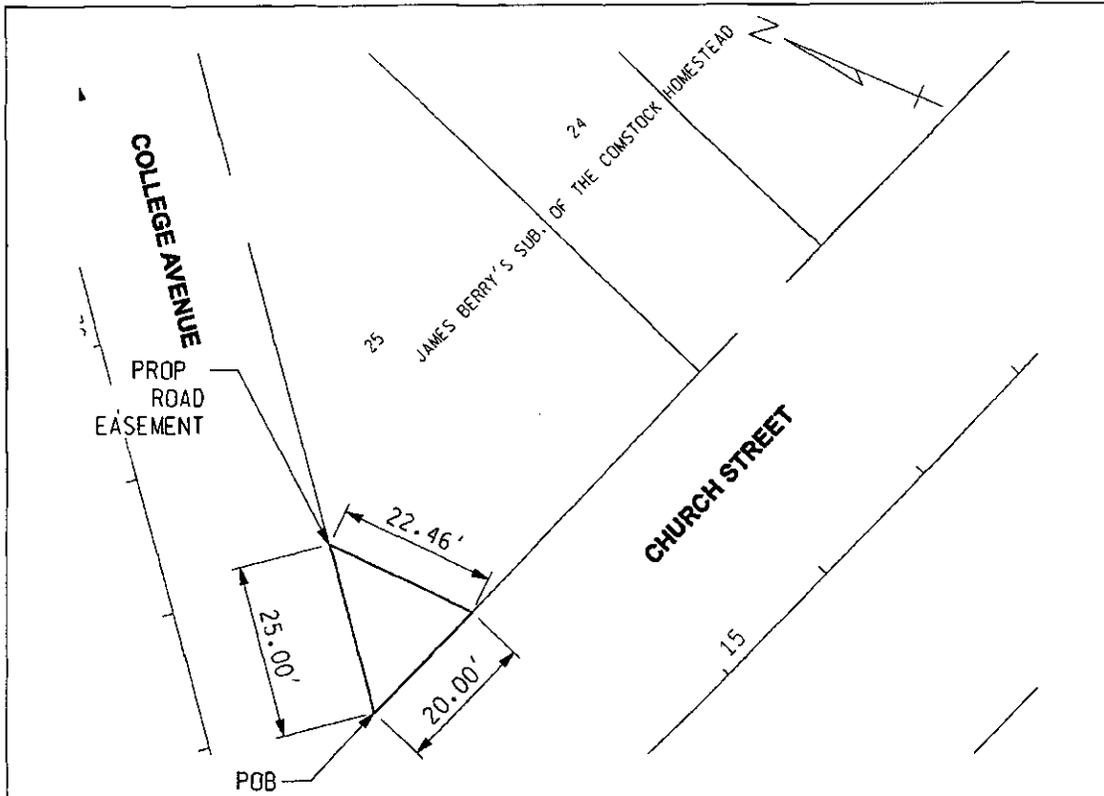
DRAFTED BY: Jeffrey R. Ruest

, 4701 W. Michigan Ave., Jackson, MI 49201  
Michigan Department of Transportation

When recorded return to:

Attn: Jeffrey R. Ruest  
4701 W. Michigan Ave.  
Jackson, MI 49201

\_\_\_\_\_



**ROADWAY EASEMENT:**

A triangular shaped portion of land in the southwest corner of Lot 25 of James Berry Comstock Homestead Subdivision, City of Adrian, Lenawee County, Michigan, more particularly described as:

Beginning at the southwest corner of Lot 25, James Berry Comstock Homestead Subdivision, City of Adrian, Michigan; thence 25.00 feet northeasterly along the east line of said Lot 25 and right of way line of College Avenue; thence southerly approximately 22.46 feet to a point on the south line of said Lot 25, said point being located 20.00 feet from the southwest corner of said Lot 25; thence southwestery 20.00 along the south line of Lot 25 and right of way line of Church Street to the Point of Beginning.

The lands described above contain 213.426 sq. ft., or .0049 Acres, more or less.

**PROPERTY OWNER:**  
 City of Adrian  
 100 E Church Street  
 Adrian, MI 49221

**Parcel Tax ID:**  
 XAO-385-0025-00

FOR:	<b>ROADWAY EASEMENT</b>
	ADRIAN, MICHIGAN
DESIGNED BY:	<b>URS</b>
	Surface Transportation Grand Rapids - Southfield - Traverse City



<b>ROADWAY EASEMENT PARCEL XAO-385-0025-00</b>					
DRAWN BY:	DESIGNED BY:	DATE	SCALE		PROJECT NUMBER
JB	LND	04/14/09	1" = 20'		12941607

jrr-9-24-09

# HIGHWAY EASEMENT

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION  
*This information required by P.A. 286 of 1964*

MDOT 0638 (12/02)

---

The Grantors City of Adrian

---

100 E. Church Street

---

Adrian, Michigan 49221

---

for the sum of One Dollar ( \$1.00 ) conveys to the Michigan Department of Transportation, whose address is 4701 W. Michigan Ave., Jackson, MI 49201, an easement for highway purposes, in, over, and upon the real estate located in the CITY of **ADRIAN** , County of **LENAWEE**, described as:

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

---

Subject to the following:

This conveyance includes the consent of the grantors to the removal at any time of such trees, shrubs and vegetation as, in the judgment of the Michigan Department of Transportation, is necessary to the construction and maintenance of the highway. Notice to the grantors of the removal by the Michigan Department of Transportation of such trees, shrubs, and vegetation is not required. The grantors agree that no trees, shrubs or vegetation shall be cut or removed from the highway right of way easement by the grantors, their heirs, successors and assigns, without the written permission of the Michigan Department of Transportation. The grantors agree for themselves, their heirs, successors and assigns, that no billboard, or advertising device, shall be erected, permitted or maintained on the right of way as described. The undersigned Mortgagee consent to this easement and hereby agrees that all existing, and future mortgages shall be subordinate to the easement.

---

PROPERTY TAX CODE NUMBER: XAO-850-0228-00

CONTROL SECTION: 46061	PARCEL: 271	NAME: CITY OF ADRIAN
JOB NUMBER: N/A	FED ITEM NUMBER: N/A	FEDERAL PROJECT NUMBER: N/A

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009

Witness - _____	Grantor - _____
Witness - _____	Grantor - _____
Witness - _____	Grantor - _____
Witness - _____	Grantor - _____

**CORPORATE ACKNOWLEDGMENT**

STATE OF MICHIGAN

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 ,

by \_\_\_\_\_ and \_\_\_\_\_  
Name of Officer Name of Officer

the \_\_\_\_\_ and \_\_\_\_\_ respectively  
Title of Officer Title of Officer

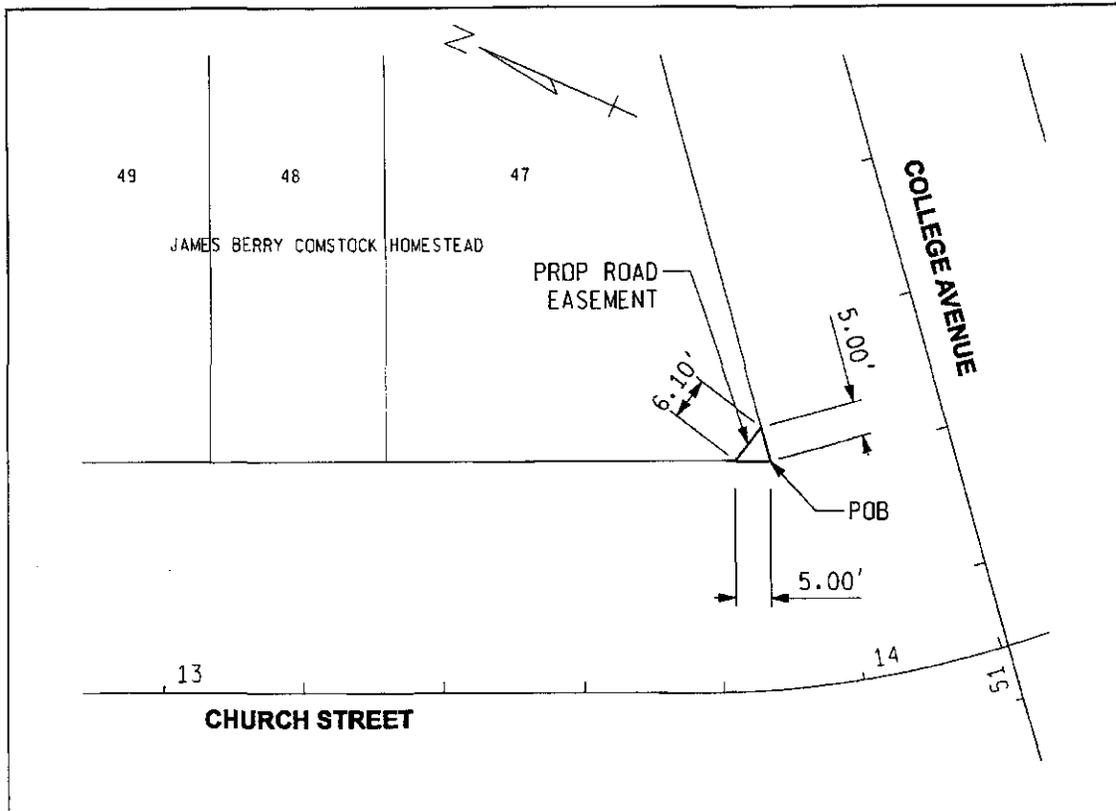
of \_\_\_\_\_ a \_\_\_\_\_, on behalf of the  
Name of Corporation/Partnership/Entity Type of Entity

corporation/partnership/entity \_\_\_\_\_ Michigan \_\_\_\_\_

NOTARY PUBLIC - \_\_\_\_\_ COUNTY \_\_\_\_\_ COMMISSION EXPIRES \_\_\_\_\_

DRAFTED BY: Jeffrey R. Ruest , 4701 W. Michigan Ave., Jackson, MI 49201  
Michigan Department of Transportation

