



# PRE-MEETING AGENDA

ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
AUGUST 2, 2010  
5:30 P.M.

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The City Commission will meet for a pre-meeting study session on Monday, August 2, 2010, at 5:30 p.m. at the City Chambers Building, 159 E. Maumee St., to discuss the following:

- I. Solid Waste Discussion
- II. Other Items as Time Permits



# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
AUGUST 2, 2010  
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 JULY 19, 2010 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS
  - 1. **C-1. Finance Department.** Communication regarding the Dodd-Frank Wall Street Reform and Consumer Protection Act which permanently raises the current standard maximum deposit insurance (FDIC) at banks and savings associations to \$250,000.
  - 2. **C-2. Finance Department.** Report from Finance Director regarding Municipal Employees Retirement System's (MERS) Annual Actuarial Valuation Reports and Investment Income Analysis based on historical data over the past 24 years.
  - 3. **C-3. Finance Department.** Correspondence from the Municipal Employee Retirement System regarding new rules on rehiring of retirees from the same municipality, which will take effect on January 1, 2011.
- V I. PUBLIC COMMENTS
- V I I. CONSENT AGENDA
  - A. RESOLUTIONS
    - 1. **CR10-044. Administration.** Resolution to appoint employee delegates to the Municipal Employees Retirement System's annual meeting to be held in Kalamazoo, MI on September 15-17, 2010 in accordance with the Municipal Employees Retirement Act No. 135, PA of 1945, as amended.
    - 2. **CR10-045. Commission.** Resolution recognizing the Lenawee Council for Visual Arts (LCVA) as a nonprofit organization for the purpose of conducting a raffle for Art-a-Licious.

3. **CR10-046. Historic District Commission.** Resolution to approve the reappointment of Dr. Peter Barr to the Historic District Commission for a 3-year term that will expire in 2013.
4. **CR10-047. Community Development.** Resolution to set a public hearing date to hear and consider comments to approval of an application for an Industrial Facilities Exemption Certificate for Adrian Precision Machining, 605 Industrial Drive, and directing the City Clerk to notify the appropriate taxing units regarding the public hearing. This firm proposes to purchase two new pieces of machinery at a cost of \$184,000 that will help retain 9 jobs.
5. **CR10-048. Clerks Office.** Resolution to approve the reappointment of Waneta Raloff, Jane Castle and Margaret Noe to the Election Commission for one year terms.

## V I I I. REGULAR AGENDA

### A. ORDINANCES

1. **Ord. 10-006.** Second reading of an Ordinance to amend Article IV – Section 4.42 (B) of the Zoning/Development Regulations. Changes distance from street for vision obstructions at the intersections of two streets and driveway/street intersections.
2. **Ord. 10-007.** Second reading of an Ordinance to amend Section 3.1 of Article III of the Zoning/Development Regulations, and the Zoning Map, by deleting the Christian Family Centre, more commonly known as 1800 W. US-223, from the R-1 Single Family Residential District, and including the same in the ERO Education, Research and Office District.

### B. SPECIAL ORDERS

1. **SO-1. Engineering Department.** Public hearing to hear and consider comments to establishment of a Special Assessment District (SAD#381) for curb and gutter replacement and other appurtenances on Logan Street from Center to Division Street.
2. **SO-2 Engineering Department.** Public hearing to hear and consider comments to establishment of a Special Assessment District (#382) for curb and gutter replacement and other appurtenances on W. Hunt St. from N. Main to Trestle Park, including the section of N. Winter from W. Hunt to the City stormwater retention basin.

### C. RESOLUTIONS

1. **R10-094. Engineering Department.** Resolution authorizing the establishment of a Special Assessment District (SAD #381)

for curb and gutter replacement and other appurtenances on Logan Street from Center to Division Street.

2. **R10-095. Engineering Department.** Resolution authorizing the establishment of a Special Assessment District (SAD #382) for curb and gutter replacement and other appurtenances on W. Hunt St. from N. Main to Trestle Park, including the section of N. Winter from W. Hunt to the City stormwater retention basin.
3. **R10-096. Finance Department.** Resolution to adopt the Personal Property Tax Collection Policy and Procedures, incorporation of same into the City's Financial Policy Manual and authorizing the Finance Department to have responsibility for its implementation.
4. **R10-097. Engineering Department.** Resolution to award bid for design/survey services for the Bent Oak Avenue project. Work will include plans, specifications, special provisions and cost estimates in accordance with MDOT 4R requirements for improvements. Consultant will work with the City to develop all required programming applications and documentation for submittal to MDOT.
5. **R10-098. Engineering Department.** Resolution to award bid for concrete work in the south Toledo Street parking lot. This work will include construction of curb & gutter and sidewalks.
6. **R10-099. Engineering Department.** Resolution to award bid for paving of the S. Toledo Street lot. This work will include asphalt paving and milling/asphalt of Lots 6 and 9 of the Toledo St. lot.
7. **R10-100. Parks & Recreation.** Resolution to award bid for a Kubota RTV utility vehicle for use at Oakwood Cemetery and the resulting budget amendments. This equipment will replace the John Deere Gator 6 x 6 currently being used.

I X. MISCELLANEOUS

1. Planning Commission Minutes (06/01/10)

X. PUBLIC COMMENTS

X I. COMMISSION COMMENTS



# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
JULY 19, 2010  
7:00 P.M.**

Official proceedings of the July 19, 2010 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 DuMars, Warren, Carrico and Clegg, Osborne and Steele

Mayor McDowell in the Chair.

Commissioner DuMars moved to approve the minutes of the July 7, 2010 regular meeting of the Adrian City Commission, seconded by Commissioner Warren, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #3287 through #3295	\$ 49,563.20
General Fund Vouchers #19959 through #19977	\$315,143.52
Clearing Account Vouchers amounting to	<u>\$244,726.12</u>
TOTAL EXPENDITURES	<u>\$609,432.84</u>

On motion by Commissioner DuMars, seconded by Commissioner Steele, motion carried by a unanimous vote.

**COMMUNICATION**

1. **C-1. Finance Department.** Report on Waste Collection & Disposal Program dollar amounts included in the FY2010-11 Budget document.

**PUBLIC COMMENTS**

There were none.

**CONSENT AGENDA**

**RESOLUTION CR10-041**

**RE: ENGINEERING DEPT. – Establish Special Assessment District for Improvements on Logan Street from Center to Division Streets**

WHEREAS, the City Administrator has recommended that Logan Street from Center to Division Street be improved by the construction of curb and gutter,

driveway approaches, and other appurtenances on a special assessment basis, has prepared and filed plans and specifications for the proposed construction, and has prepared and filed a report and recommendation relating thereto pursuant to the provisions of Section 1.205 of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Commission deems and declares its intention to improve Logan Street from Center to Division Streets.
2. That the estimated cost thereof is \$265,172.
3. That \$75,912 of the said estimated cost shall be defrayed by special assessment and \$189,260 shall be paid by major street funds.
4. That the proposed special assessment district shall include the following land and premises:

Special Assessment Properties  
Logan Street from Center to Division Streets

5. That special assessments to defray the cost of the proposed improvements shall be levied on the lands and premises within the proposed special assessment district (SAD #381) according to frontage.
6. That the report of the City Administrator be filed with the City Clerk forthwith for public examination.
7. That the City Commission will meet in the City Chambers Building, 159 E. Maumee St., Adrian, MI, at 7:00 p.m. on Monday, August 2, 2010 for the purpose of hearing and considering comments to the proposed improvements or to the inclusion of any property within the proposed special assessment district.
8. That the City Clerk will mail notice of the intent to make the said improvements to all interested parties pursuant to the provisions of Section 1.260 of the Adrian City Code.

#### **RESOLUTION CR10-042**

**RE: ENGINEERING DEPT. – Establish Special Assessment District for Improvements on W. Hunt St. from Main to Trestle Park, Including the Section of N. Winter St. from W. Hunt to the City Stormwater Retention Basin**

WHEREAS, the City Administrator has recommended that W. Hunt Street from Main to Trestle Park, including the section of N. Winter St. from W. Hunt to the City stormwater retention basin, be improved by the construction of curb and gutter, driveway approaches, and other appurtenances on a special assessment basis, has prepared and filed plans and specifications for the proposed construction, and has prepared and filed a report and recommendation relating thereto pursuant to the provisions of Section 1.205 of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Commission deems and declares its intention to improve W. Hunt Street from Main to Trestle Park, including the section of N. Winter St. from W. Hunt to the City stormwater retention basin.
2. That the estimated cost thereof is \$76,708.
3. That \$15,783 of the said estimated cost shall be defrayed by special assessment and \$60,925 shall be paid by local street funds.
4. That the proposed special assessment district shall include the following land and premises:

Special Assessment Properties

W. Hunt Street from Main St. to Trestle Park (including section of N. Winter St. from W. Hunt to the City storm water retention basin)

5. That special assessments to defray the cost of the proposed improvements shall be levied on the lands and premises within the proposed special assessment district (SAD #382) according to frontage.
6. That the report of the City Administrator be filed with the City Clerk forthwith for public examination.
7. That the City Commission will meet in the City Chambers Building, 159 E. Maumee St., Adrian, MI, at 7:00 p.m. on Monday, August 2, 2010 for the purpose of hearing and considering comments to the proposed improvements or to the inclusion of any property within the proposed special assessment district.
8. That the City Clerk will mail notice of the intent to make the said improvements to all interested parties pursuant to the provisions of Section 1.260 of the Adrian City Code.

**RESOLUTION CR10-043**

**RE: ADMINISTRATION – Election of Trustees to MML Workers’ Comp. Board of Trustees**

WHEREAS, the City of Adrian has been a member of the Michigan Municipal League (MML) Workers’ Compensation Fund since 1992; and

WHEREAS, each year an election is held for members of the Workers’ Compensation Board of Trustees; and

WHEREAS, seven (7) incumbent Trustees are seeking re-election for two-year terms beginning October 1, 2010: George Bosanic, City of Greenville; Christine Burns, City of Cedar Springs; Ken Hibl, City of Clare; Valerie Knol, City of

Farmington; Elva Mills, Village of Lexington; Geraldine Moen, City of Howell and Arthur Shufflebarger, Village of Milford; and

WHEREAS, the City Administrator requests City Commission authorization to re-elect the aforementioned incumbent Trustees.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes re-election of the aforementioned MML Workers' Compensation Fund Trustees for two-year terms beginning October 1, 2010.

On motion by Commissioner Steele, seconded by Commissioner DuMars, Consent Resolutions CR10-041 through CR10-043 were adopted by a unanimous vote.

**REGULAR AGENDA**

**ORDINANCES**

1. Ord. 10-006. Introduction of an Ordinance to amend Article IV, Section 4.42 (B) of the Zoning/Development Regulations. Changes distance from street for vision obstruction at the intersections of two streets and driveway/street intersections.
2. Ord. 10-007. Introduction of an Ordinance to amend Section 3.1 of Article III of the Zoning/Development Regulations, and the Zoning Map, by deleting the Christian Family Centre, more commonly known as 1800 W. US-223, from the R-1 Single Family Residential District, and including the same in the ERO Education, Research and Office District.

**RESOLUTIONS**

**RESOLUTION R10-089**

**RE: CITY ENGINEER – City Hall Roof Replacement**

WHEREAS, the City of Adrian Purchasing Office solicited and received bids for City Hall roof replacement; and

WHEREAS, six (6) bids were received with the following results:

ITEM	Roofcon Inc Brighton, MI	Molnar Roofing Riverview, MI	MBS Adrian, MI	T-J Roofing Temperance. MI	Advanced Roofing Maumee ,OH	Ann Arbor Roof Whitmore Lake, MI
Roof – North and middle Roof Deck Replacement	\$31,950.00	\$34,050.00	\$37,492.00	\$43,499.00	\$45,305.00	\$61,000.00
	\$4.00 sf	\$5.00 sf	\$0.90 sf	\$2.50 sf	\$8.00 sf	\$5.50 sf
Roof – South	\$11,500.00	\$15,950.00	\$15,792.00	\$13,789.00	\$23,700.00	\$24,900.00

Poly iso replacement	\$1.50 sf	\$0.80 sf	\$1.15 sf	\$0.85 sf	\$7.00 sf	\$1.50 sf
Time Frame	Start: 60 days Complete: 5 days	Start: 30 days Complete: 5 days	Start: 21 days Complete: 28 day	Start: 50 days Complete: 71 day	Start: 40 days Complete: 75 day	Start: 45 days Complete: 7 days

WHEREAS, the City Administrator and City Engineer recommend selection of the low bidder, Roofcon, Inc., Brighton, MI, and engagement in the City's Standard Professional Services Contract for the replacement of the middle and south sections of the City Hall roof (\$43,450), as well as replacement of the insulation and membrane on the north section (cost to be determined on a cost per square foot basis); and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FGY2010-11 Budget in the City Administrator's Capital Facilities Account (101-172.00-975.000).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the selection of the lowest qualified bidder, Roofcon, Inc., Brighton, MI, and engagement in the City's Standard Professional Services Contract for the replacement of the middle and south sections of the City Hall roof (\$43,450), as well as replacement of the insulation and membrane on the north section (cost to be determined on a cost per square foot basis).

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

### **RESOLUTION R10-090**

**RE: TRANSPORTATION OFFICE – Authorization to Purchase Seven (7) Mobile Radios for Dial-A-Ride Buses with Michigan Department of Transportation (MDOT) Grant Funds**

WHEREAS, on April 5, 2010, the Adrian City Commission accepted a grant award from the Michigan Department of Transportation (Agreement 2007-0156, Authorization #Z8) in the amount of \$25,500, emanating from the American Recovery and Reinvestment Act of 2009 (FY2010 Section 5311 Capital and Small Cities Program– ARRA Non-Urbanized Area Formula), for the purpose of acquiring and installing mobile radios and antennas (\$17,500) and purchasing bus tires (\$8,000) for the Dial-A-Ride Program; and

WHEREAS, the City of Adrian desires to continue and enhance provisions of Dial-A-Ride transportation services through federal and state grant funded improvements; and

WHEREAS, the Transportation Coordinator and City Administrator recommend that the competitive bid process be waived in favor of using the State of Michigan Cooperative Purchasing Program, and that seven (7) Kenwood radios be purchased from Adrian Communications, Adrian, MI at a cost not to exceed \$11,980; and

WHEREAS, the Finance Director indicates that grant funds are available for this purpose in the Transportation Fund (588-599.00-977.000) DART Capital Equipment Account.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the use of MDOT grant funds be utilized to purchase seven (7) Kenwood radios from Adrian Communications, Adrian, MI at a cost not to exceed \$11,980.

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

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

#### **RESOLUTION R10-091**

**RE: POLICE DEPARTMENT – Traffic Control Order 10-3 – Michigan St. at Dennis St**

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:

Rescind TCO 09-39 which states: Remove the "STOP" signs on Michigan Street at Dennis Street. Add "Cross Traffic Does Not Stop" signs under the existing stop signs on both sides of Dennis Street.