When recorded return to:  
Attn: Jeffrey R. Ruest  
4701 W. Michigan Ave.  
Jackson, MI 49201



**ROADWAY EASEMENT:**

A triangular shaped portion of land in the southeast corner of Lot 47 of James Berry Comstock Homestead Subdivision, City of Adrian, Lenawee County, Michigan, more particularly described as:

Beginning at the southeast corner of Lot 47, James Berry Comstock Homestead Subdivision, City of Adrian, Michigan; thence 5.00 feet northeasterly along the southeastern line of Lot 47 and right of way line of College Avenue; thence approximately 6.10 feet westerly to a point on the southwest line of said Lot 47, said point being located 5.00 feet from the southeast corner of Lot 47; thence 5.00 feet southeasterly along the southwest line of Lot 47 and right of way line of Church Street to the Point of Beginning.

The lands described above contain 12.085 sq. ft., or .000277 Acres, more or less.

**PROPERTY OWNER:**  
 City of Adrian  
 100 E Church Street  
 Adrian, MI 49221

**Parcel Tax ID:**  
 XAO-850-0228-00

**ROADWAY EASEMENT**

DESIGNED BY:

**URS**

Surface Transportation  
 Grand Rapids - Southfield  
 Traverse City



**ROADWAY EASEMENT PARCEL XAO-850-0228-00**

DRAWN BY: JB	CHECKED BY: LND	DATE 04/20/09	SCALE 1" = 20'	PROJECT NUMBER 12941607
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jrr-9-24-09

# HIGHWAY EASEMENT

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION  
*This information required by P.A. 286 of 1964*

MDOT 0638 (12/02)

The Grantors City of Adrian

100 E. Church Street

Adrian, Michigan 49221

for the sum of One Dollar ( \$1.00 ) conveys to the Michigan Department of Transportation, whose address is 4701 W. Michigan Ave., Jackson, MI 49201, an easement for highway purposes, in, over, and upon the real estate located in the **CITY of ADRIAN** , County of **LENAWEE**, described as:

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

Subject to the following:

This conveyance includes the consent of the grantors to the removal at any time of such trees, shrubs and vegetation as, in the judgment of the Michigan Department of Transportation, is necessary to the construction and maintenance of the highway. Notice to the grantors of the removal by the Michigan Department of Transportation of such trees, shrubs, and vegetation is not required. The grantors agree that no trees, shrubs or vegetation shall be cut or removed from the highway right of way easement by the grantors, their heirs, successors and assigns, without the written permission of the Michigan Department of Transportation. The grantors agree for themselves, their heirs, successors and assigns, that no billboard, or advertising device, shall be erected, permitted or maintained on the right of way as described. The undersigned Mortgagee consent to this easement and hereby agrees that all existing, and future mortgages shall be subordinate to the easement.

PROPERTY TAX CODE NUMBER: XAO-850-0228-00

CONTROL SECTION: 46061	PARCEL: 272	NAME: CITY OF ADRIAN
JOB NUMBER: N/A	FED ITEM NUMBER: N/A	FEDERAL PROJECT NUMBER: N/A

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009

Witness - _____	Grantor - _____
Witness - _____	Grantor - _____
Witness - _____	Grantor - _____
Witness - _____	Grantor - _____

**CORPORATE ACKNOWLEDGMENT**

STATE OF MICHIGAN

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

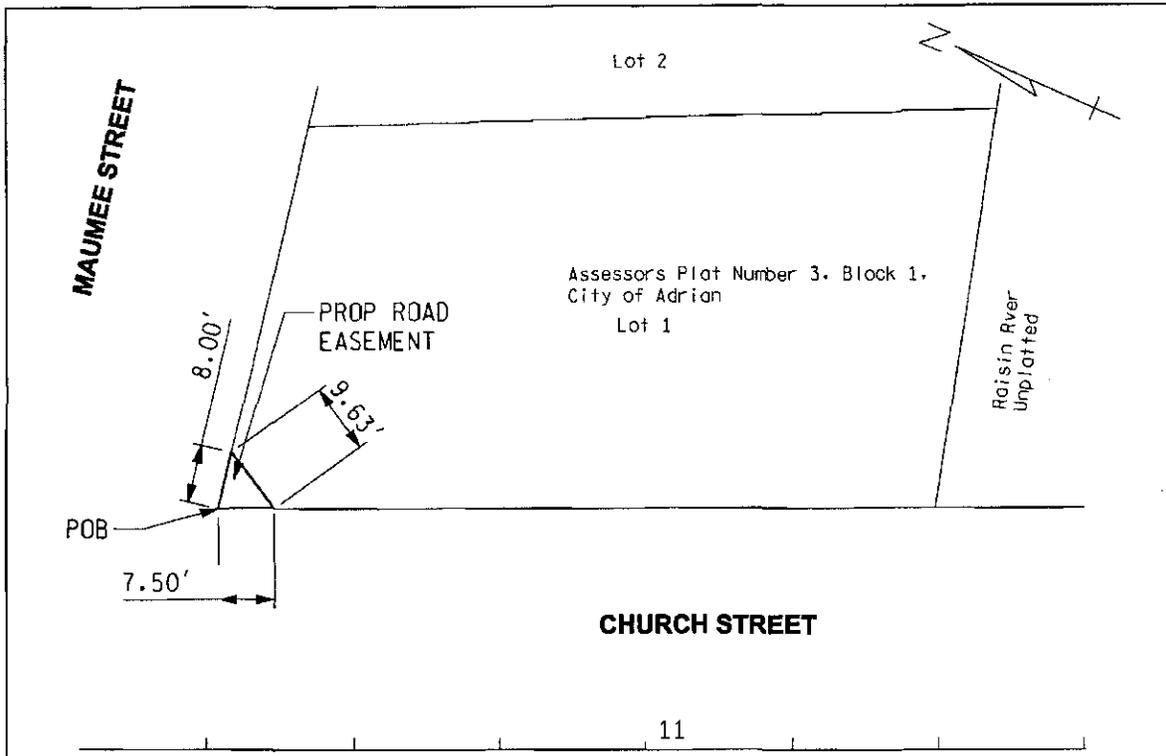
by \_\_\_\_\_ and \_\_\_\_\_  
Name of Officer Name of Officer

the \_\_\_\_\_ and \_\_\_\_\_ respectively  
Title of Officer Title of Officer

of \_\_\_\_\_ a \_\_\_\_\_, on behalf of the  
Name of Corporation/Partnership/Entity Type of Entity

\_\_\_\_\_  
corporation/partnership/entity \_\_\_\_\_ Michigan \_\_\_\_\_  
NOTARY PUBLIC - COUNTY COMMISSION EXPIRES

DRAFTED BY: Jeffrey R. Ruest , 4701 W. Michigan Ave., Jackson, MI 49201  
Michigan Department of Transportation  
When recorded return to: Attn: Jeffrey R. Ruest  
4701 W. Michigan Ave.  
Jackson, MI 49201



**ROADWAY EASEMENT:**

A triangular shaped portion of land in the northwest corner of Lot 1, Block 1, Assessor's Plat No. 3, City of Adrian, Lenawee County, Michigan, more particularly described as:

Beginning at the northwest corner of Lot 1, Block 1, Assessor's Plat No. 3, City of Adrian, Lenawee County, Michigan; thence easterly 8.0 feet along the north line of said Lot 1 and right of way line of Maumee Street; thence southwesterly approximately 9.63 feet to a point on the west line of said Lot 1, said point being located 7.50 feet from the northwest corner of said Lot 1; thence northwesterly 7.50 feet along the west line of Lot 1 and right of way line of Church Street to the Point of Beginning.

The lands described above contain 29.20 sq. ft., or .00067 Acres, more or less.

**PROPERTY OWNER:**

City of Adrian  
 100 E Church Street  
 Adrian, MI 49221

**TAX ID:**

XAO-850-0228-00

**ROADWAY EASEMENT**

DESIGNED BY:

**URS**

Surface Transportation  
 Grand Rapids . Southfield .  
 Traverse City



**ROADWAY EASEMENT PARCEL XAO-850-0228-00**

DRAWN BY: JB	CHECKED BY: LND	DATE: 03/30/09	SCALE: 1" = 20'	PROJECT NUMBER: 12941607
-----------------	--------------------	-------------------	--------------------	-----------------------------

jrr-9-24-09

# HIGHWAY EASEMENT

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION  
*This information required by P.A. 286 of 1964*

MDOT 0638 (12/02)

The Grantors City of Adrian

100 E. Church Street

Adrian, Michigan 49221

for the sum of One Dollar ( \$1.00 ) conveys to the Michigan Department of Transportation, whose address is 4701 W. Michigan Ave., Jackson, MI 49201, an easement for highway purposes, in, over, and upon the real estate located in the **CITY of ADRIAN** , County of **LENAWEE**, described as:

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

Subject to the following:

This conveyance includes the consent of the grantors to the removal at any time of such trees, shrubs and vegetation as, in the judgment of the Michigan Department of Transportation, is necessary to the construction and maintenance of the highway. Notice to the grantors of the removal by the Michigan Department of Transportation of such trees, shrubs, and vegetation is not required. The grantors agree that no trees, shrubs or vegetation shall be cut or removed from the highway right of way easement by the grantors, their heirs, successors and assigns, without the written permission of the Michigan Department of Transportation. The grantors agree for themselves, their heirs, successors and assigns, that no billboard, or advertising device, shall be erected, permitted or maintained on the right of way as described. The undersigned Mortgagee consent to this easement and hereby agrees that all existing, and future mortgages shall be subordinate to the easement.

PROPERTY TAX CODE NUMBER: XAO-850-0223-00

CONTROL SECTION: 46061	PARCEL: 273	NAME: CITY OF ADRIAN
JOB NUMBER: N/A	FED ITEM NUMBER: N/A	FEDERAL PROJECT NUMBER: N/A

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009

_____ Witness -	_____ Grantor -

**CORPORATE ACKNOWLEDGMENT**

STATE OF MICHIGAN

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

by \_\_\_\_\_ and \_\_\_\_\_  
Name of Officer Name of Officer

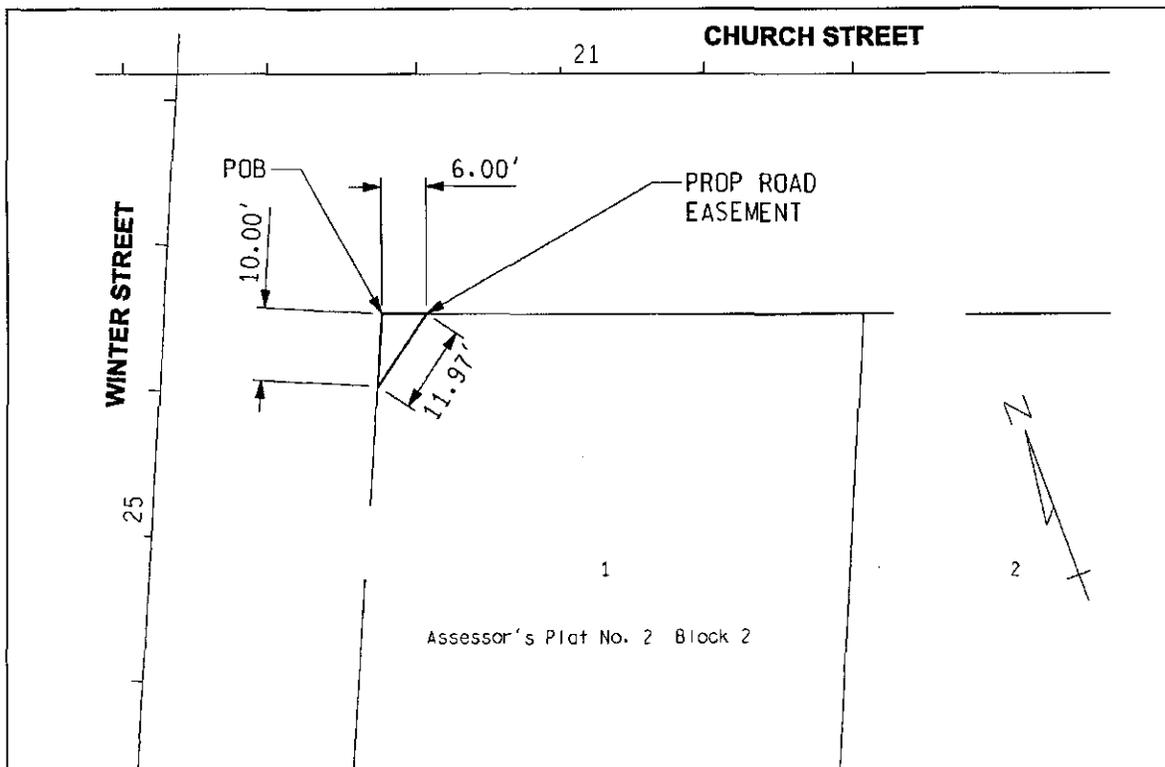
the \_\_\_\_\_ and \_\_\_\_\_ respectively  
Title of Officer Title of Officer

of \_\_\_\_\_ a \_\_\_\_\_, on behalf of the  
Name of Corporation/Partnership/Entity Type of Entity

\_\_\_\_\_  
corporation/partnership/entity  
NOTARY PUBLIC - \_\_\_\_\_ Michigan \_\_\_\_\_  
COUNTY COMMISSION EXPIRES

DRAFTED BY: Jeffrey R. Ruest , 4701 W. Michigan Ave., Jackson, MI 49201  
Michigan Department of Transportation

When recorded return to:  
Attn: Jeffrey R. Ruest  
4701 W. Michigan Ave.  
Jackson, MI 49201



**ROADWAY EASEMENT:**

A triangular shaped portion of land in the northwest corner of Lot 1, Block 2, Assessor's Plat Number 2, City of Adrian, Lenawee County, Michigan; more particularly described as:

Beginning at the northwest corner of Lot 1, Block 2, Assessor's Plat Number 2, City of Adrian, Lenawee County, Michigan; thence easterly 6.00 feet along the north line of said Lot 1 and south right of way line of Church Street; thence southwesterly approximately 11.97 feet to a point on the west line of said Lot 1, said point being located 10.00 feet from the northwest corner of said Lot 1; thence northerly 10.00 feet along the west line of said Lot 1 and right of way line of Winter Street to the Point of Beginning.

The lands described above contain 29.94 sq. ft., or .00069 Acres, more or less.

**PROPERTY OWNER:**

City of Adrian  
 100 E Church Street  
 Adrian, MI 49221

**Tax ID:**

XAO-850-0223-00

**ROADWAY EASEMENT**

DESIGNED BY:

**URS**

Surface Transportation  
 Grand Rapids - Southfield -  
 Traverse City



**ROADWAY EASEMENT PARCEL XAO-850-0223-00**

DRAWN BY:	CHECKED BY:	DATE	SCALE	PROJECT NUMBER
JB	LD	03/30/09	1" = 20'	12941607

jrr-9-24-09

# HIGHWAY EASEMENT

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION  
*This information required by P.A. 286 of 1964*

MDOT 0638 (12/02)

The Grantors City of Adrian

100 E. Church Street

Adrian, Michigan 49221

for the sum of One Dollar ( \$1.00 ) conveys to the Michigan Department of Transportation, whose address is 4701 W. Michigan Ave., Jackson, MI 49201, an easement for highway purposes, in, over, and upon the real estate located in the **CITY of ADRIAN** , County of **LENAWEE**, described as:

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

Subject to the following:

This conveyance includes the consent of the grantors to the removal at any time of such trees, shrubs and vegetation as, in the judgment of the Michigan Department of Transportation, is necessary to the construction and maintenance of the highway. Notice to the grantors of the removal by the Michigan Department of Transportation of such trees, shrubs, and vegetation is not required. The grantors agree that no trees, shrubs or vegetation shall be cut or removed from the highway right of way easement by the grantors, their heirs, successors and assigns, without the written permission of the Michigan Department of Transportation. The grantors agree for themselves, their heirs, successors and assigns, that no billboard, or advertising device, shall be erected, permitted or maintained on the right of way as described. The undersigned Mortgagee consent to this easement and hereby agrees that all existing, and future mortgages shall be subordinate to the easement.