**\*\*RE-INSTALL "STOP" signs on Michigan Street at Dennis Street.  
Remove "Cross Traffic Does Not Stop" signs under the existing stop sign on both sides of Dennis Street.**

On motion by Commissioner DuMars, seconded by Commissioner Carrico, to open discussion on this resolution.

There was confusion as to why this was put on the agenda again. Administrator Nelson recommended that the resolution be withdrawn until the City Engineer could clarify it.

Commissioner DuMars withdrew his motion and Commissioner Carrico withdrew his second.

**RESOLUTION R10-092**

**RE: DEPARTMENT OF PARKS & RECREATION – Revised Grant Acceptance for Congestion Mitigation Air Quality (CMAQ) Grant Award to Fund Non-Motorized/Pedestrian Bridge Construction Extending Kiwanis Trail into Riverside Park**

WHEREAS, the Adrian City Commission, by Resolution #R09-085 dated May 4, 2009, authorized the submission of a Congestion Mitigation Air Quality (CMAQ) grant application to fund non-motorized/pedestrian bridge construction extending Kiwanis Trail into Riverside Park and committing \$87,780 to this project, including \$80,000 from the Non-Motorized Transportation Account in the Major Street Fund (202) and \$7,780 from the Fee Estate Fund (205); and

WHEREAS, the Adrian City Commission, by Resolution #R10-064 dated May 17, 2010, accepted the aforementioned grant award and ROWE Professional Services Co., Flint, MI to provide design engineering services for this project; and

WHEREAS, the revised project amount has increased from the preliminary estimate of \$343,900 to \$497,650, with the City of Adrian being responsible for the local match of \$99,530 (20%) plus design engineering fees of \$18,000, which makes the total local contribution of \$117,530; and

WHEREAS, of the additional \$29,750 required from local funding, \$10,000 is included in the FY2010-11 Fee Estate Budget, and the Parks & Recreation Director recommends that the remaining \$19,750 be drawn from Undistributed Net Income (UNI) from the Fee Estate (FY2009-10 UNI amounts to \$137,802); and

WHEREAS, financing for this project will be administered by the Michigan Department of Transportation (MDOT); and

WHEREAS, the City Administrator recommends acceptance of the revised grant award, commitment of local matching funds as described above and amendment of the FY2010-11 Budget accordingly.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of a Congestion Mitigation Air Quality (CMAQ) grant award from the Michigan Department of Transportation (MDOT) for purposes of funding non-motorized/pedestrian bridge construction extending Kiwanis Trail into Riverside Park, at a total project cost amounting to \$497,650.

BE IT, FURTHER, RESOLVED that the local matching funds requirement amounting to \$117,530 be committed to this project, with \$87,780 carried forward from the FY2009-10 Budget, \$10,000 from the FY2010-11 Budget designated for this purpose, and an additional appropriation of \$19,750 from Fee Estate Undistributed Net Income.

BE IT FURTHER RESOLVED that the FY2010-11 Budget be amended as follows:

**Fee Estate Fund (205)**

Revenue:		<u>Amount</u>
(205-000.00-675.076)	Donations – Private – Fee Estate	\$19,750

Expenditures:

(205-699.00-975.000) Fee Estate Maint. – Capital Improvements	<u>19,750</u>
Total	<u>\$ -0-</u>

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

AYES: Mayor McDowell, Commissioner Warren, Steele, Carrico, Clegg and DuMars

NAYS: Commissioner Osborne

ABSTAINED: None

Prior to the vote on R10-092, Commissioner Osborne questioned the cost increase and asked if we could wait. Mark Gasche explained the timeline and that we would lose the grant if we waited.

**RESOLUTION R10-093**

**RE: DEPARTMENT OF FINANCE – AUTHORIZATION TO RENEW LIABILITY, PROPERTY AND VEHICLE FLEET INSURANCE**

WHEREAS, the City of Adrian’s current Liability, Property and Vehicle Fleet Insurance Policy expires July 27, 2010; and

WHEREAS, the City of Adrian has been a member of the Michigan Municipal League (MML) Liability and Property Pool (serviced by the Meadowbrook Insurance Group) since July 27, 1984; FY2009-10 premium was \$221,053 and FY2010-11 proposed premium is \$211,141, a 4.5% decrease, for coverage with a \$2,000,000 liability limit and \$5,000 deductible per occurrence; and

WHEREAS, the deductible on property insurance for communities with low claims history, including the City of Adrian, has been lowered from \$1,000 to \$250; and

WHEREAS, the City Finance Director/Risk Manager recommends waiving the bid process and remaining with MML Liability and Property Pool for the following reasons:

- Superior Property Coverage with no coinsurance – the insurer assumes risk on property claims up to \$100,158,876 (\$250 Deductible) for each covered occurrence;
- Liability coverage on an occurrence basis – no time limit for reporting claims, the Pool is perpetually obligated to indemnify the City;
- Comprehensive coverage on 110 vehicles (\$250 deductible);
- Treasurer/Clerk Bond for \$100,000 and Sewer Back-Up Liability for \$100,000;
- Claims expertise – City has experienced excellent claims resolution;
- Loss Control and Administration Services – National League of Cities recognized model program Law Enforcement Risk Reduction and Control;

- Board members are peers – Elected Officials of Michigan Municipalities, including former Adrian Mayor, serve on Board of Directors providing interactive opportunities for improved risk management;
- No Profit Motive – Surplus is either returned to Members in the form of dividends, premium stability, or coverage enhancements;
- Consulting Services – provided by MML and Meadowbrook staff; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2010-11 Budget to cover all of the aforementioned insurance premiums; and

WHEREAS, the City Administrator recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes renewal of Property Damage, Liability and Vehicle Fleet Insurance with the Michigan Municipal League Liability and Property Pool, including the additional Endorsement for Sewer and Storm Drain Liability Exposure, as well as Treasurer/Clerk Bond, for a total annual premium of \$211,141.

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

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

#### **MISCELLANEOUS**

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

#### **PUBLIC COMMENTS**

1. Mark Cooley, owner of 1059-1069 S. Main, stated that a City snow plow had thrown slush and a rock into his building, breaking a large pane of glass. City insurance denied the claim. Mr. Cooley requested payment through the City Commission.

#### **COMMISSION COMMENTS**

1. Commission Clegg thanked Finance Director Jeff Pardee for providing the figures he requested.
2. Mayor McDowell commented on Administrator Nelson's evaluation, the Center for 21<sup>st</sup> Century Communities and a Master Plan from the MML.

The next regular meeting of Adrian City Commission will be held on Monday, August 2, 2010, at 7:00 p.m. in the Commission Chambers Building located at 159 E. Maumee St., Adrian, MI 49221.

Gary E. McDowell  
Mayor

Pat Baker  
City Clerk

- Board members are peers – Elected Officials of Michigan Municipalities, including former Adrian Mayor, serve on Board of Directors providing interactive opportunities for improved risk management;
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- Consulting Services – provided by MML and Meadowbrook staff; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2010-11 Budget to cover all of the aforementioned insurance premiums; and

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

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2. Mayor McDowell commented on Administrator Nelson's evaluation, the Center for 21<sup>st</sup> Century Communities and a Master Plan from the MML.

The next regular meeting of Adrian City Commission will be held on Monday, August 2, 2010, at 7:00 p.m. in the Commission Chambers Building located at 159 E. Maumee St., Adrian, MI 49221.

Gary E. McDowell  
Mayor

Pat Baker  
City Clerk



# CHECK REGISTER

August 2, 2010

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

  
\_\_\_\_\_  
Darie 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 #3296 through #3303.....	\$155,849.17
General Fund	
Vouchers #19978 through #20007	\$393,097.91
Clearing Account Vouchers	
amounting to.....	<u>\$318,057.06</u>
TOTAL EXPENDITURES .....	<u>\$867,004.74</u>

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

August 2, 2010

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
3296	City of Adrian: Payroll	Payroll for July 16	\$ 16,378.39
3297	Consumers Energy	Wastewater Electric	\$ 34,325.86
3298	Citizens Gas Fuel Co	Various Heat Bills	\$ 131.77
3299	Frontier	Phone Bills	\$ 165.62
3300	City of Adrian: General Fund	June Expenses	\$ 50,503.65
3301	City of Adrian	IT & MVP June Expenses	\$ 4,544.49
3302	City of Adrian: Clearing Acct	July 19 CK Reg Expense	\$ 51,530.97
3303	City of Adrian: Payroll	Payroll for July 23	\$ 49,799.39
<b>Total</b>			<b>\$ 207,380.14</b>
Less: CK #3302			<b>\$ 51,530.97</b>
<b>TOTAL</b>			<b>\$ 155,849.17</b>

WW= \$121,055.37

WAT= \$ 86,324.77

2-Aug-10

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
19978		City of Adrian: Utilities	Transfer State MI Funds
19979 \$	11,390.22	City of Adrian: Payroll	Payroll for July 16
19980 \$	2,352.19	First Federal Bank	Soc Security for July 16
19981 \$	251.34	City of Adrian	Petty Cash
19982 \$	265.18	Consumers Energy	Various Electric Bills
19983 \$	22.46	Citizens Gas Fuel Co	Cemetery Heat Bill
19984 \$	13.00	Tracey Disbrow	Recreation Refund
19985 \$	150.00	Chad Yenor	Recreation Refund
19986 \$	80.00	Alfonso Ajanel	Recreation Refund
19987 \$	35.00	Tony Negron	Recreation Refund
19988 \$	30.00	Amee Hudson-Grayer	Recreation Refund
19989 \$	50.00	Linda Progler	Recreation Refund
19990 \$	320.99	Frontier	Various Phone Bills
19991 \$	78.00	State of Michigan	Police License Plates
19992 \$	153,923.93	City of Adrian: Clearing Acct	July 19 Check Register
19993		City of Adrian: Utilities	Transfer State MI Funds
19994 \$	4,210.47	Quick Service Transportation	Payroll W/E July 16
19995 \$	2,946.00	Dustin Lent	July 24 Tournament Expenses
19996 \$	232,135.00	City of Adrian: Payroll	Payroll for July 23
19997 \$	15,860.81	First Federal Bank	Soc Security for July 23
19998		City of Adrian: Utilities	Transfer State MI Funds
19999 \$	1,985.10	City of Adrian: Utilities	Bohn Pool Water Bill
20000 \$	109,765.42	Blue Cross Blue Shield of MI	Aug Hospitalization Ins
20001 \$	40.00	Bdarrin Griewahn	Recreation Refund
20002 \$	49.00	Matt Hughes	Recreation Refund
20003 \$	45.00	Sabrina Hyder	Recreation Refund
20004 \$	45.00	Susan Kurichh	Recreation Refund
20005 \$	6,000.00	City of Adrian: Auto Parking	Contribution
20006 \$	487.55	Frontier	Various Phone Bills
20007 \$	4,490.18	Quick Service Transportation	Payroll W/E July 24

\$ 547,021.84

\$ (153,923.93) Less: CK# 19992

\$ 393,097.91

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. 4 IMPRINT, INC.	775.46		
2. ABB INC	1,642.32		
3. ADRIAN AREA CHAMBER OF COMME	30.00		
4. CITY OF ADRIAN	7,816.81		
5. ADRIAN COMMUNICATIONS	440.00		
6. ADRIAN LOCKSMITH & CYCLERY	103.55		
7. ADRIAN MECHANICAL SERVICES C	1,341.00		
8. ADRIAN MOTEL 6	494.70		
9. ADRIAN PUBLIC SCHOOLS	345.10		
10. ADVANCE AUTO PARTS COMMERCIA	51.98		
11. AIRGAS GREAT LAKES	502.29		
12. ALERT EMERGENCY EQUIPMENT GR	750.00		
13. ALL METALS INC.	253.76		
14. AMERICAN LIBRARY ASSOC	379.00		
15. AMERICAN OFFICE SOLUTIONS	80.79		
16. AMERICAN WATER WORKS ASSN	165.00		
17. APPLE MAT RENTAL	138.40		
18. ARBORICULTURE SOCIETY OF MIC	405.00		
19. ARCH WIRELESS	44.60		
20. ARGUS-HAZCO	74.13		
21. BAKER & TAYLOR BOOKS	143.57		
22. BATTERY WHOLESALE	143.67		
23. BELL EQUIPMENT CO	588.00		
24. BELSON ASPHALT PAVING INC	1,652.30		
25. BEST AIRE LLC	1,999.69		
26. BILL'S SERVICE, INC.	180.00		
27. BLACK SWAMP EQUIPMENT	565.36		
28. BOOK OF THE MONTH CLUB	78.91		
29. BRODBECKS LLC	1,562.80		
30. BUCK & KNOBBY EQUIP CO INC	580.15		
31. CALIBRE PRESS	500.00		
32. CDW-G COMPUTER SUPPLIES	280.00		
33. CLEAN CARE INC	4,179.00		
34. COCA-COLA BTLG CO OF MICHIGA	380.48		
35. COIN-OP SPECIALISTS INC.	297.54		
36. JUSTIN COMBS	1,741.64		
37. COMPUTER CARE COMPANY, INC.	238.86		
38. CONCLUSIVE MARKETING	45.00		
39. CONTINENTAL SERVICE	2,408.49		
40. CORROSION FLUID PRODUCTS COR	2,380.00		
41. CPR -DECOR CENTER	77.75		
42. CUTTING EDGE ENGRAVING	52.50		
43. THE DAILY TELEGRAM	558.69		
44. DAN'S FARM SUPPLY INC	34.31		
45. DOAN CONSTRUCTION CO	241.50		
46. EAST JORDAN IRON WORKS INC	543.60		
47. EASY WAY WIRELESS, LLC	10.00		
48. VINCENT EMRICK	87.40		
49. EXECUTONE COMMUNICATIONS LLC	746.00		
50. FASTENAL COMPANY	28.05		
51. FEDERAL EXPRESS	95.63		
52. FIRST TOWING LLC	88.00		
53. JESSICA FISCHER	35.00		
54. GALE	1,159.40		
55. GALL'S INC	411.91		
56. MARK K GASCHE	475.00		
57. GORDON FOOD SERVICE	2,395.44		
58. GREAT LAKE SERVICE-WELDING	304.23		
59. GREAT LAKES BOOK DISTRIB	234.28		
60. GREAT LAKES DIVING, LLC	2,600.00		
61. HEIMAN FIRE EQUIPMENT INC	151.02		
62. HOBBY LOBBY	97.07		
63. HUBBARD AUTO CENTER	572.36		
64. ICMA RETIREMENT CORPORATION	155.76		
65. IMAGE GALLERY	25.98		
66. INDUSTRIAL MILL SUPPLY CORP	224.36		
67. JACKSON PRINTING AND MAILING	1,861.77		
68. JONES & HENRY, ENGINEERS	25,619.03		
69. KAPNICK INSURANCE GROUP	1,878.25		
70. KELLER THOMA, P.C.	1,143.00		
71. ROBERT KEYES	2,723.41		
72. KIMBALL MIDWEST	158.85		
73. JOHN KNAUSS	40.67		
74. KONICA MINOLTA BUSINESS SOLU	21.48		
75. BRENT KUBALEK	272.41		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. WALTER GREG LANFORD	33.17		
77. LANSING SANITARY SUPPLY INC	1,324.27		
78. SUSAN LAUGHLIN	203.00		
79. LEISURE PURSUITS INC.	1,450.25		
80. LENAWEE COUNCIL FOR VISUAL A	2,500.00		
81. LENAWEE COUNTY EQUALIZATION	3,500.00		
82. LENAWEE COUNTY HEALTH DEPT	115.00		
83. LENAWEE COUNTY LIBRARY	30.00		
84. LENAWEE COUNTY REGISTER OF D	126.00		
85. MANPOWER OF LANSING MI INC.	1,949.40		
86. MCGOWAN ELECTRIC SUPPLY INC	403.61		
87. MECHANICAL INSPECTORS ASSOC	225.00		
88. MENDEZ, DONNA	25.00		
89. MICH STATE HOUSING DEVEL.	20.00		
90. MICHIGAN AMATEUR SOFTBALL	1,370.00		
91. MICHIGAN LIBRARY ASSOC	147.00		
92. MICHIGAN PIPE & VALVE INC	582.19		
93. STATE OF MICHIGAN	948.25		
94. MICHIGAN STATE UNIVERSITY	355.00		
95. MICHIGAN TBA DISTRIBUTORS IN	47.10		
96. MIDWEST TAPE	227.81		
97. MITCHELL WELDING	155.34		
98. MUGS N' MORE IMAGING	413.75		
99. MUNICIPAL EMPLOYEES' RETIRE	370.00		
100. MUNICIPAL WEB SERVICES	225.00		
101. NAPA AUTO & TRUCK PARTS	90.22		
102. NATIONAL ASSOC OF PROFESSION	350.00		
103. OHIO MI SUMMER SWIM LEAGUE	192.00		
104. ORIENTAL TRADING CO. INC.	78.20		
105. PAIN ENTERPRISES, INC.	841.38		
106. PALMER ENVELOPE CO.	1,297.42		
107. PARAGON LABORATORIES INC	290.00		
108. PEERLESS SUPPLY INC	597.49		
109. PEST PATROL	72.00		
110. PIONEER MANUFACTURING CO.	1,400.00		
111. PITT AUTO ELECTRIC COMPANY	577.30		
112. PLATINUM PLUS	2,761.24		
113. PREIN & NEWHOF ENGINEERS	272.00		
114. PRO-MED UNIFORM	950.10		
115. PURCHASE POWER	3,018.99		
116. QUICK SERVICE TRANSPORTATION	7,020.31		
117. QUILL CORPORATION	461.61		
118. R.S. TECHNICAL SERVICES INC	509.23		
119. RECORDED BOOKS LLC.	198.00		
120. RWL SIGN COMPANY	4.00		
121. SAFEWAY MOVING & STORAGE	118.00		
122. SCHUG CONCRETE CONSTRUCTION	33,106.50		
123. SELECTIVE DATA SYSTEMS	28.00		
124. SHERWIN-WILLIAMS CO	512.80		
125. SIGN LANGUAGE SIGNS, INC.	250.00		
126. SJS INVESTMENT CONSULTING IN	750.00		
127. SLUSARSKI EXCAVATING & PAVIN	32,430.57		
128. SMITH PAVING & EXCAVATING	96,154.40		
129. STAPLES CREDIT PLAN	30.98		
130. STATE CHEMICAL MFG CO.	331.08		
131. STITCH WIZARD EMBROIDERY INC	48.00		
132. SUNSHINE MEDICAL SUPPLY, INC	772.00		
133. T-MOBILE	29.99		
134. THOMAS SCIENTIFIC	1,103.18		
135. TOLEDO SPRING SERVICE, INC.	84.00		
136. TOPSOILS OF CLINTON	1,560.00		
137. TRACY TIME SYSTEMS	55.00		
138. UIS PROGRAMMABLE	5,676.00		
139. UNDERWOOD'S NURSERY LLC	6,180.50		
140. UNUM LIFE INSURANCE COMPANY	2,260.74		
141. UTILITIES INSTRUMENTATION SE	572.00		
142. VICTORY LANE QUICK OIL CHG	127.74		
143. WARREN HOLDING CO LLC	1,370.00		
144. WEPHOTO LLC	600.00		
145. WESTERN LIME CORPORATION	9,847.38		
146. WOODLANDS LIBRARY COOPERATIV	2,181.51		
147. WRIGHT TREE SERVICE	3,245.60		

\*\*TOTAL ALL CLAIMS\*\*

318,057.06



# COMMUNICATIONS



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**MEMO**

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Date: July 21, 2010

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

From: Jeffrey C. Pardee, Finance Director

Re: **Dodd-Frank Wall Street Reform and Consumer Protection Act**

On July 21, 2010, President Barack Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act, which, in part, permanently raises the current standard maximum deposit insurance amount to \$250,000. The standard maximum insurance amount of \$100,000 had been temporarily raised to \$250,000 until December 31, 2013. The FDIC insurance coverage limit applies per depositor, per insured depository institution for each account ownership category.

The temporary increase from \$100,000 to \$250,000 was effective from October 3, 2008, through December 31, 2010. On May 20, 2009, the temporary increase was extended through December 31, 2013.

Congress created the Federal Deposit Insurance Corporation in 1933 to restore public confidence in the nation's banking system. The FDIC insured deposits at the nation's 7,932 banks and savings associations and it promotes the safety and soundness of these institutions by identifying, monitoring the addressing risks to which they are exposed. The FDIC receives no federal tax dollars – insured financial institutions fund its operations.

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



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## MEMO

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Date: July 27, 2010

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

From: Jeffrey C. Pardee, Finance Director

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

Re: **Annual Actuarial Valuation Report – Investment Income Analysis**

In response to Commissioner Michael Clegg's inquiry, I have prepared the following information based on historical data derived from the Municipal Employees Retirement System (MERS) Annual Actuarial Valuation Reports over the past 24 years (1986-2009). The first page of EXHIBIT A traces the development of the actuarial valuation of the current asset base (\$40,872,633), as of December 31, 2009. The actuarial valuation of the current asset base is determined by adding together the prior year's Balance, the current year's Employer and Employee Contributions, Investment Income and then subtracting the Benefits Paid in the current year.

Funding plan benefits involves the accumulation of assets to pay benefits in the future. These assets are invested and the net rate of investment earnings is a significant factor in determining the contributions required to support the ultimate cost of benefits. For the 2009 actuarial valuation, the net long-term investment yield is assumed to be 8.0%. This assumption was first used for the December 31, 1981 actuarial valuations. The concern raised by Commissioner Clegg is that the Interest Rate Assumption used by the actuary is unrealistic and undermines the long-term sustainability of the asset base, adversely impacting Employer Contributions.

Before addressing this concern directly, the following general observations are made regarding Exhibit A:

- 1) Even though Employer Contributions were not made during the period 1988 through 1995, due to the funding percentage being in excess of 100% during prior valuation periods, total Employer Contributions (53.5%) exceeded Employee Contributions (46.5%) by \$858,388 during the 24-year timeframe.

- 2) Total Assets have increased every year except the year following the 9/11 disaster (2002) and the year following the "Great Recession" (2009), putting the actuarial value of assets 25% higher than market value (\$32,654,532).
- 3) The Required Minimum Employer Contribution for FY2010-11 (\$1,061,376) reflects a 13.6% increase over the prior year, however due to the recently adopted MERS policy change reflecting a ten-year smoothing of market fluctuations, the Required Minimum Employer Contribution for FY2011-12 (\$1,080,612) represents only a 1.8% year-to-year increase. The employer contribution as a percent of payroll currently stands at 12.47%.

Tracing Actual Investment Income (Exhibit B) back 24 years reveals that the average percent return on assets is 9.59% compared to the 8.00% actuaries' assumed return on assets. However, the percent return on assets fluctuates significantly over that period of time, from a low of 2.66% in 2002 to a high of 15.45% in 1999. Return on Investment (ROI) in the first decade of the new century has placed the actuaries' assumption in jeopardy going forward. Seven of the ten years have seen an ROI below the 8.00% assumption, with a ten-year average calculated at 6.61%.

Had the actual investment income met or exceeded the actuaries' assumption each year during the past 24 years, an additional \$6,627,125 would have been earned, placing the current Unfunded Accrued Liability at \$2,249,980 rather than \$8,867,105. The Funded Percent of the City of Adrian's MERS pension Program would have increased from 82% to 95%.

Lastly, Exhibit C was prepared to demonstrate what would have happened if the City Commission had chosen to match Employee Contributions during the time period 1987 through 2002, when the Pension Plan was fully or almost fully funded, rather than making no contribution or less than the Employee Contribution. Had the actual Employer Contribution matched Employee Contributions during the time period 1987 through 2002, an additional \$2,131,077 would have been contributed, placing the current Unfunded Accrued Liability at \$6,736,028 rather than \$8,867,105. The Funded Percent of the City of Adrian's MERS pension Program would have increased from 82% to 86%.

The City Administration is currently exploring alternative pension benefit programs offered by MERS and will report its findings at a later date. If you have any questions or need for additional information, please contact my office.

CITY OF ADRIAN  
MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) OF MICHIGAN  
ANNUAL ACTUARIAL VALUATION REPORT  
HISTORICAL SUMMARY

EXHIBIT A

ACTUARIAL REPORT FOR PERIOD ENDING DECEMBER 31	BEGINNING ASSETS	EMPLOYEE CONTRIBUTIONS	EMPLOYER CONTRIBUTIONS	INVESTMENT INCOME	BENEFITS PAID	ENDING ASSETS
1986	\$8,438,219	\$135,012	\$152,308	\$1,042,698	(\$224,309)	\$9,543,928
1987	9,543,928	152,703	67,256	1,351,245	(262,995)	10,852,137
1988	10,852,137	184,477	0	923,403	(308,354)	11,651,663
1989	11,651,663	184,534	0	1,567,163	(361,536)	13,041,824
1990	13,041,824	191,267	0	1,324,145	(423,890)	14,133,346
1991	14,133,346	190,639	0	1,863,536	(496,999)	15,690,522
1992	15,690,522	178,556	0	1,829,177	(582,745)	17,115,510
1993	17,115,510	185,730	0	1,828,063	(615,399)	18,513,904
1994	18,513,904	201,571	0	1,463,048	(758,386)	19,420,137
1995	19,420,137	210,476	0	2,121,088	(823,927)	20,927,774
1996	20,927,774	217,779	58,740	2,331,020	(943,499)	22,591,814
1997	22,591,814	219,194	118,724	2,731,957	(1,143,861)	24,517,828
1998	24,517,828	254,985	184,545	3,018,690	(1,177,920)	26,798,128
1999	26,798,128	278,701	226,796	4,139,856	(1,355,881)	30,087,600
2000	30,087,600	312,911	280,319	2,993,456	(1,489,403)	32,184,883
2001	32,184,883	273,638	232,810	2,386,852	(1,628,623)	33,449,560
2002	33,449,560	234,406	171,299	891,302	(1,666,345)	33,080,222
2003	33,080,222	275,626	303,094	2,366,186	(1,784,094)	34,241,034
2004	34,241,034	282,426	465,039	2,285,838	(1,920,056)	35,354,281
2005	35,354,281	241,493	571,249	2,209,838	(2,064,964)	36,311,897
2006	36,311,897	271,834	699,000	3,615,516	(2,205,605)	38,692,642
2007	38,692,642	298,536	883,365	3,129,846	(2,515,982)	40,488,407
2008*	40,488,407	331,390	1,128,108	1,715,190	(2,739,863)	40,923,232
2009	40,923,232	310,622	934,241	1,523,463	(2,818,925)	40,872,633
<b>TOTAL</b>		<b>\$5,618,505</b>	<b>\$6,476,893</b>			
		<b>46.5%</b>	<b>53.5%</b>			
	Total Employee/Employer Contributions	12,095,398		Current Market Value of Assets		\$32,654,532
	* Included \$204,000 for Window Buyout for eligible employees.			CMV O/(U) Actuarial Value of Assets or		(\$8,218,101)
				Unrealized Gain/(Loss)		
FY2010-11	Required Minimum Emplry Contribution	\$1,061,376		13.6%		
FY2011-12	Required Minimum Emplry Contribution	\$1,080,612		1.8%		

CITY OF ADRIAN  
MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) OF MICHIGAN  
EXHIBIT A  
ANNUAL ACTUARIAL VALUATION REPORT  
HISTORICAL SUMMARY

ACTUARIAL REPORT FOR PERIOD ENDING DECEMBER 31	UNFUNDED ACCRUED LIABILITY	FUNDED PERCENT	ANNUAL PAYROLL	AVERAGE ANNUAL PAY	EMPLOYER CONTRIBUTION AS PERCENT ANNUAL PAYROLL	NUMBER OF EMPLOYEES
1986	(\$1,785,248)	123%	\$3,506,536	\$25,286	4.34%	137
1987	(2,682,859)	133%	3,580,697	26,058	1.88%	138
1988	(2,887,325)	133%	3,877,795	26,854	0.00%	144
1989	(2,926,990)	129%	3,851,174	27,673	0.00%	149
1990	(2,383,677)	120%	4,291,423	28,518	0.00%	151
1991	(2,692,070)	121%	4,731,671	29,389	0.00%	161
1992	(2,738,091)	119%	5,072,737	31,705	0.00%	160
1993	(567,858)	103%	5,358,388	32,673	0.00%	164
1994	190,164	99%	5,337,641	32,546	0.00%	164
1995	163,045	99%	5,471,649	34,412	0.00%	159
1996	(568,412)	103%	5,466,026	34,162	1.07%	160
1997	(607,928)	103%	5,559,763	35,639	2.14%	156
1998	(1,422,280)	106%	5,704,821	36,569	3.23%	156
1999	(2,396,553)	109%	5,579,669	37,447	4.06%	149
2000	(909,193)	103%	6,119,081	38,484	4.58%	159
2001	129,571	100%	6,201,978	39,503	3.75%	157
2002	1,565,129	95%	6,360,989	40,259	2.69%	158
2003	2,759,994	93%	6,847,899	42,534	4.43%	161
2004	4,443,829	89%	7,219,754	45,695	6.44%	158
2005	4,835,802	88%	7,282,519	44,954	7.84%	162
2006	5,872,651	87%	7,351,140	45,945	9.51%	160
2007	7,205,491	85%	7,459,599	47,818	11.84%	156
2008	8,436,798	83%	7,674,429	48,572	14.70%	158
2009	8,867,105	82%	7,490,851	49,282	12.47%	152