PROPERTY TAX CODE NUMBER: XAO-850-0224-00

CONTROL SECTION: 46072	PARCEL: 130	NAME: CITY OF ADRIAN
JOB NUMBER: N/A	FED ITEM NUMBER: N/A	FEDERAL PROJECT NUMBER: N/A

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009

_____ Witness -	_____ Grantor -

**CORPORATE ACKNOWLEDGMENT**

STATE OF MICHIGAN

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

by \_\_\_\_\_ and \_\_\_\_\_  
Name of Officer Name of Officer

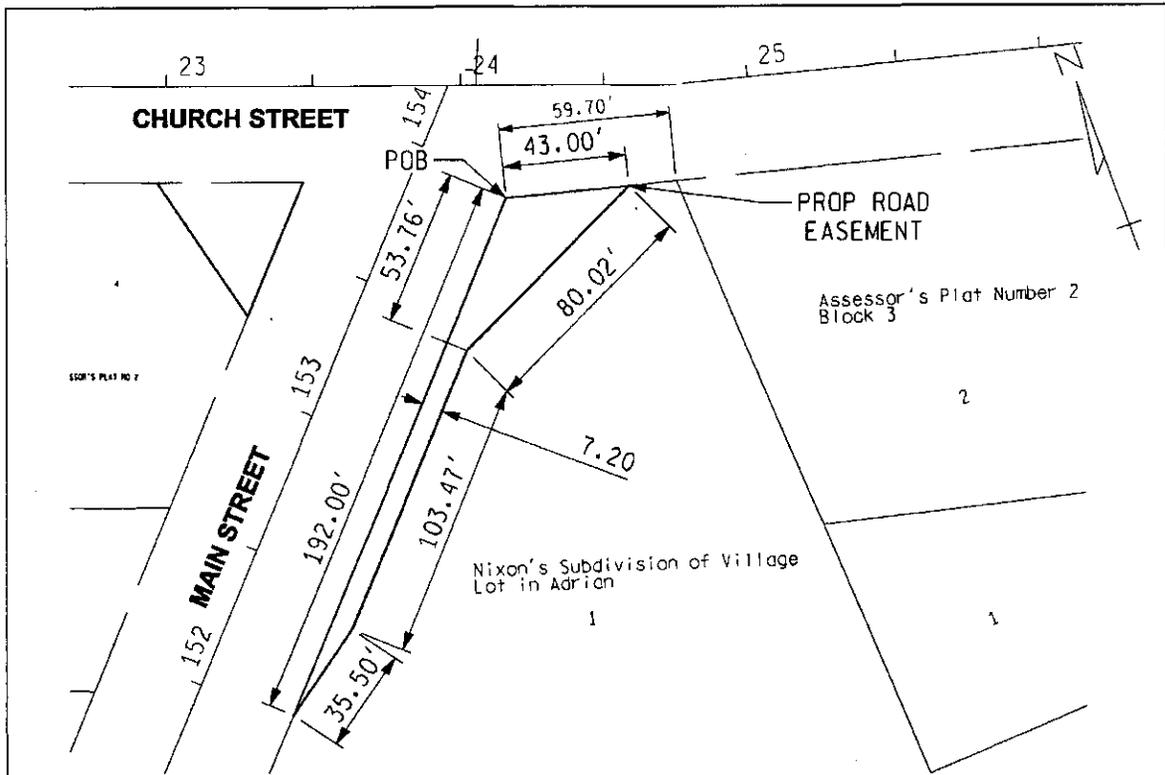
the \_\_\_\_\_ and \_\_\_\_\_ respectively  
Title of Officer Title of Officer

of \_\_\_\_\_ a \_\_\_\_\_, on behalf of the  
Name of Corporation/Partnership/Entity Type of Entity

\_\_\_\_\_  
corporation/partnership/entity  
NOTARY PUBLIC - \_\_\_\_\_ COUNTY Michigan \_\_\_\_\_ COMMISSION EXPIRES

DRAFTED BY: Jeffrey R. Ruest , 4701 W. Michigan Ave., Jackson, MI 49201  
Michigan Department of Transportation

When recorded return to:  
Attn: Jeffrey R. Ruest  
4701 W. Michigan Ave.  
Jackson, MI 49201



**ROADWAY EASEMENT:**

A portion of land in the northwest corner of Lot 1 and the northwest corner of Lot 9 of Nixon's Subdivision of a Village Lot in Adrian more particularly described as :

Beginning at the northwest corner of Nixon's Subdivision of a Village Lot in Adrian, the point of beginning also being the northwest corner of Lot 1 in said Nixon's Subdivision; thence 43.00 feet along the north line said Lot 1 and the north line of Lot 9 and south right of way of line of Church Street; thence southwesterly approximately 80.02 feet to a point located 7.20 feet from the western line of said Lot 1, said point being located 53.76 feet south of the the northwest corner of said Lot 1 and 7.20 feet west of the west Lot Line of Lot 1 as measured perpendicular to the west lot line of Lot 1; thence southerly 103.47 feet along a line parallel to and 7.2 feet east of the west lot line of said Lot 1; thence southwesterly 35.50 feet to a point on the west lot line of said Lot 1, said point being located 192.00 feet from the northwest corner of said Lot 1; thence northerly 192.00 feet along the west line of said Lot 1 and eastern right of way line of Main Street to the Point of Beginning.

The lands described above contain 2157.97 sq. ft., or .0495 Acres, more or less.

**PROPERTY OWNER:**

City of Adrian  
 100 Church Street  
 Adrian, MI 49221

Tax ID:  
 XAO-850-0224-00

<b>ROADWAY EASEMENT</b>	
DESIGNED BY:	
<b>URS</b> <small>Surface Transportation        Grand Rapids, Southfield,        Traverse City</small>	
	
<b>ROADWAY EASEMENT PARCEL XAO-850-0224-00</b>	
DRAWN BY:	CHECKED BY:
DATE:	SCALE:
PROJECT NUMBER:	
JB	LD
03/30/09	1" = 50'
12941607	

jrr-9-24-09

# HIGHWAY EASEMENT

TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION  
*This information required by P.A. 286 of 1964*

MDOT 0638 (12/02)

The Grantors City of Adrian

100 E. Church Street

Adrian, Michigan 49221

for the sum of One Dollar ( \$1.00 ) conveys to the Michigan Department of Transportation, whose address is 4701 W. Michigan Ave., Jackson, MI 49201, an easement for highway purposes, in, over, and upon the real estate located in the CITY of **ADRIAN** , County of **LENAWEE**, described as:

SEE ATTACHED LEGAL DESCRIPTION AND SKETCH

Subject to the following:

This conveyance includes the consent of the grantors to the removal at any time of such trees, shrubs and vegetation as, in the judgment of the Michigan Department of Transportation, is necessary to the construction and maintenance of the highway. Notice to the grantors of the removal by the Michigan Department of Transportation of such trees, shrubs, and vegetation is not required. The grantors agree that no trees, shrubs or vegetation shall be cut or removed from the highway right of way easement by the grantors, their heirs, successors and assigns, without the written permission of the Michigan Department of Transportation. The grantors agree for themselves, their heirs, successors and assigns, that no billboard, or advertising device, shall be erected, permitted or maintained on the right of way as described. The undersigned Mortgagee consent to this easement and hereby agrees that all existing, and future mortgages shall be subordinate to the easement.

PROPERTY TAX CODE NUMBER: XAO-850-0223-00

CONTROL SECTION: 46072	PARCEL: 131	NAME: CITY OF ADRIAN
JOB NUMBER: N/A	FED ITEM NUMBER: N/A	FEDERAL PROJECT NUMBER: N/A

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009

Witness - _____	Grantor - _____
Witness - _____	Grantor - _____
Witness - _____	Grantor - _____
Witness - _____	Grantor - _____

**CORPORATE ACKNOWLEDGMENT**

STATE OF MICHIGAN

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2009 ,

by \_\_\_\_\_ and \_\_\_\_\_  
Name of Officer Name of Officer

the \_\_\_\_\_ and \_\_\_\_\_ respectively  
Title of Officer Title of Officer

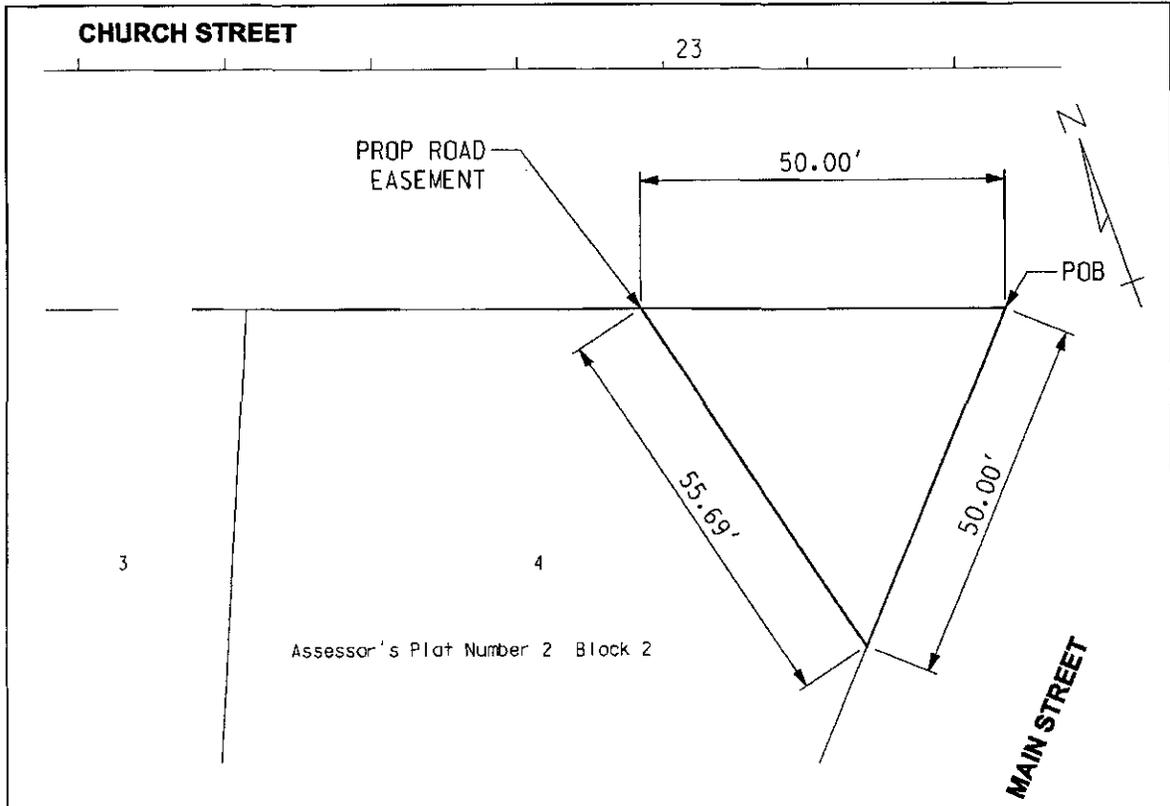
of \_\_\_\_\_ a \_\_\_\_\_, on behalf of the  
Name of Corporation/Partnership/Entity Type of Entity