**CITY OF ADRIAN  
MERS ACTUARY REPORT  
INVESTMENT INCOME ANALYSIS**

**EXHIBIT B**

YEAR	ASSETS	ACTUAL INVESTMENT INCOME	PERCENT RETURN ON ASSETS	ACTUARIES'			ACTUAL O(U) ASSUMED	ACCUMULATED SHORTFALL
				ASSUMED RETURN ON ASSETS	ASSUMED INVESTMENT INCOME	ACTUAL O(U) ASSUMED		
1986	\$8,438,219	\$1,042,698	12.36%	8.00%	\$675,058	\$367,640		
1987	9,543,928	1,351,245	14.16%	8.00%	763,514	587,731		
1988	10,852,137	923,403	8.51%	8.00%	868,171	55,232		
1989	11,651,663	1,567,163	13.45%	8.00%	932,133	635,030		
1990	13,041,824	1,324,145	10.15%	8.00%	1,043,346	280,799		
1991	14,133,346	1,863,536	13.19%	8.00%	1,130,668	732,868		
1992	15,690,522	1,829,177	11.66%	8.00%	1,255,242	573,935		
1993	17,115,510	1,828,063	10.68%	8.00%	1,369,241	458,822		
1994	18,513,904	1,463,048	7.90%	8.00%	1,481,112	(18,064)	\$18,064	
1995	19,420,137	2,121,088	10.92%	8.00%	1,553,611	567,477		
1996	20,927,774	2,331,020	11.14%	8.00%	1,674,222	656,798		
1997	22,591,814	2,731,957	12.09%	8.00%	1,807,345	924,612		
1998	24,517,828	3,018,690	12.31%	8.00%	1,961,426	1,057,264		
1999	26,798,128	4,139,856	15.45%	8.00%	2,143,850	1,996,006		
2000	30,087,600	2,993,456	9.95%	8.00%	2,407,008	586,448		
2001	32,184,883	2,386,852	7.42%	8.00%	2,574,791	(187,939)	187,939	
2002	33,449,560	891,302	2.66%	8.00%	2,675,965	(1,784,663)	1,784,663	
2003	33,080,222	2,366,186	7.15%	8.00%	2,646,418	(280,232)	280,232	
2004	34,241,034	2,285,838	6.68%	8.00%	2,739,283	(453,445)	453,445	
2005	35,354,281	2,209,838	6.25%	8.00%	2,828,342	(618,504)	618,504	
2006	36,311,897	3,615,516	9.96%	8.00%	2,904,952	710,564		
2007	38,692,642	3,129,846	8.09%	8.00%	3,095,411	34,435		
2008*	40,488,407	1,715,190	4.24%	8.00%	3,239,073	(1,523,883)	1,523,883	
2009	40,923,232	1,523,463	3.72%	8.00%	3,273,859	(1,750,396)	1,750,396	
		<u>\$50,652,576</u>	<u>9.59%</u>	<u>8.00%</u>	<u>\$47,044,039</u>	<u>\$3,608,537</u>	<u>\$6,617,125</u>	

**CITY OF ADRIAN  
MERS ACTUARY REPORT  
EMPLOYER CONTRIBUTION ANALYSIS**

**EXHIBIT C**

The amounts in the last column reflect the increased employer contribution that would have taken place had the City Commission chosen to match the Employee Contributions during the period 1987 thru 2002.

YEAR	EMPLOYEE CONTRIBUTIONS	ACTUAL EMPLOYER CONTRIBUTIONS	ADJUSTED EMPLOYER CONTRIBUTIONS	ADJUSTED O/(U) ACTUAL
1986	\$135,012	\$152,308	\$152,308	\$0
1987	152,703	67,256	152,703	85,447
1988	184,477	0	184,477	184,477
1989	184,534	0	184,534	184,534
1990	191,267	0	191,267	191,267
1991	190,639	0	190,639	190,639
1992	178,556	0	178,556	178,556
1993	185,730	0	185,730	185,730
1994	201,571	0	201,571	201,571
1995	210,476	0	210,476	210,476
1996	217,779	58,740	217,779	159,039
1997	219,194	118,724	219,194	100,470
1998	254,985	184,545	254,985	70,440
1999	278,700	226,796	278,700	51,904
2000	312,911	280,319	312,911	32,592
2001	273,638	232,810	273,638	40,828
2002	234,406	171,299	234,406	63,107
2003	275,626	303,094	303,094	0
2004	282,426	465,039	465,039	0
2005	241,493	571,249	571,249	0
2006	271,834	699,000	699,000	0
2007	298,536	883,365	883,365	0
2008*	331,390	1,128,108	1,128,108	0
2009	310,622	934,241	934,241	0
	<b>\$5,618,505</b>	<b>\$6,476,893</b>	<b>\$8,607,970</b>	<b>\$2,131,077</b>

C-3  
July 23, 2010

City of Adrian 4 638

Jeffrey Pardee, Finance Director  
100 E Church St  
Adrian MI 49221-2773



Dear Jeffrey Pardee,

Since last November, the MERS Retirement Board has discussed, debated, and listened to your numerous comments about our rules for the rehiring of retirees from the same municipality. We heard your voices during the Member Comment period and the Public Audience section at Board meetings, as well.

The Board first established specific rules for the rehire of retired elected officials on May 12 (the rules had immediate effect). At its July 13 meeting, the Board approved changes to the Plan Document regarding rehiring all other retirees from the same municipality.

The new rules, which will take effect on January 1, 2011 include:

- Continuation of the requirement of a minimum 30-day break between retirement and rehiring at the same municipality
- Completion by both the Employer and retiree of a "Return to Work Certification" (form 29C, available on our website soon), stating the return to work was not pre-arranged by the municipality and returning employee
- All retirees reemployed by the same municipality on or after Jan. 1, 2011 are allowed 720 work hours or less per calendar year and will not be considered active members of MERS
- If the above requirements are not met, the retiree's pension will be suspended during their employment
- Rehired retirees working more than 720 hours per calendar year will once again become an active MERS member and begin accruing additional service credit. After retiring a second time, they receive a one-time recalculation of their retirement benefits, factoring in their additional service credit. Rehired employees are eligible for this recalculation only once. If the retiree returns to the same municipality after the recalculation and they work beyond the 720 hours in a calendar year, their pension is suspended without active membership in MERS
- Employers shall include in their monthly wage and service report to MERS the salary and hours of service for all reemployed retirees

As a tax-qualified plan under the Internal Revenue Service, MERS is required to follow IRS conditions for paying benefits. One of those is that there has been an actual bona fide termination of employment in which the employer/employee relationship is completely severed.

While the IRS has not set clear direction in the matter, we want to be proactive in protecting our tax-qualified status. Our status is not in jeopardy; these changes are intended to more effectively enforce the federal rules.

The Retirement Board appreciates all of the comments and feedback during this process. Please share this information with members of your municipality. If you have questions regarding these changes to Section 31 of the Plan Document, please visit our website, [www.mersofmich.com](http://www.mersofmich.com), or call your MERS Regional Manager.

Sincerely,

A handwritten signature in cursive script that reads "Larry Opelt".

Larry Opelt, Chairperson  
MERS Retirement Board



# CONSENT AGENDA

CR-1

# **MEMORANDUM**

July 15, 2010

**TO: Mayor and City Commission**

**FROM: Dane C. Nelson, City Administrator**

**SUBJECT: Municipal Employees' Retirement System  
Of Michigan Annual Meeting**

Each year the pension system of which the City is a member has an annual meeting to which each member municipality is urged to send official delegates. Each municipality is entitled to one municipal representative and one employee representative.

We have completed the balloting for the employee's representative and the results of the election are as follows:

Joshua North	32 votes
Cindy Prue	31 votes
Tammie Bristol	14 votes
Jim Karle	1 vote

Based on the results of the voting, I would recommend that Joshua North be named employee representative with Cindy Prue as the employee alternate. I further recommend that Jeff Pardee be named the City's Representative this year with Pat Baker as his alternate. Attached hereto, you will find the necessary resolution drawn in accord with the above recommendations.

  
\_\_\_\_\_  
Dane Nelson, City Administrator

DCN/pmb

**CR10-044**

August 2, 2010

**RE: ADMINISTRATION – Appointment of Delegates to the Annual  
Municipal Employees Retirement System (MERS) Meeting**

**RESOLUTION**

WHEREAS, the Michigan Municipal Employees Retirement System (MERS) is having its annual meeting of participating municipalities; and

WHEREAS, it is necessary that one officer and one employee of the City of Adrian be designated by each municipality, with respective alternates; and

WHEREAS, there has been an election held by employees of the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED, that Joshua North be designated as the employee representative and Cindy Prue as the alternate employee delegate; and be it

FURTHER, RESOLVED that Jeff Pardee be designated as the City officer delegate and that Pat Baker be designated as the alternate officer delegate to attend the meeting at the Radisson Plaza Hotel in Kalamazoo, MI on September 15 -17, 2010 in accordance with the provisions of the Municipal Employees Retirement Act No. 135, Public Act of 1945, as amended.

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

CR-2



Charitable Gaming Division  
Box 30023, Lansing, MI 48909  
OVERNIGHT DELIVERY:  
101 E. Hillsdale, Lansing MI 48933  
(517) 335-5780  
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(ii))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from LENAWEE COUNCIL FOR THE VISUAL ARTS (CCVA) of ADRIAN  
NAME OF ORGANIZATION CITY

county of LENAWEE, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_  
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
ADDRESS

COMPLETION Required  
PENALTY Possible denial of application  
BSL-CG-1153(R6/09)

CR-3

**CR10-046**

August 2, 2010

**RE: HISTORIC DISTRICT COMMISSION – Reappointment to Board**

**RESOLUTION**

WHEREAS, the term of office of Dr. Peter Barr on the Historic District Commission will expire in August, which will create a vacancy; and

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

WHEREAS, Dr. Barr has expressed a willingness to continue serving on the Historic District Commission, if reappointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the reappointment of Dr. Peter Barr.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointment of Dr. Peter Barr to the Historic District Commission for a three year term that will expire in 2013.

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



## MEMO

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

---

**DATE:** July 27, 2010

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

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

**SUBJECT:** Set Public Hearing for IFT Exemption Certificate for Adrian Precision Machining.

---

Adrian Precision Machining has submitted an application for an Industrial Facilities Tax Exemption Certificate for two new pieces of machinery and equipment with a total value of \$184,000. The requested exemption is for a period of twelve (12) years. The acquisition of the personal property will help retain 9 existing jobs.

Community Development staff respectfully request a public hearing be set for the August 16, 2010 Adrian City Commission meeting.

Chris Atkin  
Community Development Director

# 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>Rat Baker</i>	Date received by Local Unit 7-20-2010
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) Adrian Precision Machining		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3544	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 605 Industrial Drive, Adrian, MI 49221		1d. City/Township/Village (indicate which) City of Adrian	1e. County Lenawee
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))		3a. School District where facility is located Adrian	3b. School Code 46010
		4. Amount of years requested for exemption (1-12 Years) 12	

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 manufactures speciality machine components for the automotive and medical device industries. This expansion involves the purchase of \$184,000 of new machining 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.	▶ \$0.00 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	▶ \$184,000.00 Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$184,000.00 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.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	_____	_____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	7/16/10	7/16/12	▶ <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. 9	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) March 04, 1985	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 Karen Lee	13b. Telephone Number (517) 265-5141	13c. Fax Number (517) 263-6065	13d. E-mail Address karen@onelenawee.org
14a. Name of Contact Person Brenda Spreeman	14b. Telephone Number (517) 263-4564	14c. Fax Number (517) 264-2252	14d. E-mail Address adrianprecision@verizonnet.co
▶ 15a. Name of Company Officer (No Authorized Agents) Brenda Spreeman			
15b. Signature of Company Officer (No Authorized Agents) <i>Brenda Spreeman</i>		15c. Fax Number (517) 264-2252	15d. Date 7-16-10
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 605 Industrial Drive, Adrian, MI 49221		15f. Telephone Number (517) 263-4564	15g. E-mail Address adrianprecision@verizonnet.co

**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 46201	
16d. School Code 46010		17. Name of Local Government Body CITY OF ADRIAN, MI	
▶ 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 <i>Pat Baker</i>	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) 135 E. MAUMEE ST. ADRIAN, MI 49221		
19e. Telephone Number 517-264-4966	19f. Fax Number 517-264-8016	

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

INFORMATION FOR TAX ABATEMENT FOR		
Adrian Precision Machining		
<b>Cost of New Machinery and Equipment</b>		
<u>Equipment</u>	<u>Cost</u>	<u>In-Service Date</u>
Citizen Cincom A20 Type VII	\$161,500	8/1/10
Mazak QT-8 CNC turning center	\$22,500	8/1/10
<b>Total for New Machinery &amp; Equipment</b>	<b>\$184,000</b>	

**CR10-047**

August 2 2010

**RE: ADRIAN PRECISION MACHINING - 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 certificate requests; and

WHEREAS, the City of Adrian has received an Industrial Facilities Exemption Certificate request from Adrian Precision Machining for an investment of personal property within Adrian Industrial Development District #15; 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 #15, 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 Adrian Precision Machining, authorizes the scheduling of a public hearing for Monday, August 16, 2010, 7:00 p.m. in the City Chambers Building 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.

CR-5

**CR10-048**

August 2 2010

**RE: CLERKS OFFICE – Reappointments to Election Commission**

**RESOLUTION**

WHEREAS, the terms of office of Waneta Raloff, Jane Castle and Margaret Noe on the Election Commission have expired, which has created vacancies on this board; and

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

WHEREAS, Waneta Raloff, Jane Castle and Margaret Noe have expressed a willingness to continue serving on the Election Commission, if reappointed; and

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

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointment of Waneta Raloff, Jane Castle and Margaret Noe to the Election Commission for one year terms that will expire in 2011.

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



# REGULAR AGENDA

0-1



135 East Maumee Street.  
Community Development Department  
Adrian, MI 49221

---

July 15, 2010

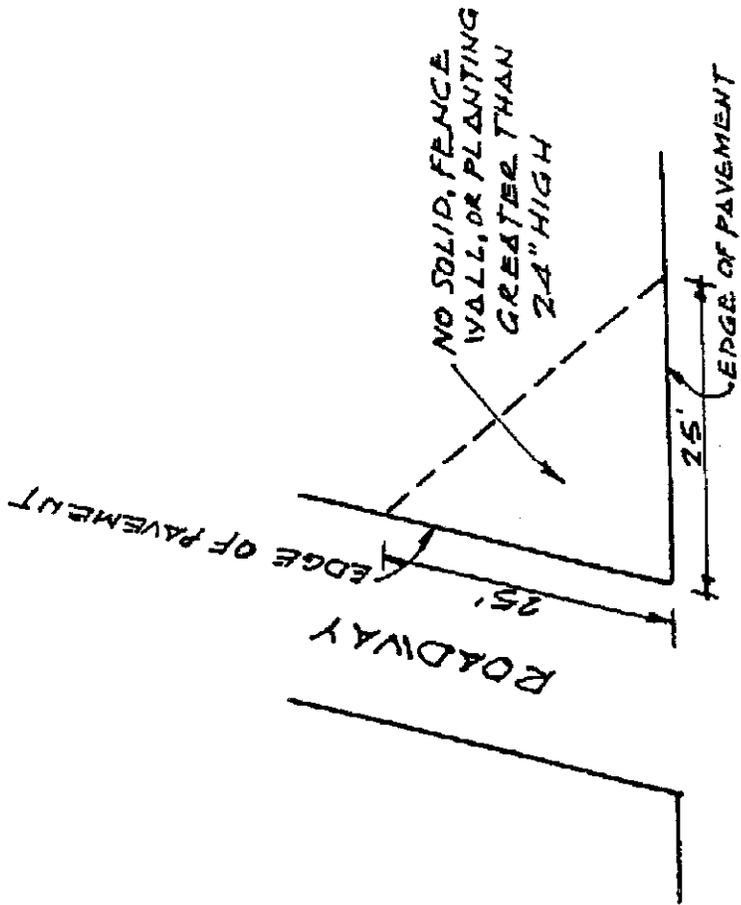
Honorable Mayor and City Commission:

At the July 6, 2010, meeting the Adrian City Planning Commission approved unanimously to recommend to the City Commission the approval of amending Section 4.42 (B) of Article IV of the Zoning/Development Regulations.

This section pertains to vision obstructions at the intersections of two streets and driveway and street intersections. Exhibit "B" on the graphic shows 15 feet a fence needs to be from the street. The text in Subsection B states 25 feet. The Planning Commission felt that 15 feet was more than adequate for this.

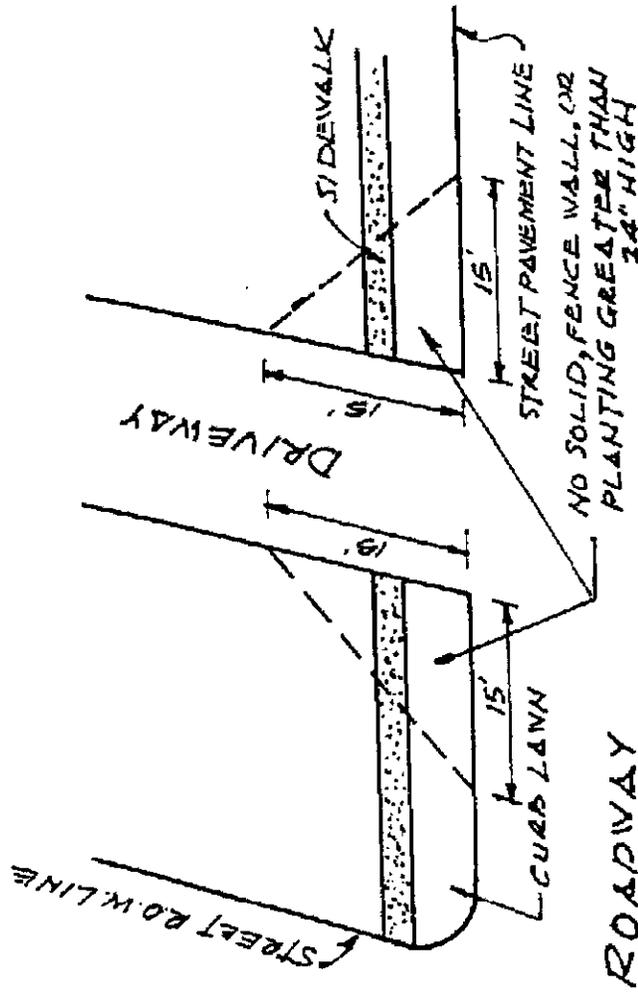
Respectfully submitted,

Denise Cook, Secretary



ROADWAY

EXHIBIT "A"



ROADWAY

EXHIBIT "B"

VISIBILITY TRIANGLES

COMPILED BY

WILKINS & WHEATON ENGINEERING CO., INC.

KALAMAZOO, MICHIGAN.

**ORDINANCE NO. 10-006**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ADRIAN BY AMENDING ARTICLE IV – SECTION 4.42 (B) OF THE CITY OF ADRIAN ZONING/DEVELOPMENT REGULATIONS**

The City of Adrian Ordains:

- 1. That Subsection B of Section 4.42 of Article IV of the City of Adrian Zoning/Development Regulations be amended to read as follows:

4.42            Corner and Driveway Clearance

No fence, wall, shrubbery, sign, or other obstruction to vision above a height of twenty four (24) inches from established street grades shall be permitted within the triangular area formed:

- A. At the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection (See Illustration)
- B. At the intersection of a driveway and a street where two sides of the triangle defined by measuring **fifteen (15)** feet in length along the edge of the driveway and along the curb edge of the roadway line from the point of intersection and the third side is a diagonal connecting the first 2. (See Illustration)

INTRODUCTION .....July 19, 2010

SUMMARY PUBLISHED .....July 26, 2010

ADOPTION .....

COMPLETE PUBLICATION .....

EFFECTIVE DATE .....

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

0-2



135 East Maumee Street.  
Community Development Department  
Adrian, MI 49221

July 15, 2010

Honorable Mayor  
and City Commission:

At the July 6, 2010, meeting the Adrian City Planning Commission voted unanimously to recommend to the City Commission the approval of rezoning the Christian Family Center and School at 1800 West US-223 from R-1 Single Family Residential to ERO Education, Research and Office, and adopted the following resolution in support of this rezoning.

### RESOLUTION

WHEREAS, the Lenawee Christian Ministries has submitted a request for rezoning of a single parcel identified in the Case File 10-013; and

WHEREAS, the existing use of the parcel is residential; and

WHEREAS, the City of Adrian Comprehensive Plan Future Land Use Map calls for designation of such parcel as Quasi-Public/College or University; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the Zoning/Development Regulations, Section 28 pertaining to Official Zoning Map Amendments;

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in compliance with the standards for Official Zoning Map Amendments; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning Parcel XA0-133-1000-00; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission recommends that the Adrian City Commission prepare and approve an ordinance to amend the City of Adrian Official Zoning Map in accordance with said findings.

Findings of Fact and Summary of Comments:

The Planning Commission felt that the use of the property has changed sufficiently to justify this rezoning request. The Planning Commission doesn't anticipate any precedents that would result from this rezoning. Public utilities have already been provided and there doesn't seem to be any impact on public services. The Planning Commission does not anticipate any negative impact on environmental conditions or the value of surrounding properties from this rezoning. The current use of the property is in keeping with the ERO District. The Planning Commission felt that since this is such a large property, spot zoning would not be a concern.

Respectfully submitted,

A handwritten signature in cursive script that reads "Denise Cook". The signature is written in black ink and is positioned above the printed name.

Denise Cook, Secretary



135 E. Maumee St.  
Community Development Department  
Adrian, MI 49221

---

## STAFF ANALYSIS

### CITY PLANNING COMMISSION

DATE: June 23, 2010

CASE: 10-013

APPLICANT: Mr. Ron Evans, Executive President  
Lenawee Christian Ministries  
1800 West US-223  
Adrian, MI 49221

REQUEST: Rezoning of Subject Parcel from R-1 to ERO

SUBJECT PARCEL(S): XA0-133-1000-00  
1800 West US-223  
Adrian, MI 49221

---

#### DESCRIPTION OF REQUEST

Applicant requests rezoning of the subject parcel of approximately 73.8 acres from R-1 Single Family Residential to ERO Education Research and Office. The applicant feels the ERO designation would more accurately reflect the activities that occur at their facility.

#### FUTURE LAND USE/ZONING

According to the City of Adrian Comprehensive Plan, future land use designation for the subject parcels is Quasi-Public/College or University.

The intent of the ERO District (as shown in the second paragraph of Section 18.0) gives the following description: These districts are specifically intended to prohibit commercial establishments of a retail nature or other activities which require constant short-term parking and traffic from the general public but are intended to permit those businesses and educational facilities which are required to serve the normal daily needs of the occupants and students.

---

#### DEPARTMENT REVIEWS

The standards for rezoning requests as found in Section 28.06 of the City of Adrian Zoning Regulations and listed below for reference:

1. What identifiable conditions related to the application have changed which justify the proposed amendment?

**Generally, when property is annexed into the City of Adrian, it is zoned Residential. The parcel where The Centre is located was annexed and developed in 1985 and has not been rezoned appropriately. The availability of programs and services has increased at The Centre. There are exercise opportunities, nutritional classes and a restaurant, which are available to the general public.**

2. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?

**No precedents are known or anticipated as a result of favorable action on this request. Approval of the petition would be consistent with the City of Adrian Comprehensive Plan.**

3. What is the impact on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?

**No known impact on municipal public services or facilities would result from favorable action on this request.**

4. Does the petitioned district change adversely affect environmental conditions or the value of the surrounding properties?

**There are no known environmental conditions which may be affected by the request. Community Development finds that no negative impact on values of the subject parcels or surrounding parcels would result from the proposed action. The proposed change will be harmonious with the surrounding properties and land uses.**

5. What is the ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located?

**The use of the parcel under current zoning designations is economically feasible. However, the current activities include commercial uses that are not permitted in the R-1 District.**

---

## RESOLUTION

WHEREAS, the Lenawee Christian Ministries has submitted a request for rezoning of a single parcel identified in the Case File 10-013; and

WHEREAS, the existing use of the parcel is residential; and

WHEREAS, the City of Adrian Comprehensive Plan Future Land Use Map calls for designation of such parcel as Quasi-Public/College or University; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the Zoning/Development Regulations, Section 28 pertaining to Official Zoning Map Amendments;

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in compliance with the standards for Official Zoning Map Amendments; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning Parcel XA0-133-1000-00; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission recommends that the Adrian City Commission prepare and approve an ordinance to amend the City of Adrian Official Zoning Map in accordance with said findings.

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



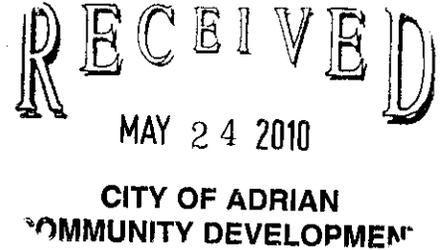
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Christopher M. Atkin  
Community Development Director

**APPLICATION FOR REZONING**

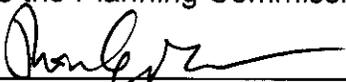
I (We), the undersigned, do hereby respectfully make application and petition to the Planning Commission to amend the Zoning Ordinance and change the zoning map as hereinafter requested, and in support of this application, the following facts are shown:

1. It is desired and requested that the foregoing described property be rezoned from Residential to ERO (Education, Research & Office)
2. It is proposed that the property will be put to the following use:  
School and Community Center
3. It is proposed that the following building(s) will be constructed:  
None at this time
4. The property sought to be rezoned is located at 1800 W US 223 on the north side of the Hwy. and the west side of Wolf Creek Hwy. It has a frontage of 1337.12 feet, and a depth of 2704.81 feet.
- 5a. The property is part of a recorded plat and is known as Lot(s) Number(s):  
Parcel # XA0-133-1000-00
- 5b. The property is in acreage and is not part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage also)  
73.8 Acres for School and Community Center
6. The property sought to be rezoned is owned by:  
Lenawee Christian Ministries
7. We attach a statement hereto indicating why, in our opinion; the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such change will not be detrimental to the public welfare, nor the property of other persons located in the vicinity.
8. Attached hereto are 12 prints of a plot plan showing the lot or parcel in question, and the intended layout. These prints are made a part of this petition and are drawn to scale.



\*\*\*\*\*

**NOTICE TO PETITIONER:** Petitioner or their representative must be present for the public hearing before the Planning Commission, and also for the City Commission, or it will not be considered.

  
 \_\_\_\_\_  
 Signature of Applicant

1800 W. US 223, Adrian, MI 49221, T: 517.265.7590, F: 517.265.6558

\_\_\_\_\_  
Address and Phone Number - May also include fax number and/or e-mail address

# LENAWEE CHRISTIAN MINISTRIES



LENAWEE  
CHRISTIAN  
SCHOOL

1800 West US-223 • Adrian, MI 49221 • (517) 265-7590 • Fax: (517) 265-6558

May 24, 2010

Adrian City Planning Commission  
135 East Maumee Street  
Adrian, MI 49221

Dear Commissioners:

Thank you for the opportunity to apply for rezoning. For the last 20 years Lenawee Christian School and The Christian Family Center have been zoned Residential. We respectfully ask the Planning Commission to amend the zoning of our property located at 1800 W US 223 from Residential to ERO (education, research and office). The current designation of Residential, in our opinion, does not accurately reflect the activities that occur at our facility on a daily basis. We don't feel that the change would be detrimental to the public or property owners in our vicinity and may actually increase value to the community as a whole. Located very near to us is First Federal Bank, Gleaner Life, BP Gas Station, Brinks Security, and Coldwell Banker Realty.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Evans', written in a cursive style.

Ron Evans  
Executive President, Lenawee Christian Ministries

RECEIVED  
MAY 24 2010  
CITY OF ADRIAN  
COMMUNITY DEVELOPMENT

# CERTIFICATE OF SURVEY

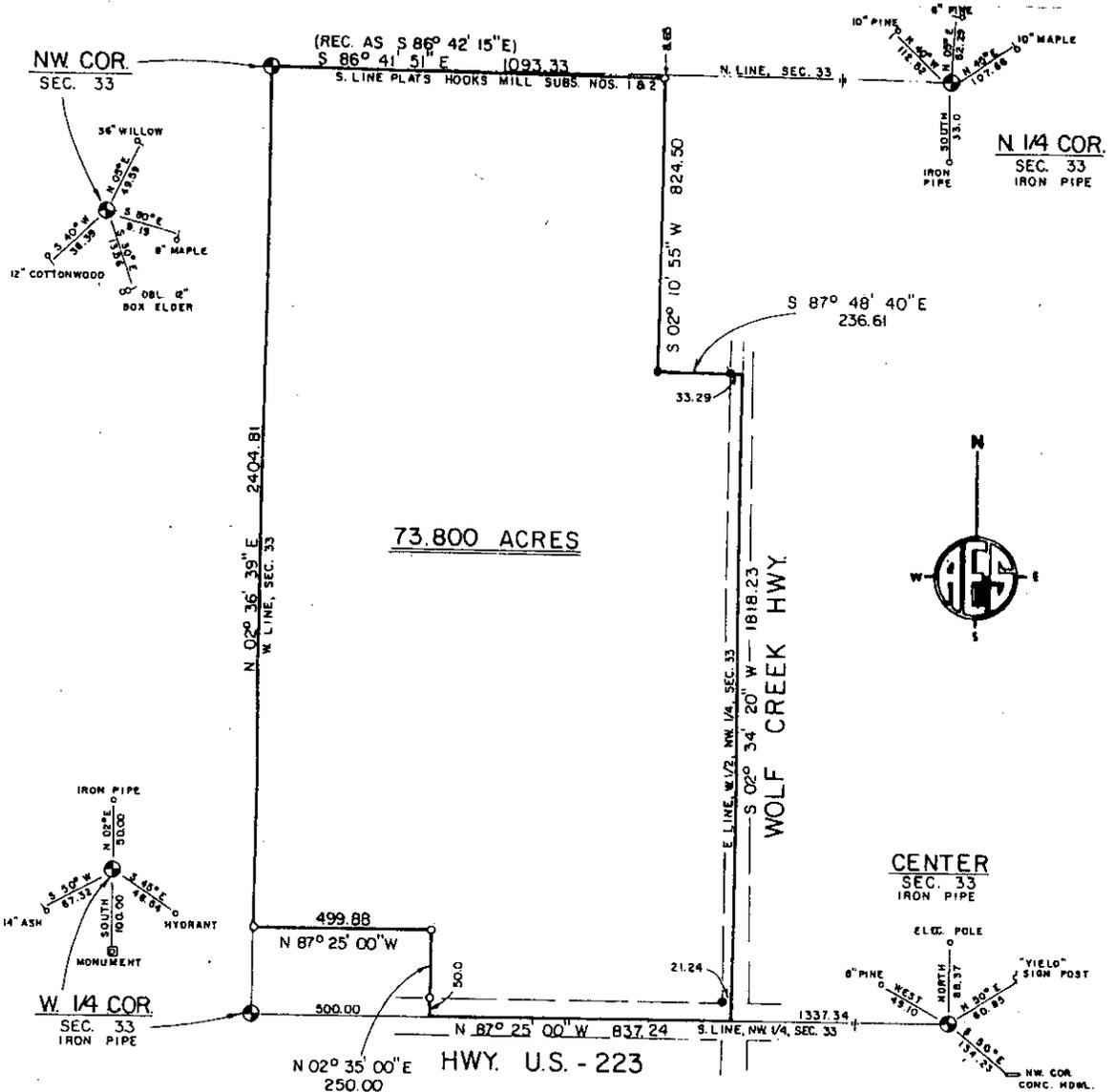
## Description

Adrian Township, Lenawee County, Michigan

All that part of the West 1/2, Northwest 1/4, Section 33, Town 6 South, Range 3 East, described as beginning at the Northwest corner of said Section 33 and running thence S 86° 41' 51" E 1093.33 feet along the south line of the Plats of Hook's Mill Subdivision No. 1 and No. 2, as recorded in Liber 14 of Plats, Page 37 and Liber 15 of Plats, Page 5, Lenawee County Records; thence S 02° 10' 55" W 824.50 feet; thence S 87° 48' 40" E 236.61 feet; thence S 02° 34' 20" W 1818.23 feet along the east line of said West 1/2, Northwest 1/4, Section 33; thence N 87° 25' 00" W 837.24 feet along the south line of the Northwest 1/4 of said Section 33; thence N 02° 35' 00" E 250.00 feet; thence N 87° 25' 00" W 499.88 feet to the west line of said Section 33; thence N 02° 36' 39" E 2404.81 feet to the point of beginning. Containing 73.800 acres.