corporation/partnership/entity \_\_\_\_\_ Michigan \_\_\_\_\_

NOTARY PUBLIC - \_\_\_\_\_ COUNTY \_\_\_\_\_ COMMISSION EXPIRES \_\_\_\_\_

DRAFTED BY: Jeffrey R. Ruest , 4701 W. Michigan Ave., Jackson, MI 49201  
Michigan Department of Transportation

When recorded return to: Attn: Jeffrey R. Ruest  
4701 W. Michigan Ave.  
Jackson, MI 49201



**ROADWAY EASEMENT:**

A triangular shaped portion of land in the northeast corner of Lot 4, Block 2, Assessor's Plat Number 2, City of Adrian, Lenawee County, Michigan more particularly described as:

Beginning at the northeast corner of Lot 4, Block 1, Assessor's Plat Number 2, City of Adrian, Lenawee County, Michigan; thence westerly 50.00 feet along the north line of said Lot 4 and south right of way line of Church Street; thence southerly approximately 55.69 feet to a point on the east line of said Lot 4, said point being located 50.00 feet from northwest corner of said Lot 4; thence northeasterly 50.00 feet along the east line of said Lot 4 and west right of way line of Main Street to the Point of Beginning.

The lands described above contain 1156.38 sq. ft., or .0265 Acres, more or less.

PROPERTY OWNER  
 City of Adrian  
 100 East Church Street  
 Adrian, MI 49221

Tax ID:  
 XAO-850-0223-00

<b>ROADWAY EASEMENT</b>	
DESIGNED BY: <div style="text-align: center;"><b>URS</b>          Surface Transportation          Grand Rapids, Southfield,          Traverse City</div>	
	
<b>ROADWAY EASEMENT PARCEL XAO-850-0223-00</b>	
DRAWN BY:	PROJECT NUMBER
JB	12941607
CHECKED BY:	DATE
LD	03/30/09
SCALE	SCALE
1" = 20'	1" = 20'

**RE: ENGINEERING DEPT. – Conveyance of Easements to MDOT – Two-Way Traffic Conversion Project**

**RESOLUTION**

WHEREAS, during the design phase of the Two-Way Traffic Conversion Project, it was determined that several corners need to be expanded to accommodate larger semi-truck turning; and

WHEREAS, the City Engineer has concluded that six (6) city-owned corner parcels need to be extended and has recommended that an easement for said parcels be conveyed to the Michigan Department of Transportation (MDOT); and

WHEREAS, the following property tax code numbers have been recommended for conveyance to MDOT:

Property Tax ID	XAO-385-0025-00	Parcel No. 270
Property Tax ID	XAO-850-0228-00	Parcel No. 271
Property Tax ID	XAO-850-0228-00	Parcel No. 272
Property Tax ID	XAO-850-0223-00	Parcel No. 273
Property Tax ID	XAO-850-0223-00	Parcel No. 131
Property Tax ID	XAO-850-0224-00	Parcel No. 130

NOW, THEREFORE, BE IT RESOLVED that the City Commission does hereby approve the conveyance of the aforementioned highway easements to MDOT and further authorizes the Mayor and City Clerk to execute said easements on behalf of the City of Adrian.

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

R-5

**R09-166**

October 5, 2009

**RESOLUTION**

WHEREAS, the Adrian City Commission has received a request from Citizens Gas Fuel Company to impanel an Adrian Rate Commission pursuant to its franchise for the purpose of establishing fair and reasonable rates to be charged by the company to its customers; and

WHEREAS, it is necessary for the Adrian City Commission to appoint a Gas Rate Commissioner to serve on the Adrian Rate Commission as contemplated in said franchise.

NOW, THEREFORE, IT IS HEREBY RESOLVED that \_\_\_\_\_ is hereby appointed as the City of Adrian's Gas Rate Commissioner to serve on the Adrian Gas Rate Commission to act on the request made by Citizens Gas Fuel Company in its letter dated September 29, 2009 to establish fair and reasonable rates to be charged by the company to its customers.

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



September 29, 2009

The Honorable City Commissioners  
City of Adrian  
City Hall  
135 E. Maumee St.  
Adrian, MI. 49221

Dear City Commissioners

In accordance with Section 4 of the Gas Franchise Ordinance of the City of Adrian, request is hereby made that an Adrian Rate Commission, consisting of two persons appointed by the City and the Company, respectively, be convened to establish fair and reasonable rates to be charged by the Company.

The Company appoints Michael C. Haines as the Company's Commissioner on the Adrian Gas Rate Commission, to act in accordance with and subject to the Adrian Gas Franchise Ordinance.

Sincerely

Bert A. Fruchey  
General Manager

R-6

R09-167

October 5, 2009

**RESOLUTION AUTHORIZING  
LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009A**

\_\_\_\_\_  
CITY OF ADRIAN  
COUNTY OF LENAWEE, STATE OF MICHIGAN  
\_\_\_\_\_

Minutes of a regular meeting of the City Commission of the City of Adrian, County of Lenawee, State of Michigan (the "City"), held on October 5, 2009, at 7:00 o'clock p.m., Eastern Daylight Savings Time.

PRESENT: Members \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the City of Adrian, County of Lenawee, Michigan (the "City") has determined to proceed with the acquisition, construction, furnishing and equipping of a municipal complex housing municipal, police and library facilities together with all necessary and related appurtenances and attachments (the "Project"); and

WHEREAS, in order to pay part of the cost of the Project, the City intends to issue and sell two series of its general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in a total amount not to exceed Eight Million Dollars (\$8,000,000), to be paid from legally available funds of the City; and

WHEREAS, a notice of intent was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, more than 45 days have elapsed since the date of such publication without the filing of a petition for referendum thereon.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated **LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 A** ( the "Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed Six Million Nine Hundred Thousand Dollars (\$6,900,000) for the purpose of paying part of the costs of the Project, and the costs

incidental to the issuance, sale and delivery of the Bonds. The Bonds and any additional series of bonds issued to pay the costs of the Project shall not exceed in par amount the amount of bonds referenced in the notice of intent published in connection their issuance. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery, or such other date as shall be determined in the Bond Purchase Agreement, as defined below. The Bonds shall bear interest, mature, and be payable at the times and in the manner set forth in the Bond Purchase Agreement (as hereinafter defined).

The Bonds of this issue shall be subject to redemption as provided in Section 6 or as otherwise provided in the Bond Purchase Agreement.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at a bank or financial institution qualified to act as registrar and transfer agent for the bonds to be designated by Finance Director of the City (the "Transfer Agent").

The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Mayor, City Manager, City Clerk and Finance Director (the "Authorized Officers") are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the facsimile signatures of the Mayor and Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from an Authorized Officer of the City upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental

charge required to be paid with respect to the transfer.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City each year shall budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The City Finance Director is authorized and directed to open a depository account with a bank or trust company designated by the City Commission, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds, the Series B Bonds and the Series C Bonds (as set forth below) as they mature.

The Bonds shall be of equal standing of priority with the City's Limited Tax General Obligation Bonds, Series 2009 B (the "Series B Bonds") and the City's Limited Tax General Obligation Bonds, Series 2009 C (the "Series C Bonds"). The Debt Retirement Fund set forth above shall be for the benefit of the Bonds herein authorized, the Series B Bonds and the Series C Bonds, provided however, that monies representing credits received from the United States Treasury in respect of the Series B Bonds and the Series C Bonds and deposited in the sub-account in the Debt Retirement Fund established for that purpose shall be solely for the benefit of the respective series of Bonds for which said monies were received.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The City Finance Director is authorized and directed to open a separate depository account with a bank or trust company designated by the City Commission, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds and the Series B Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF LENAWEE

**CITY OF ADRIAN**

**LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2009A**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	___ 1, ___	___, 2009	

Registered Owner:

Principal Amount: \_\_\_\_\_ Dollars

The **CITY OF ADRIAN**, County of Lenawee, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on \_\_\_ 1, 20\_\_ and semiannually thereafter. Principal of this bond is payable at the designated office of \_\_\_\_\_, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15<sup>th</sup>) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$\_\_\_\_,000, issued for the purpose of paying all or part of the cost of certain capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, the City's Charter, and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 20\_\_ to 20\_\_, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the year 2020 and thereafter, shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after \_\_\_ 1, 20 \_\_, at par and accrued interest to the date fixed for redemption, without premium.