Subject to highway easements and other easements and restrictions of record, if any.

Bearings are referenced to the west line of the Plat of Hook's Mill Subdivision No. 2 aforesaid.



I hereby certify that I have surveyed the parcel of land described and delineated hereon; that the ratio of closure on the unadjusted field observations of said survey was 1 in 10,000+; and that all the requirements of P.A. 132, 1970 have been complied with.

FOR: **Lenawee Youth Foundation**  
 DATE: **June 12, 1985**  
 SCALE: **1 inch = 400 feet**  
 JOB No. **850510**

By: *Werner Sommer*  
**Werner Sommer**  
 Registered Land Surveyor No. **12030**

RECEIVE

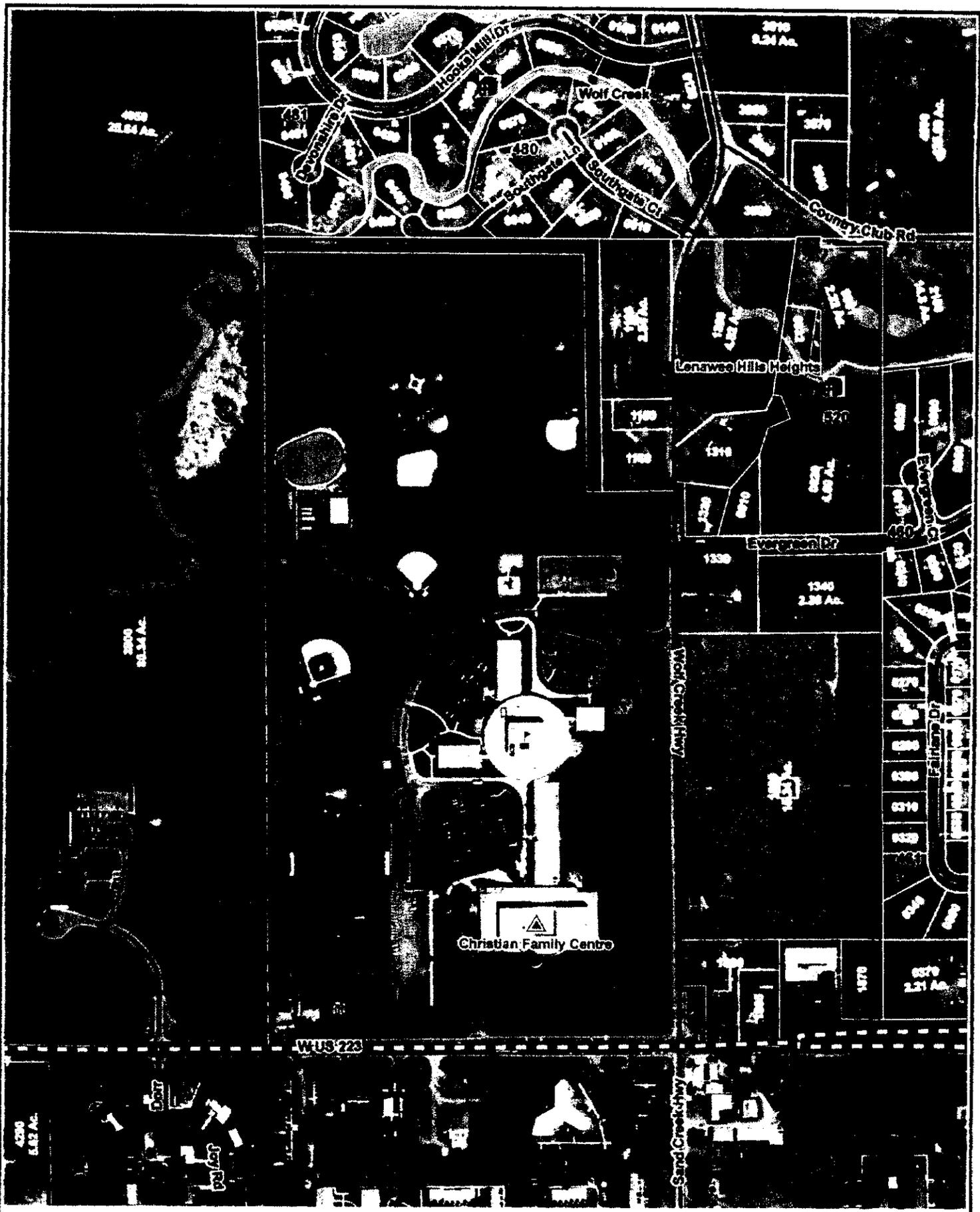
MAY 24 2010

**LEGEND**

- Iron Found
- Iron Set
- Fence

**ASSOCIATED ENGINEERS & SURVEYORS, INC.**  
 Civil Engineers - Land Surveyors  
 235 North Main St. Adrian, Mich. 49221  
 Telephone: (517) 263-4515

CITY OF ADRIAN  
 COMMUNITY DEVELOPMENT



  
 Christian Family Centre

WUS 223

**Lenawee County G.I.S**  
 301 N MAIN ST  
 OLD COURTHOUSE 1ST FLOOR PHONE (517) 264-4522  
 ADRIAN MI 49221 FAX (517) 264-4529

**Area around  
 Christian Family Centre**

1 inch equals 400 feet  


**ORDINANCE 10-007**

**AN ORDINANCE TO AMEND THE CITY OF ADRIAN ZONING/DEVELOPMENT REGULATIONS.**

The City of Adrian Ordains:

- 1. That Section 3.1 of Article III of the City of Adrian Zoning/Development Regulations, and the Zoning Map to which reference is therein made, is amended to the extent of deleting the following property hereinafter described from the R-1 Single Family Residential District and including the same in the ERO, ERO Education, Research and Office District.

- 2. Parcel described as follows:

All that part of the West ½, NW ¼, Section 33, Town 6 South, Range 3 East, described as beginning at the Northwest corner of said Section 33 and running thence S 86° 41' 51" E 1093.33 feet along the south line of the Plats of Hook's Mill Subdivision No. 1 and No. 2, as recorded in Liber 14 of Plats, Page 37 and Liber 15 of Plats, Page 5, Lenawee County Records; thence S 02° 10' 55" W 824.50 feet; thence S 87° 48' 40" E 236.61 feet; thence S 02° 34' 20" W 1818.23 feet along the east line of said west ½, Northwest ¼, Section 33; thence N 87° 25' 00" W 837.24 feet along the south line of the Northwest ¼ of said Section 33; thence N 02° 35' 00" E 250.00 feet; thence N 87° 25' 00" W 499.88 feet to the west line of said Section 33; thence N 02° 36' 39" E 2404.81 feet to the point of beginning. Containing 73.800 acres

Subject to highway easements and other easements and restrictions of record, if any. Bearings are referenced to the west line of the Plat of Hook's Mill Subdivision No. 2 aforesaid.

- 3. More commonly known as: 1800 West US-223

INTRODUCTION..... July 19, 2010  
 SUMMARY PUBLISHED..... July 26, 2010  
 ADOPTION.....  
 COMPLETED PUBLICATION.....  
 EFFECTIVE DATE.....

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

So-1, R-1

August 2, 2010

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to establishment of a Special Assessment District (SAD #381) for curb and gutter replacement and other appurtenances on Logan Street from Center to Division Street.

Discussion

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

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



Property Owner: Miguel Rodriguez  
Property Address: 342 Logan St.  
Property No: XAO-615-2016-00

# S A M P L E

WHEREAS, the City Administrator has recommended that Logan Street from Center to Division Streets be improved by the construction of curb and gutter, driveway approaches and other appurtenances on a special assessment basis, has prepared and filed plans and specifications for the proposed construction, and has prepared and filed a report and recommendation relating thereto pursuant to the provisions of Section 1.205 of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Commission deems and declares its intention to improve Logan Street from Center to Division Street.
2. That the estimated cost thereof is \$265,172.
3. That \$75,912 of the said estimated cost shall be defrayed by special assessment and \$189,260 shall be paid by major street funds.
4. That the proposed special assessment district shall include the following land and premises:  

Special Assessment Properties  
Logan Street from Center to Division Streets
5. That special assessments to defray the cost of the proposed improvements shall be levied on the lands and premises within the proposed special assessment district (SAD #381) according to frontage.
6. That the report of the City Administrator be filed with the City Clerk forthwith for public examination.
7. That the City Commission will meet in the City Chambers Building, 159 E. Maumee St., Adrian, MI, at 7:00 p.m. on Monday, August 2, 2010 for the purpose of hearing and considering comments to the proposed improvements or to the inclusion of any property within the proposed special assessment district.
8. That the City Clerk will mail notice of the intent to make the said improvements to all interested parties pursuant to the provisions of Section 1.260 of the Adrian City Code.

This resolution was adopted by a unanimous vote.

Pat Baker, City Clerk

The following costs of the above improvements are listed so that you may **ESTIMATE** your assessment. Costs are subject to change dependent on current bid prices. If you need assistance, the Engineering Department will be happy to help you with your estimate by calling 517-264-4890 or 517-264-4829.

Curb & Gutter Removal & Replacement	\$19.00/LF
6" Thick Concrete	\$ 5.25/SF
4" Thick Concrete	\$ 4.25/SF

XA0-615-2016-00  
RODRIGUEZ, MIGUEL  
342 LOGAN ST  
ADRIAN MI 49221

XA0-615-1005-05  
BROWN, WILLIAM L & MELINI  
1005 MICHIGAN AVE  
ADRIAN MI 49221  
*401 LOGAN ST.*

XA0-615-1002-00  
SHUMATE, WILLIAM H  
311 LOGAN ST  
ADRIAN MI 49221

XA0-615-2003-00  
TRINIDAD, BOBBIE DE LA  
296 MEDINA RIVER CT  
ADRIAN MI 49221

*322 LOGAN ST.*  
*312*

XA0-615-3001-01  
BROWN, A J & C JOAN  
706 W CHICAGO BLVD  
TECUMSEH MI 49286  
*404 LOGAN ST.*

XA0-615-1005-04  
CITY OF ADRIAN  
100 E CHURCH ST  
ADRIAN MI 49221  
*377 LOGAN ST*

XA0-615-1001-00  
CREGER, NICK  
805 E SIENA HEIGHTS DR  
ADRIAN MI 49221  
*555 DIVISION ST*

XA0-615-2017-00  
BROWN'S LOGAN ST. LLC  
343 LAWRENCE ST  
ADRIAN MI 49221

*322 LOGAN ST.*

XA0-615-4003-01  
BROWN, A J  
706 W CHICAGO BLVD  
TECUMSEH MI 49286  
*522 S. CENTER ST.*

XA0-615-1003-00  
MECCA ENTERPRISES, LLC  
3958 E HORTON RD  
JASPER MI 49248-5859  
*329 LOGAN ST.*

XA0-615-2001-00  
EVANS, HOMER J & MILDRED  
5538 LYONS HWY  
ADRIAN MI 49221  
*565 DIVISION ST.*

XA0-615-3002-01  
WALDAN, LLC  
5015 CRAFTSBURY  
TECUMSEH MI 49286  
*332 LOGAN ST.*

**RE: ENGINEERING DEPARTMENT – Establish Special Assessment District (SAD #381) for Improvements on Logan Street from Center to Division Streets**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution CR10-041, duly adopted at its July 19, 2010 regular meeting, deemed it necessary and declared its intention to construct improvements, including curb and gutter and other appurtenances, on Logan Street from Center to Division, and did provide a notice of public hearing as provided by Chapter 70, Section 70-6, of the Adrian City Code; and

WHEREAS, said notice has been given and a hearing held.

NOW, THEREFORE, BE IT RESOLVED:

1. That said public improvements be made and the City Administrator be directed to proceed with the same.
2. That the plans, specifications and detailed estimates relating to said improvements, as filed with the City Clerk, be and are hereby approved and adopted and the City Administrator is directed to take action necessary to accomplish the said improvements.
3. That the estimated total cost of said improvements is determined to be \$265,172.
4. That \$75,912 of the said estimated cost shall be defrayed by special assessment and \$189,260 shall be paid by local street funds.
5. That the said special assessment may be paid in ten installments. The first installment shall be due and payable on or before sixty days from the date said special assessment is confirmed, and one installment shall be due annually thereafter. Interest shall be charged at the rate of six (6%) percent per annum on all unpaid installments.
6. That the premises upon which special assessments shall be levied, and which shall be hereafter known and designated as Special Assessment District #381, and described as follows:

Special Assessment Properties  
Logan Street from Center to Division Streets

7. That the City Assessor is directed to prepare a Special Assessment Roll in accordance with this resolution.

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

50-2, R-2

August 2, 2010

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to establishment of a Special Assessment District (SAD #382) for curb and gutter replacement and other appurtenances on W. Hunt St. from Main to Trestle Park, including the section of N. Winter from W. Hunt to the City stormwater retention basin.