[ADD TERM BOND LANGUAGE IF NECESSARY]

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, charter and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any

constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Commission, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ADRIAN  
County of Lenawee  
State of Michigan

By \_\_\_\_\_ [facsimile] \_\_\_\_\_

Its Mayor

(SEAL)

By \_\_\_\_\_ [facsimile] \_\_\_\_\_

Its Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

\_\_\_\_\_, Michigan  
Transfer Agent

By \_\_\_\_\_

Authorized Signatory

[Bond printer to insert form of assignment]

7. Sale of Bonds. Given the volatile nature of the bond market and in order to achieve sale efficiencies so as to reduce the cost of issuance and interest expense it is hereby determined in the best interests of the City to negotiate the sale of the Bonds. Stifel, Nicolaus & Company Inc. (the “Underwriter”) has offered to underwrite the issuance of the Bonds and the offer to do so be and is hereby accepted. Any of the Authorized Officers are authorized to negotiate, execute and deliver in behalf of the City an agreement with the Underwriter (the “Bond Purchase Agreement”) which will finalize the terms of the Bonds and the purchase of same.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

9. Tax Covenant; Qualified Tax Exempt Obligations. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the “Code”), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds. The City hereby designates the Bonds as “qualified tax exempt obligations” for purposes of deduction of interest expense by financial institutions pursuant to the Code.

10. Official Statement; Insurance; Ratings; Agreements. If deemed necessary, the Authorized Officers are each authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if, upon the advice of the Financial Advisors to the City, the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein.

11. Continuing Disclosure. In conformity with Securities and Exchange Commission Rule 15c2-12 (the “Rule”) the City shall enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds (the “Undertaking”). The City Finance Director is hereby appointed as the City’s disclosure representative in accordance with the Rule and as such is authorized to execute and deliver the Undertaking on behalf of the City.

12. Authorization of Other Actions. The Authorized Officers are each severally authorized and directed to, without additional action from this City Commission, sell and deliver the Bonds pursuant to the Bond Purchase Agreement, and through the Bond Purchase Agreement to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place

of delivery and payment, designation of series and other matters, within the parameters established by this Resolution, provided that the principal amount of the Bonds shall not exceed \$6,900,000, the Bonds shall bear interest at a true interest rate not to exceed six percent (6%), and the Bonds shall mature in not more than 30 years.

14. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

15. Immediate Effect. This Resolution shall be effective immediately.

AYES: Members \_\_\_\_\_  
\_\_\_\_\_

NAYS: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Adrian, County of Lenawee, State of Michigan, at a regular meeting held on October 5, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
City Clerk

DELIB:3110076.2\002187-00018

R-7

**RESOLUTION AUTHORIZING  
LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009B**

CITY OF ADRIAN  
COUNTY OF LENAWEЕ, STATE OF MICHIGAN

Minutes of a regular meeting of the City Commission of the City of Adrian, County of Lenawee, State of Michigan (the "City"), held on October 5, 2009, at 7:00 o'clock p.m., Eastern Daylight Savings Time.

PRESENT: Members \_\_\_\_\_

ABSENT: Members \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the City of Adrian, County of Lenawee, Michigan (the "City") has determined to proceed with the acquisition, construction, furnishing and equipping of a municipal complex housing municipal, police and library facilities together with all necessary and related appurtenances and attachments (the "Project"); and

WHEREAS, in order to pay part of the cost of the Project, the City intends to issue and sell two series of its general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in a total amount not to exceed Eight Million Dollars (\$8,000,000), to be paid from legally available funds of the City; and

WHEREAS, a notice of intent was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, more than 45 days have elapsed since the date of such publication without the filing of a petition for referendum thereon.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated **LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 B** (the "Bonds" or "Series B Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed Five Million Seven Hundred and Forty Thousand Dollars (\$5,740,000) for the purpose of paying part

of the costs of the Project, and the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds and any additional series of bonds issued to pay the costs of the Project shall not exceed in par amount the amount of bonds referenced in the notice of intent published in connection with their issuance. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery, or such other date as shall be determined in the Bond Purchase Agreement, as defined below. The Bonds shall bear interest, mature, and be payable at the times and in the manner set forth in the Bond Purchase Agreement (as hereinafter defined).

The Bonds of this issue shall be subject to redemption as provided in Section 6 or as otherwise provided in the Bond Purchase Agreement.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at a bank or financial institution qualified to act as registrar and transfer agent for the bonds to be designated by Finance Director of the City (the "Transfer Agent").

The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Mayor, City Manager, City Clerk and Finance Director (the "Authorized Officers") are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the facsimile signatures of the Mayor and Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from an Authorized Officer of the City upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental

charge required to be paid with respect to the transfer.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City each year shall budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The City Finance Director is authorized and directed to open a depository account with a bank or trust company designated by the City Commission, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds and the Series A Bonds and the Series C Bonds (as set forth below) as they mature.

Except as otherwise set forth herein the Bonds shall be of equal standing of priority with the City's Limited Tax General Obligation Bonds, Series 2009A (the "Series A Bonds") and the City's Limited Tax General Obligation Bonds, Series 2009C (the "Series C Bonds"). The Debt Retirement Fund set forth above shall be for the benefit of the Bonds herein authorized, the Series A Bonds and the Series C Bonds, provided, however, any monies received from the United States Treasury as interest credits pursuant to the American Recovery and Reinvestment Act of 2009 with respect to the Series B Bonds and deposited in the Debt Retirement Fund sub-account (as provided in section 9 hereof) shall be for the exclusive benefit of the Series B Bonds.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The City Finance Director is authorized and directed to open a separate depository account with a bank or trust company designated by the City Commission, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds, the Series A Bonds and the Series C Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF LENAWEE

**CITY OF ADRIAN**

**LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2009B**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	___ 1, ___	___, 2009	

Registered Owner:

Principal Amount: \_\_\_\_\_ Dollars

The **CITY OF ADRIAN**, County of Lenawee, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on \_\_\_ 1, 20\_\_ and semiannually thereafter. Principal of this bond is payable at the designated office of \_\_\_\_\_, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15<sup>th</sup>) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$\_\_\_\_\_,000, issued for the purpose of paying all or part of the cost of certain capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, the City's Charter, and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 20\_\_ to 20\_\_, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the year 2020 and thereafter, shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after \_\_\_ 1, 20\_\_, at par and accrued interest to the date fixed for redemption, without premium.

[ADD TERM BOND LANGUAGE IF NECESSARY]

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, charter and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any

constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Commission, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ADRIAN  
County of Lenawee  
State of Michigan

By \_\_\_\_\_ [facsimile] \_\_\_\_\_  
Its Mayor

(SEAL)

By \_\_\_\_\_ [facsimile] \_\_\_\_\_  
Its Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

\_\_\_\_\_  
, Michigan  
Transfer Agent

By \_\_\_\_\_  
Authorized Signatory

[Bond printer to insert form of assignment]

7. Sale of Bonds. Given the volatile nature of the bond market and in order to achieve sale efficiencies so as to reduce the cost of issuance and interest expense it is hereby determined in the best interests of the City to negotiate the sale of the Bonds. Stifel, Nicolaus & Company Inc. (the “Underwriter”) has offered to underwrite the issuance of the Bonds and the offer to do so be and is hereby accepted. Any of the Authorized Officers are authorized to negotiate, execute and deliver in behalf of the City an agreement with the Underwriter (the “Bond Purchase Agreement”) which will finalize the terms of the Bonds and the purchase of same.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

9. Taxable Bonds. The Series B Bonds shall be offered as taxable bonds. Depending upon prevailing market conditions and the availability of necessary allocations the Series B Bonds shall be direct payment Build America Bonds issued pursuant to the American Recovery and Reinvestment Act of 2009. The determination of bond type and the pledge of credits shall be made by an Authorized Officer at the time the Series B bonds are offered for sale. In the event the Series B Bonds are issued pursuant to the American Recovery of Reinvestment Act of 2009 the City may elect to receive credits from the United States Treasury equal to a percentage of the stated interest paid on the Bonds as specified in the relevant section of the Internal Revenue Code of 1986, as amended. Upon receipt, the funds representing such credits shall be deposited in a sub-account established in the Debt Retirement Fund and used solely to pay a portion of the interest next due and payable on the Series B Bonds.

10. Official Statement; Insurance; Ratings; Agreements. If deemed necessary, the Authorized Officers are each authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if, upon the advice of the Financial Advisors to the City, the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein.

11. Continuing Disclosure. In conformity with Securities and Exchange Commission Rule 15c2-12 (the “Rule”) the City shall enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds (the “Undertaking”). The City Finance Director is hereby appointed as the City’s disclosure representative in accordance with the Rule and as such is authorized to execute and deliver the Undertaking on behalf of the City.