Discussion

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

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



0

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526

112

516

118

512

510

Property Owner: Pamela Path & Pat Cheesebro  
Property Address: 607 N. Winter St.  
Property No: XAO-255-8011-01

## S A M P L E

WHEREAS, the City Administrator has recommended that W. Hunt St. from Main to Trestle Park, including the section of N. Winter St. from W. Hunt to the City storm water retention basin, be improved by the construction of curb and gutter, driveway approaches, and other appurtenances on a special assessment basis, has prepared and filed plans and specifications for the proposed construction, and has prepared and filed a report and recommendation relating thereto pursuant to the provisions of Section 1.205 of the Adrian City Code.

### NOW, THEREFORE, BE IT RESOLVED:

1. That the City Commission deems and declares its intention to improve W. Hunt St. from Main to Trestle Park, including the section of N. Winter St. from W. Hunt to the City storm water retention basin.
2. That the estimated cost thereof is \$76,708.
3. That \$15,783 of the said estimated cost shall be defrayed by special assessment and \$60,925 shall be paid by local street funds.
4. That the proposed special assessment district shall include the following land and premises:

#### Special Assessment Properties

W. Hunt St. from Main St. to Trestle Park  
(including section of N. Winter St. from W. Hunt to the City storm water retention basin)

5. That special assessments to defray the cost of the proposed improvements shall be levied on the land and premises within the proposed special assessment district (SAD #382) according to frontage.
6. That the report of the City Administrator be filed with the City Clerk forthwith for public examination.
7. That the City Commission will meet in the City Chambers Building, 159 E. Maumee St., Adrian, MI, at 7:00 p.m. on Monday, August 2, 2010, for the purpose of hearing and considering comments to the proposed improvements or to the inclusion of any property within the proposed special assessment district.
8. That the City Clerk will mail notice of the intent to make the said improvements to all interested parties pursuant to the provisions of Section 1.260 of the Adrian City Code..

This resolution was adopted by a unanimous vote.

Pat Baker

The following costs of the above improvements are listed so that you may **ESTIMATE** your assessment. Costs are subject to change dependent on current bid prices. If you need assistance, the Engineering Department will be happy to help you with your estimate by calling 517-264-4890 or 517-264-4829.

Curb & Gutter Removal & Replacement	\$19.00/LF
6" Thick Concrete	\$5.25/SF
4" Thick Concrete	\$4.25/SF

XA0-255-8011-01  
PATH, PAMELA A & CHEESBR  
607 N WINTER ST  
ADRIAN MI 49221

XA0-255-8010-00  
LEIK, TIM  
620 N WINTER ST  
ADRIAN MI 49221

XA0-255-8009-00  
WASHOVIA SERVICES INC  
2981 TREAT HWY  
ADRIAN MI 49221  
*124 W. HUNT ST*

XA0-255-8008-01  
RICHARDSON, LAWRENCE & 2  
03032 MARVIN DR  
ADRIAN MI 49221  
*118 W. HUNT ST.*

XA0-255-8007-01  
RODRIQUEZ, DANIEL & CAROL  
114 W HUNT ST  
ADRIAN MI 49221

XA0-255-8006-00  
FREY, PAUL D & DIANA  
2151 N KIEL HWY  
HUDSON MI 49247  
*110 W. HUNT ST.*

XA0-255-8001-00  
24/7 BAIL AGENCY INC  
PO BOX 700  
TEMPERANCE MI 48182  
*601 N. MAIN ST.*

XA0-000-0270-00  
ADRIAN SUBWAY INC  
1422 S MAIN ST, SUITE A  
ADRIAN MI 49221  
*523 N MAIN ST.*

XA0-255-7001-01  
LENAWEE COUNTY BUILDING  
301 N MAIN ST  
ADRIAN MI 49221  
*501 N. MAIN ST.*

XA0-255-6001-01  
LENAWEE COUNTY BUILDING  
301 N MAIN ST  
ADRIAN MI 49221

XA0-850-0228-00  
CITY OF ADRIAN  
100 E CHURCH ST  
ADRIAN MI 49221

*405 N. WINTER ST.*

**RE: ENGINEERING DEPARTMENT – Establish Special Assessment District (SAD #382) for Improvements on W. Hunt St. from Main to Trestle Park, including the Section of N. Winter St. from W. Hunt to the City Stormwater Retention Basin**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution CR10-042, duly adopted at its July 19, 2010 regular meeting, deemed it necessary and declared its intention to construct improvements, including curb and gutter and other appurtenances, on W. Hunt St. from Main to Trestle Park, including the section of N. Winter St. from W. Hunt to the City stormwater retention basin, and did provide a notice of public hearing as provided by Chapter 70, Section 70-6, of the Adrian City Code; and

WHEREAS, said notice has been given and a hearing held.

NOW, THEREFORE, BE IT RESOLVED:

1. That said public improvements be made and the City Administrator be directed to proceed with the same.
2. That the plans, specifications and detailed estimates relating to said improvements, as filed with the City Clerk, be and are hereby approved and adopted and the City Administrator is directed to take action necessary to accomplish the said improvements.
3. That the estimated total cost of said improvements is determined to be \$76,708.
4. That \$15,783 of the said estimated cost shall be defrayed by special assessment and \$60,925 shall be paid by local street funds.
5. That the said special assessment may be paid in ten installments. The first installment shall be due and payable on or before sixty days from the date said special assessment is confirmed, and one installment shall be due annually thereafter. Interest shall be charged at the rate of six (6%) percent per annum on all unpaid installments.
6. That the premises upon which special assessments shall be levied, and which shall be hereafter known and designated as Special Assessment District #382, and described as follows:

Special Assessment Properties

W. Hunt Street from Main St. to Trestle Park (including section of N. Winter St. from W. Hunt to the City stormwater retention basin)

7. That the City Assessor is directed to prepare a Special Assessment Roll in accordance with this resolution.

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



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## MEMO

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Date: July 21, 2010

To: Dane C. Nelson, City Administrator

From: Jeffrey C. Pardee, Finance Director

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

Re: **Personal Property Tax Collection Policy and Procedures**

Decisions by elected and appointed officials should be based on valid and useful financial policies and practices. Public confidence in government and voter's approval of its actions requires accountability and equitable application of state statutes to ensure the fairness of the local property tax system while simultaneously providing long-term sustainability of municipal financial health and ability to provide quality public services.

The City Commission, on November 1, 2004, adopted Financial Policies, including a Treasury Management and Tax Collection Policy, which met the foregoing objectives. Attached is a proposed revision to the Treasury Management and Tax Collection Policy that would emphasize the administration of **Personal Property Tax Collection Policy and Procedures** in such a fashion as to comply with the Michigan State Constitution and related statutes as regulated by the State Department of Treasury and State Tax Commission.

The authorization for collection of Personal Property Taxes can be found in the General Property Tax Law of 1893, as amended (MCL 211.44), which applies to all business owned property of a personal, tangible and movable nature, e.g., furniture, equipment, tools or vehicles, not otherwise specifically exempted. I respectfully recommend adoption of the proposed Personal Property Tax Collection Policy and Procedures and incorporation into the City's Financial Policies Manual as a guide for future administrative and legislative decision-making.

The attached resolution has been prepared for consideration by the City Commission at its regularly scheduled meeting of August 2, 2010. If you have any questions or need further information, please contact my office.

## CITY OF ADRIAN

### PERSONAL PROPERTY TAX COLLECTION POLICY AND PROCEDURES

August, 2010

- I. **Purpose:** Real and Personal Property Taxes constitute almost sixty (60%) percent of the City's General Fund revenue source and contribute another one (1) mill (currently \$442,000) to Municipal Street Improvements annually. Any delinquent Real Property Taxes are sold to the Lenawee County Delinquent Tax Revolving Fund, which is administered by the County Treasurer. Personal Property Taxes make up fifteen (15%) percent of total property taxes levied in the City of Adrian, which are administered and collected by the Adrian City Treasurer. Collection of Personal Property Taxes is essential to the long-term sustainability of the financial well-being of City finances and, when collected in a timely fashion, ensures fairness to all City taxpayers and avoids unnecessary penalties and interest charges associated with delinquencies.
  
- II. **Policy Statement:** To ensure fairness to all City taxpayers and to maintain the long-term sustainability of City finances, the City of Adrian is desirous of having the Office of City Treasurer, under the general direction of the City Administrator and supervision of the City Finance Director, administer the collection of Personal Property Taxes in such a fashion as to comply with the Michigan State Constitution and related statutes as regulated by the State Department of Treasury and State Tax Commission. The authorization for collection of Personal Property Taxes can be found in the General Property Tax Law of 1893, as amended (MCL 211.44).
  
- III. **Procedures:**
  - 1) Upon receipt of the tax roll, the City Treasurer shall proceed to collect the taxes. Summer taxes (including City Operating, Refuse Collection and Local Street Improvements, ½ Intermediate School District, State Education Fund, ½ School Operating and Downtown Development Authority, as well as Special Assessments and Debt Levies) are billed and payable July 1 and become delinquent at midnight on August 31. Winter taxes (including County Operating, Medical Care, Department of Aging, ½ Intermediate School District and ½ School Operating, as well as Special Assessments and Debt Levies) are billed and payable December 1 and become delinquent at midnight February 14.

- 2) The City Treasurer shall mail to each taxpayer at the taxpayer's last known address on the tax roll, or to the taxpayer's designated agent, a statement showing the description of the property against which the tax is levied, the taxable value of the property, and the amount of the tax on the property. For purposes of determining the date payment of the tax is received under this act, the date of a United States postal service postmark may be considered the date of receipt. However, a tax payment shall not be considered received prior to 7 calendar days before the date of actual receipt. Failure to send or receive the notice does not prejudice the right to collect or enforce the payment of the tax.
- 3) The expense of preparing and mailing the statement shall be paid by the City. The City Treasurer shall add a property tax administration fee of not more than one (1%) percent of the total tax bill per parcel. A property tax administration fee is defined as a fee to offset costs incurred by a collecting unit in assessing property values, in collecting the property tax levies (including the cost of bonding), and in the review and appeals processes.
- 4) An initial four (4%) percent penalty plus interest on the tax at the rate of one (1%) percent per month shall be added to the taxes collected by the City Treasurer on the date the taxes become delinquent (Summer Taxes on September 1; Winter taxes on February 15). Taxes, fees, penalties and interest to be collected shall become a lien against the property on which assessed and due from the owner of that property.
- 5) The City Treasurer shall not impose a property tax administration fee, collection fee, or any type of late penalty charge authorized by law or charter unless the City Commission approves, by resolution or ordinance adopted after December 31, 1982 (City Resolution approved March 7, 1983), such imposition is then authorized as a lien against the property. The City Commission may waive all or part of the property tax administration fee or the late penalty charge, or both.
- 6) For the purpose of collecting personal property taxes remaining unpaid on February 15, the City Treasurer shall, thereafter by April 30, make demand for the payment of taxes either personally or by mail. In cases of companies or corporations demand may be made at the principal or other office of the company or corporation, or by mail directed to the corporation or company, or its principal officer at its usual place of business. If demand is sent by mail, the amount of the tax shall be stated along with the place and time where and when the taxes may be paid. The treasurer shall give a receipt for every tax paid, and shall cause to be entered in an indelible manner the fact of payment, and the date of payment upon his or her tax roll.

- 7) If a person, firm, or corporation neglects or refuses to pay a tax on property assessed to that person, firm, or corporation, the City Treasurer shall collect the tax by seizing the personal property of that person, firm, or corporation in the City of Adrian, in an amount sufficient to pay the tax, the fees, and the charges, for subsequent sale of the property, and no property is exempt. The City Treasurer may sell the property seized, in an amount sufficient to pay the taxes and all charges, at public auction in the place where seized or in the City of Adrian. The City Treasurer shall give public notice of the auction at least five (5) days before the sale by posting written or printed notices in three (3) public places in the City of Adrian. The sale may be adjourned from time to time if the City Treasurer considers it necessary. If the property is seized and advertised, the sale may take place at any time within six (6) days after the expiration of the warrant of sale. If it is necessary to sell personal property that brings more than the amount of taxes and charges, the balance shall be returned to the person, firm, or corporation from whose possession the property was taken. The City Treasurer when requested shall execute, acknowledge and deliver to the purchaser a bill of sale describing the property and setting forth the particulars of the sale. If the property so seized cannot be sold for want of bidders, and in that case only, the City Treasurer shall prepare a statement of that fact and the tax shall be returned as unpaid.
- 8) Notwithstanding or in lieu of subsection (7), City Treasurer, in the name of the City of Adrian may sue the person, firm, or corporation to whom the tax is assessed and garnishee any debtor or debtors of that person, firm, or corporation. The tax roll shall be prima facie evidence of the debt sought to be recovered.
- 9) If apprehensive of the loss of Personal Property Tax assessed upon the roll, the City Treasurer may enforce collection of the tax at any time and, if compelled to seize Personal Property or bring an action (Jeopardy Assessment), may add a Personal Property Tax administration fee of not more than one (1%) percent of the total tax bill per parcel and three (3%) percent for a late penalty charge.

- 10) If personal property which is assessed to any person in the City of Adrian is removed from the City of Adrian before the taxes assessed on the property are collected, and there is not other personal property sufficient in the City of Adrian upon which the City Treasurer can levy and collect the taxes, or any portion of them, the City Treasurer shall make a statement, duly certified by him or her as correct and true, showing that personal property has been assessed to such person, naming that person, the valuation of the property, the various taxes thereon, and the total amount of taxes, as appears from the roll in the hands of the City Treasurer. The statement shall also show that such property has been removed from the City of Adrian since the assessment thereof and that the taxes or some portion of the taxes have not been paid. The statement shall be witnessed and acknowledged in the same manner as deeds of real estate are acknowledged, and shall be received in all courts and other places as evidence of the facts therein contained, without proof of its execution, and shall be prima facie evidence of the validity of the tax therein named against the person therein named, and shall be full and ample authority to the treasurer or other tax collector to whom it shall be sent to levy and collect the same in the same manner as other personal taxes are collected by him or her when spread upon his or her own roll.
- 11) This statement may be sent to the township or city treasurer or other collecting officer of any township or city in this state, where the person against whom the assessment was made may have property, and the treasurer, or other collecting officer to whom the statement is transmitted, shall, upon the receipt of the same, proceed to collect the taxes out of any property belonging to the owner of the property so taxed within his or her jurisdiction which is liable to be seized for taxes, together with double collection fees therefore, and the further sum of 25 cents to defray the expense of transmitting the taxes so collected as hereinafter provided, and shall give his or her receipt therefore. The treasurer or other collecting officer shall thereupon transmit the taxes, and 1/2 of the collection fees collected, to the Adrian City Treasurer and, upon the receipt of the taxes and collection fees, cause to be marked the taxes in an indelible manner as paid upon his or her tax roll, and the date of the receipt of the same, retaining the collection fees so received as his or her fees in the matter of the collection of the taxes.