12. Authorization of Other Actions. The Authorized Officers are each severally authorized and directed to, without additional action from this City Commission, sell and deliver the Bonds pursuant to the Bond Purchase Agreement, and through the Bond Purchase Agreement to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing to exercise the authority and

make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series and other matters, within the parameters established by this Resolution, provided that the principal amount of the Bonds shall not exceed \$5,740,000, the Bonds shall bear interest at a true interest rate not to exceed six percent (6%), and the Bonds shall mature in not more than 30 years.

14. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

15. Immediate Effect. This Resolution shall be effective immediately.

AYES: Members \_\_\_\_\_  
\_\_\_\_\_

NAYS: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Adrian, County of Lenawee, State of Michigan, at a regular meeting held on October 5, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
City Clerk

DELIB:3110113.2\002187-00018

R.8

**RESOLUTION AUTHORIZING  
LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009C**

CITY OF ADRIAN  
COUNTY OF LENAWEЕ, STATE OF MICHIGAN

Minutes of a regular meeting of the City Commission of the City of Adrian, County of Lenawee, State of Michigan (the "City"), held on October 5, 2009, at 7:00 o'clock p.m., Eastern Daylight Savings Time.

PRESENT: Members \_\_\_\_\_

ABSENT: Members \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the City of Adrian, County of Lenawee, Michigan (the "City") has determined to proceed with the acquisition, construction, furnishing and equipping of a municipal complex housing municipal, police and library facilities together with all necessary and related appurtenances and attachments (the "Project"); and

WHEREAS, in order to pay part of the cost of the Project, the City intends to issue and sell two series of its general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in a total amount not to exceed Eight Million Dollars (\$8,000,000), to be paid from legally available funds of the City; and

WHEREAS, a notice of intent was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, more than 45 days have elapsed since the date of such publication without the filing of a petition for referendum thereon.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated **LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 C** (the "Bonds" or "Series C Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed Three Million Nine Hundred Thousand Dollars (\$3,900,000) for the purpose of paying part of the costs

of the Project, and the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds and any additional series of bonds issued to pay the costs of the Project shall not exceed in par amount the amount of bonds referenced in the notice of intent published in connection with their issuance. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery, or such other date as shall be determined in the Bond Purchase Agreement, as defined below. The Bonds shall bear interest, mature, and be payable at the times and in the manner set forth in the Bond Purchase Agreement (as hereinafter defined).

The Bonds of this issue shall be subject to redemption as provided in Section 6 or as otherwise provided in the Bond Purchase Agreement.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at a bank or financial institution qualified to act as registrar and transfer agent for the bonds to be designated by Finance Director of the City (the "Transfer Agent").

The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Mayor, City Manager, City Clerk and Finance Director (the "Authorized Officers") are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the facsimile signatures of the Mayor and Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from an Authorized Officer of the City upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental

charge required to be paid with respect to the transfer.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City each year shall budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The City Finance Director is authorized and directed to open a depository account with a bank or trust company designated by the City Commission, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds and the Series A Bonds and the Series B Bonds (as set forth below) as they mature.

Except as otherwise set forth herein the Bonds shall be of equal standing of priority with the City's Limited Tax General Obligation Bonds, Series 2009 A (the "Series A Bonds") and the City's Limited Tax General Obligation Bonds, Series 2009 B (the "Series B Bonds"). The Debt Retirement Fund set forth above shall be for the benefit of the Bonds herein authorized, the Series A Bonds and the Series B Bonds, provided, however, any monies received from the United States Treasury as interest credits pursuant to the American Recovery and Reinvestment Act of 2009 with respect to the Series C Bonds and deposited in the Debt Retirement Fund sub-account (as provided in section 9 hereof) shall be for the exclusive benefit of the Series C Bonds.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The City Finance Director is authorized and directed to open a separate depository account with a bank or trust company designated by the City Commission, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2009 CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds, the Series A Bonds and the Series B Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF LENAWEE

**CITY OF ADRIAN**

**LIMITED TAX GENERAL OBLIGATION BOND, SERIES 2009 C**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	___ 1, ___	___, 2009	

Registered Owner:

Principal Amount: \_\_\_\_\_ Dollars

The **CITY OF ADRIAN**, County of Lenawee, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on \_\_\_ 1, 20\_\_ and semiannually thereafter. Principal of this bond is payable at the designated office of \_\_\_\_\_, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15<sup>th</sup>) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$\_\_\_\_\_,000, issued for the purpose of paying all or part of the cost of certain capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, the City's Charter, and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 20\_\_ to 20\_\_, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the year 2020 and thereafter, shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after \_\_\_ 1, 20\_\_, at par and accrued interest to the date fixed for redemption, without premium.

[ADD TERM BOND LANGUAGE IF NECESSARY]

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, charter and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any

constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Commission, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ADRIAN  
County of Lenawee  
State of Michigan

By \_\_\_\_\_ [facsimile] \_\_\_\_\_  
Its Mayor

(SEAL)

By \_\_\_\_\_ [facsimile] \_\_\_\_\_  
Its Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

\_\_\_\_\_, Michigan  
Transfer Agent

By \_\_\_\_\_  
Authorized Signatory

[Bond printer to insert form of assignment]

7. Sale of Bonds. Given the volatile nature of the bond market and in order to achieve sale efficiencies so as to reduce the cost of issuance and interest expense it is hereby determined in the best interests of the City to negotiate the sale of the Bonds. Stifel, Nicolaus & Company Inc. (the “Underwriter”) has offered to underwrite the issuance of the Bonds and the offer to do so be and is hereby accepted. Any of the Authorized Officers are authorized to negotiate, execute and deliver in behalf of the City an agreement with the Underwriter (the “Bond Purchase Agreement”) which will finalize the terms of the Bonds and the purchase of same.

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

9. Taxable Bonds. The Series C Bonds shall be offered as taxable bonds. Depending upon prevailing market conditions and the availability of necessary allocations the Series C Bonds shall be direct payment Recovery Zone Economic Development Bonds issued pursuant to the American Recovery and Reinvestment Act of 2009. The determination of bond type and the pledge of credits shall be made by an Authorized Officer at the time the Series C bonds are offered for sale. In the event the Series C Bonds are issued pursuant to the American Recovery of Reinvestment Act of 2009 the City may elect to receive credits from the United States Treasury equal to a percentage of the stated interest paid on the Bonds as specified in the relevant section of the Internal Revenue Code of 1986, as amended. Upon receipt, the funds representing such credits shall be deposited in a sub-account established in the Debt Retirement Fund and used solely to pay a portion of the interest next due and payable on the Series C Bonds.

10. Official Statement; Insurance; Ratings; Agreements. If deemed necessary, the Authorized Officers are each authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if, upon the advice of the Financial Advisors to the City, the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein.

11. Continuing Disclosure. In conformity with Securities and Exchange Commission Rule 15c2-12 (the “Rule”) the City shall enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds (the “Undertaking”). The City Finance Director is hereby appointed as the City’s disclosure representative in accordance with the Rule and as such is authorized to execute and deliver the Undertaking on behalf of the City.

12. Authorization of Other Actions. The Authorized Officers are each severally authorized and directed to, without additional action from this City Commission, sell and deliver the Bonds pursuant to the Bond Purchase Agreement, and through the Bond Purchase Agreement to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing to exercise the authority and

make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series and other matters, within the parameters established by this Resolution, provided that the principal amount of the Bonds shall not exceed \$3,900,000, the Bonds shall bear interest at a true interest rate not to exceed six percent (6%), and the Bonds shall mature in not more than 30 years.

14. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

15. Immediate Effect. This Resolution shall be effective immediately.

AYES: Members \_\_\_\_\_

NAYS: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Adrian, County of Lenawee, State of Michigan, at a regular meeting held on October 5, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
City Clerk

DELIB:3135631.1\002187-00018

R-9

DATE: October 2, 2009  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Tandem Axle Dump Truck

I concur with the recommendation of the City Engineer to award the bid for a tandem axle dump truck with a Knapheide Equipment dump body and accessories to Tri-County International Truck at a total cost of \$106,004.13. Tri-County was the lowest bidder that met specifications.

Three vendors responded to the offer to bid. There are sufficient funds in the Motor Vehicle Fund for this purchase. I urge your favorable consideration authorizing the purchase of the dump truck from Tri-county International Truck.

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

DCN:bjw

R-9

September 30, 2009



# MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

CC: Mark Bishop, Superintendent DPW

SUBJECT: Tandem Axle Dump Truck

We received bids on September 8, 2009 for a New Tandem Axle dump Truck.

VENDOR	TANDEM DUMP	MAKE/MODEL	DELIVERY
Knapheide Truck Flint, MI	\$28,163.00 Equipment only		7-14 weeks
Freightliner of Toledo Toledo, OH	\$106,036.00	Freightliner M2 112V	120 days
Wolverine Freightliner Ypsilanti, MI	\$73,024.00 \$28,355.00 add \$26,289.00 add \$28,149.00 add	Freightliner M2-106 Knapheide Equipment Cannon Equipment Galion body	130 days
TriCounty Intl Truck Jackson, MI	\$105,894.13	International Workstar 7500 w/Knapheide	75-89 days
Tri County Intl Truck Jackson, MI	\$105,222.13	International Workstar 7500 w/Kalida Equip	90-105 days
Tri County Intl Truck Jackson, MI	\$104,544.13	International Workstar 7500 w/Monroe Truck	60 days
Tri County Intl Truck Jackson, MI	\$107,573.13	International Workstar 7500 w/Truck & Trailer	120 days
Tri County Intl Truck Jackson, MI	\$107,571.13	International Workstar 7500 w/NBC Truck	135-165 days

These bids specifically requested an International Workstar 7500 truck. Several bids, including the low bidder, were received for trucks not specified and thus have been disregarded. The bid from Tri-County w/ Monroe truck did not meet pump specifications and the bid from Tri-County w/Kalida Truck did not provide the bid specified information and the City has had issues in the past with trucks received from Monroe Trucking not meeting our requirements upon delivery.

It is our recommendation that this bid be awarded to Tri-County International Truck of Jackson w/ Knapheide in the amount of \$105,894.13 with an additional

\$110.00 for additional tow hooks on the front and rear of the truck, this will bring the total to: \$106.004.13.

Funds for this purchase are available in the 2009-10 Fiscal Year budgets 662-441.62-977.000 Motor Vehicle Fund, as planned during our capitol budget process.

# Memo

**To:** Kristin Bauer  
**From:** Mark Bishop  
**Date:** September 30, 2009  
**Re:** Purchase of 2009 Tandem Axle Truck

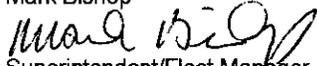
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**Kristin,**

It is my recommendation that Tri County International Truck of Jackson receive the bid for the Chassis of the Tandem axle truck with Knapheide Truck Equipment of Flint to do the dump body and accessories as specified in the truck specifications. The price is \$106,004.13 to include front and rear tow hooks

This is not the low bidder the low bidder was a Freightliner and the other two low bidders did not meet specifications.

Mark Bishop



Superintendent/Fleet Manager

Department of Public Works

CITY OF ADRIAN, MICHIGAN  
TANDEM AXLE DUMP TRUCK  
DUE DATE: SEPTEMBER 8, 2009

VENDOR	TANDEM DUMP	MAKE/MODEL	DELIVERY
Knapheide Truck Flint, MI	\$28,163.00 Equipment only		7-14 weeks
Freightliner of Toledo Toledo, OH	\$106,036.00	Freightliner M2 112V	120 days
Wolverine Freightliner Ypsilanti, MI	\$73,024.00 \$28,355.00 add \$26,289.00 add \$28,149.00 add	Freightliner M2-106 Knapheide Equipment Cannon Equipment Galion body	130 days
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Tri County Intl Truck Jackson, MI	\$107,573.13	International Workstar 7500 w/Truck & Trailer	120 days
Tri County Intl Truck Jackson, MI	\$107,571.13	International Workstar 7500 w/NBC Truck	135-165 days

**RE: DEPARTMENT OF PUBLIC WORKS – TRUCK PURCHASE**

**RESOLUTION**

WHEREAS, the City of Adrian Department of Public Works included funds in its FY2009-10 Budget Request, and was approved, to acquire a replacement tandem-axle dump truck; and

WHEREAS, the Department of Public Works has solicited quotations from various automobile dealers with four vendors responding (detailed bid proposals included in cover memo); and

WHEREAS, after reviewing the bid submissions relative to the specifications issued and prior experience with particular vendors (ref: cover memo), the DPW Superintendent/Fleet Manager, recommends selection of Tri-County International Truck, Jackson MI as the preferred vendor for acquisition of the chassis of the tandem-axle truck, with Knapheide Truck Equipment of Flint, MI for the dump body and accessories, at a cost total not to exceed \$106,004.13, including additional tow hooks on the front and rear of the truck; and

WHEREAS the Finance Director indicates sufficient funds for this purpose are available in the Motor Vehicle Fund (Account #662-441.62-977.000); and

WHEREAS, the City Engineer and City Administrator recommend acceptance of the bid and acquisition of a replacement tandem-axle dump truck from Tri-County International Truck, Jackson MI at a cost not to exceed \$106,004.13.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the bid and acquisition of a replacement tandem-axle dump truck from Tri-County International Truck, Jackson MI at a cost not to exceed \$106,004.13.

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

R-10

DATE: October 2, 2009

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Reallocation of Funds from Division St. to N. McKenzie Street Project

The City of Adrian is the recipient of American Recovery and Reinvestment Act (ARRA) funds in the amount of \$250,000. At the time, a portion of the funds were earmarked for milling and resurfacing Division Street. After further investigation, including soil borings, it was concluded that the project cost would exceed the grant funding.

Our City Engineer received permission from the State to reallocate the Division Street Project funds to another eligible project - milling, resurfacing and curb replacement on N. McKenzie between Maumee and Maple Streets.

Associated Engineers & Surveyors previously submitted a quote for design engineering services for work on this project. To date, \$7,536 of the ARRA funds have been used.

I urge your favorable consideration authorizing the reallocation of ARRA funds to the McKenzie Street Project, appropriation of additional funds (\$436.00) from the Major Street Contingency Account, and the resulting budget amendments.

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

DCN:bjw

R-10  
September 30, 2009

## MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Division Street Engineering Services



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We have requested \$250,000 in American Recovery and Reinvestment Act (ARRA) monies. The monies from the ARRA program come with many Michigan Department of Transportation (MDOT) and Federal Highway Administration (FHWA) requirements. They include specific drawing submittals, grade inspections and coordination with State offices before final approval and obligation of funds can occur. In researching the requirements for this money, we have determined that this process can take several months and be cumbersome to work through at the State level.

In May of this year we requested funds to mill and resurface Division Street with these grant funds. Following a more in depth investigation, including soil borings and a detailed site examination, it was determined that a reconstruction of this section of road would be required which will greatly exceed the current grant funding. Other grant funding will be pursued in an effort to fund the reconstruction of this section of roadway.

Previously we had secured a quote for engineering services, from Associated Engineers, of \$14,300 for work on this project. To date we have used \$7,536 of those funds. The majority of the monies spent to date were for the soil investigations which will suffice when the project is reestablished.

I have requested that the ARRA grant funds be re-allocated to another Small Urban eligible project, McKenzie Street from Maple to Maumee. This project will consist of the milling and resurfacing and miscellaneous curb replacements. This project was planned for resurfacing in our next fiscal year and is Federal Aid Eligible. It has already been determined that the issues on this section of road do not require a reconstruction and are merely failures due to age of the asphalt surface.

I requested a quote from Scott Merillat of Associated Engineers and Surveyors, Inc. (AES) to perform the engineering and drawing requirements for McKenzie Street. His cost to complete all the MDOT required drawings is \$7,200. This cost will be covered by the funds not being used for the remainder of the work on Division Street and the additional \$436 will come from our Major Street Contingency Fund (202-990.00-990.000).

**RE: DEPARTMENT OF PUBLIC WORKS – Re-Allocation of Funds for Division Street Engineering Services to McKenzie Street**

**RESOLUTION**

WHEREAS, the City of Adrian has requested \$250,000 in federal stimulus monies (American Recovery and Reinvestment Act of 2009) to mill and resurface a portion of Division Street; and

WHEREAS, the City Commission, by Resolution #R09-111 dated July 6, 2009, authorized an appropriation of \$14,300 to engage Associated Engineers and Surveyors, (AES) Inc., Adrian, MI to perform necessary pre-construction design services on the Division Street Project, of which \$7,536 has been spent on soil investigations that reveal the potential cost of the project will far exceed the amount of the grant request; and

WHEREAS, the City Engineer, after discussions with the Michigan Department of Transportation (MDOT) and the Federal Highway Administration (FHWA), recommends that the \$250,000 requested grant funds be reallocated from Division Street to McKenzie Street, between Maumee and Maple Streets, for purposes of milling, resurfacing and miscellaneous curb replacement, and that a subsequent grant request be submitted for the larger Division Street Project; and

WHEREAS, AES has submitted a quote of \$7,200 to perform the necessary design services on McKenzie Street; and

WHEREAS, the Finance Director and City Engineer recommend utilizing the remaining balance of unspent design engineering funds (\$6,764) for the McKenzie Street design services, plus another \$436 from Major Street Contingency Fund (202-990.00-990.000), to cover the aforementioned \$7,200 cost; and

WHEREAS, the City Administrator and City Engineer recommend approval of this resolution reallocating resources from the Division Street Project to the McKenzie Street Project, appropriation of additional \$436 from the Major Street Contingency Account, and authorization of appropriate amendments to the FY2009-10 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby approves the reallocation of design engineering funds previously appropriated for Division Street Project to the McKenzie Street Project.

BE IT FURTHER RESOLVED that \$436 be appropriated from the Major Street Contingency Account (202-9900.00-990.000) and that the FY2009-10 Budget be amended as follows:

**Major Street Fund (202)**

**Expenditures:**

(202-451.01-801.000) Street Construction – Contract Services	\$436	
(202-990.00-990.000) Contingency		<u>(436)</u>
Total		<u>\$ -0-</u>

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