**RE: DEPARTMENT OF FINANCE – Personal Property Tax Collection Policy and Procedures**

**RESOLUTION**

WHEREAS, decisions by elected and appointed officials should be based on valid and useful financial policies and practices; and

WHEREAS, public confidence in government and voter’s approval of its actions requires accountability and equitable application of state statutes to ensure the fairness of the local property tax system while simultaneously providing long-term sustainability of municipal financial health and ability to provide quality public services; and

WHEREAS, the City Commission, on November 1, 2004, adopted Financial Policies, including a Treasury Management and Tax Collection Policy, which met the foregoing objectives; and

WHEREAS, the City Finance Director is proposing revisions to the Treasury Management and Tax Collection Policy that would emphasize the administration of Personal Property Tax Collection Policy and Procedures in such a fashion as to comply with the Michigan State Constitution and related statutes as regulated by the State Department of Treasury and State Tax Commission; and

WHEREAS, the authorization for collection of Personal Property Taxes can be found in the General Property Tax Law of 1893, as amended (MCL 211.44) which applies to all business owned property of a personal, tangible and movable nature; e.g., furniture, equipment, tools or vehicles, not otherwise specifically exempted; and

WHEREAS, the City Administrator recommends adoption of the proposed Personal Property Tax Collection Policy and Procedures and incorporation into the City’s Financial Policies Manual as a guide for future administrative and legislative decision-making.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, adopts the Personal Property Tax Collection Policy and Procedures recommended by the City Administrator, incorporation into the City’s Financial Policy Manual and authorizes the Finance Department to have responsibility for their implementation.

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

R-4

# MEMO

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DATE: July 28, 2010  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Design/Survey Services – Bent Oak Ave. Project

Bids were solicited and received for design/survey services for the Bent Oak project, with Associated Engineers of Adrian, MI, being the low bidder at \$17,750.00. The work will include plans, specifications, special provisions, surveying and cost estimates, in accordance with MDOT 4R requirements. The consultant will also work with the Engineering Department to develop all required programming applications and documentation for submittal to MDOT.

The City Engineer has recommended that the bid be awarded to Associated Engineers and I concur. I urge your favorable consideration authorizing the aforementioned work in the amount of \$17,750.00.

Respectfully submitted,



Dane C. Nelson  
City Administrator

DCN:bjw

July 27, 2010

## MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Design/Survey Services – Bent Oak Ave



We received bids on July 22, 2010 for Engineering Services on Bent Oak Ave. The Michigan Department of Transportation requires 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 grant money we have determined that this process can take several months and be cumbersome to work through at the State level and as such this style goes beyond the limits of our in-house design. Below are the tabulations for the bids received:

BIDDER	AMOUNT	
Associated Engineers Adrian MI 49221	\$ 17,750.00	
Wilcox Professional Services Farmington Hills MI	\$ 25,340.00	
Rowe Professional Services Flint MI	\$27,067.00	Construct Observer \$83 per hr Contract Admin \$88.00 per hr
C2ae Lansing MI	\$27,500.00	Pavement Coring & Traffic control \$2,500.00
Mannik & Smith Group Monroe MI	\$38,871.00	
Beckett & Raeder Ann Arbor, MI	\$32,815.00	
Fleis & Vandenbrink Kalamazoo, MI	\$33,700.00	

I recommend this bid be awarded to Associated Engineers & Surveyors, Inc. of Adrian, MI in the amount of \$17,750.00. This consultant has performed this type of work for the City of Adrian in previous years and has executed their work in an excellent manner.

Funds for these projects are available in the 2010-2011 Fiscal Year Budget 202-451.00-801.000.

**CITY OF ADRIAN, MICHIGAN  
DESIGN/SURVEY SERVICES – BENT OAK AVE  
DUE DATE: JULY 22, 2010**

<b>BIDDER</b>	<b>AMOUNT</b>	
Associated Engineers Adrian MI 49221	\$ 17,750.00	
Wilcox Professional Services Farmington Hills MI	\$ 25,340.00	
Rowe Professional Services Flint MI	\$27,067.00	Construct Observer \$83 per hr Contract Admin \$88.00 per hr
C2ae Lansing MI	\$27,500.00	Pavement Coring & Traffic control \$2,500.00
Mannik & Smith Group Monroe MI	\$38,871.00	
Beckett & Raeder Ann Arbor, MI	\$32,815.00	
Fleis & Vandenbrink Kalamazoo, MI	\$33,700.00	

**R10-097**

August 2, 2010

**RE: DEPARTMENT OF PUBLIC WORKS – Design/Survey Services – Bent Oak Avenue**

**RESOLUTION**

WHEREAS, the City of Adrian Purchasing Office, in conjunction with the City Engineer, solicited and received bids for design/survey engineering services on Bent Oak Avenue; and

WHEREAS, seven (7) bids were submitted on July 22, 2010, which are summarized as follows:

<b>BIDDER</b>	<b>AMOUNT</b>	
Associated Engineers Adrian MI 49221	\$ 17,750.00	
Wilcox Professional Services Farmington Hills MI	\$ 25,340.00	
Rowe Professional Services Flint MI	\$27,067.00	Construct Observer \$83 per hr Contract Admin \$88.00 per hr
C2ae Lansing MI	\$27,500.00	Pavement Coring & Traffic control \$2,500.00
Mannik & Smith Group Monroe MI	\$38,871.00	
Beckett & Raeder Ann Arbor, MI	\$32,815.00	
Fleis & Vandenbrink Kalamazoo, MI	\$33,700.00	

WHEREAS, the City Engineer and City Administrator recommend acceptance of low bidder, Associated Engineers, Adrian, MI for engagement in the City's Standard Professional services Contract at a cost not to exceed \$17,750.00 to perform design/survey engineering services for the Bent Oak Avenue Major Street Project in compliance with Michigan Department of Transportation (MDOT) requirements; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2010-11 Major Street Fund (202) Budget (Account #202-451.00-801.000).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance low bidder, Associated Engineers, Adrian, MI for engagement in the City's Standard Professional services Contract at a cost not to exceed \$17,750.00 to perform design/survey engineering services for the Bent Oak Avenue Major Street Project in compliance with Michigan Department of Transportation (MDOT) requirements.

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

R-5

# MEMO

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DATE: July 28, 2010  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Concrete Work – City Hall. Parking Lot

The City Engineer has reviewed bids submitted for concrete work in the south Toledo Street parking lot and has recommended the low bidder, Smith Paving of Norwalk, OH, in the amount of \$15,790.00. This final price will be somewhat higher due to unexpected changes in quantities; however, it is still within the Engineer's original estimate. Smith Paving has performed similar work for the City in the past with good results.

Five firms responded to the offer to bid. There are sufficient funds in the City Hall bond funds for this work.

I urge your favorable consideration authorizing Smith Paving to perform the concrete work in the S. Toledo Street parking lot at a cost of \$15,790.00.

Respectfully submitted,

  
Dane C. Nelson  
City Administrator

DCN:bjw

R-5

July 28, 2010



**MEMORANDUM**

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Concrete Work – City Hall Parking Lot

We received bids on July 27, 2010 for concrete work in the south Toledo St. lot. This work will be miscellaneous sidewalk and curb work. Below are the tabulations for the bids received:

ITEM	Smith Paving Norwalk, OH	Andrews Construction Manchester MI	Eastlund Concrete Holt, MI	Schug Construction Adrian, MI	Doan Construction Ypsilanti, MI
MDOT C-4 Curb 670 LF	\$ 8,040.00	\$ 11,390.00	\$ 13,400.00	\$ 18,036.40	\$ 15,410.00
4-inch concrete (sidewalk) 1,700 SF	\$ 6,800.00	\$ 5,950.00	\$ 6,800.00	\$ 7,684.00	\$ 15,555.00
4-inch concrete (ramps) 200 SF	\$950.00	\$1,200.00	\$ 4,000.00	\$ 1,990.00	\$ 1,830.00
<b>TOTAL</b>	<b>\$ 15,790.00</b>	<b>\$18,540.00</b>	<b>\$24,200.00</b>	<b>\$27,710.40</b>	<b>\$32,795.00</b>

I recommend this bid be awarded to Smith Paving, Inc. of Norwalk, OH in the amount of \$15,790, however due to some last minute changes we have changed some quantities which will increase this cost. Even with the additional quantities this cost is under the Engineer's estimate. This contractor has performed this type of work within the City of Adrian in previous years and has executed their work in an excellent manner. There were no local bidders who met the criteria of our local preference policy.

Funds for these projects are available in the remaining City Hall bond funds in 101-836.00-801.000.

CITY OF ADRIAN, MICHIGAN  
CG-2-2010 PARKING LOT CURB & GUTTER  
DUE DATE: JULY 28, 2010

ITEM	Smith Paving Norwalk, OH	Andrews Construction Manchester MI	Eastlund Concrete Holt, MI	Schug Construction Adrian, MI	Doan Construction Ypsilanti, MI
MDOT C-4 Curb 670 LF	\$ 8,040.00	\$ 11,390.00	\$ 13,400.00	\$ 18,036.40	\$ 15,410.00
4-inch concrete (sidewalk) 1,700 SF	\$ 6,800.00	\$ 5,950.00	\$ 6,800.00	\$ 7,684.00	\$ 15,555.00
4-inch concrete (ramps) 200 SF	\$950.00	\$1,200.00	\$ 4,000.00	\$ 1,990.00	\$ 1,830.00
<b>TOTAL</b>	\$ 15,790.00	\$18,540.00	\$24,200.00	\$27,710.40	\$32,795.00

**R10-098**

August 2, 2010

**RE: DEPARTMENT OF PUBLIC WORKS – Concrete Work – City Hall Parking Lot**

**RESOLUTION**

WHEREAS, the City of Adrian Purchasing Office, in conjunction with the City Engineer, solicited and received bids for concrete work, including sidewalk and curbs, in the south Toledo Street parking lot; and

WHEREAS five (5) bids were submitted on July 27, 2010, which are summarized as follows:

ITEM	Smith Paving Norwalk, OH	Andrews Construction Manchester MI	Eastlund Concrete Holt, MI	Schug Construction Adrian, MI	Doan Construction Ypsilanti, MI
MDOT C-4 Curb 670 LF	\$ 8,040.00	\$ 11,390.00	\$ 13,400.00	\$ 18,036.40	\$ 15,410.00
4-inch Concrete (sidewalk) 1,700 SF	\$ 6,800.00	\$ 5,950.00	\$ 6,800.00	\$ 7,684.00	\$ 15,555.00
4-inch concrete (ramps) 200 SF	\$950.00	\$1,200.00	\$ 4,000.00	\$ 1,990.00	\$ 1,830.00
<b>TOTAL</b>	\$ 15,790.00	\$18,540.00	\$24,200.00	\$27,710.40	\$32,795.00

WHEREAS, the City Engineer and City Administrator recommend acceptance of the low bidder, Smith Paving, Norwalk, OH for engagement in the City's Standard Professional Services Contract at a bid price of \$15,790.00 for concrete work, including sidewalk and curbs, in the south Toledo Street parking lot; and

WHEREAS, the Finance Director indicates that sufficient funds are available from the remaining funds appropriated for the Downtown Government Complex Project for this purpose included in the FY2010-11 General Fund (101) Budget (Account #101-836.00-801.000).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the low bidder, Smith Paving, Norwalk, OH for engagement in the City's Standard Professional Services Contract at a bid price of \$15,790.00 for concrete work, including sidewalk and curbs, in the south Toledo Street parking lot.

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

R-6

# MEMO

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DATE: July 28, 2010  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Paving Work – City Hall. Parking Lot

Bids were received on July 27, 2010 for paving work in the south Toledo Street parking lot. After review, the City Engineer has recommended that the base bid and Alternate 1 be awarded to Belson Asphalt of Reading, MI at a total cost of \$61,920. Belson has performed work for the City in the past with excellent results.

Seven firms responded to the offer to bid. There are sufficient funds in the City Hall bond funds for this expense.

I urge your favorable consideration authorizing Belson Asphalt to perform the asphalt paving in the S. Toledo Street lot at a cost of \$61,920.

Respectfully submitted,

  
Dane C. Nelson  
City Administrator

DCN:bjw

July 28, 2010

## **MEMORANDUM**

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Paving Work – City Hall Parking Lot

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We received bids on July 27, 2010 for paving work in the south Toledo St. lot. Attached are the tabulations for the bids received.

I recommend the base bid and alternate #1 be awarded to Belson Asphalt of Reading, MI in the amount of \$40,711 (base bid) and \$21,209 (alternate #1). This contractor has performed work within the City of Adrian in previous years and has executed their work in an excellent manner. There were no local bidders who met the criteria of our local preference policy.

Funds for these projects are available in the remaining City Hall bond funds in 101-836.00-801.000.

ADVERTISEMENT FOR BIDS  
ASPHALT PAVING  
ADRIAN, MICHIGAN

Sealed bids for surfacing with specified Bituminous Pavements in the municipal parking lots as indicated below, will be received in the Office of the Purchasing Officer, City Hall, 135 E. Maumee Street, Adrian, Michigan 49221 until 2:00 p.m. E.S.T. on Tuesday, July 27, 2010 at which time they will be publicly opened and read aloud:

The description of the work is as follows (See enclosed drawing for specific Lot numbers):

**Main Bid:**

Toledo St. (South) Municipal Parking Lot (Lot 6):

3" of asphalt paving – Approx. 3,618 SY

**Alt #1:**

Toledo St. (South) Municipal Parking Lot (Lot 9):

Milling and 3" of asphalt paving – Approx. 1,475 SY

**Alt #2:**

Toledo St. (North) Municipal Parking Lot (Lot 4):

Milling and 3" of asphalt paving – Approx. 3,890 SY

Specifications may be obtained from the Purchasing Office by making a deposit of Ten Dollars (\$10.00) per set. The full amount of the deposit will be refunded to each bidder for the one set of documents under which a bona fide proposal is submitted to the City. For subcontractors, Five Dollars (\$5.00) will be refunded for each set of documents returned in good condition (unmarked) and within ten (10) days after the bidding date. An additional nonrefundable fee of Three Dollars (\$3.00) will be charged for each set of documents, which are to be mailed to the prospective bidder.

A certified check or bidder's bond in an amount equal to five percent (5%) of the total amount of the proposal will be required to accompany the proposal.

The right to accept any proposal, to reject any or all proposals and to waive any irregularities in any proposal is reserved by the City of Adrian. The City also reserves the right to award parts of the project separately.

CITY OF ADRIAN, MICHIGAN  
P-2-2010 PARKING LOT PAVING  
DUE DATE: JULY 27, 2010

ITEM	Gerken Paving Adrian MI	Slusarski Excavating Adrian, MI	Gradel LLC Toledo OH	Geddis paving Toledo OH	Belson Asphalt Reading MI	Quality Asphalt Homer, MI	Mich Paving Jackson, MI
<b>BASE BID:</b>							
HMA, 13 A-312 ton	\$18,564.00	\$20,888.40	\$24,960.00	\$22,308.00	\$19,282.00	\$21,568.00	\$27,456.00
HMA, 361 - 312 ton	\$23,556.00	\$21,372.00	\$26,832.00	\$23,712.00	\$20,186.00	\$21,568.00	\$28,392.00
Bond Coat - 180 gal	\$ 360.00	\$1,350.00	\$540.00	\$360.00	\$810.00	\$1,258.00	\$900.00
Parking Lot Striping	\$2,500.00	\$2,365.00	\$2,600.00	\$2,365.00	\$433.00	\$2,538.00	\$1,500.00
<b>TOTAL</b>	<b>\$44,980.00</b>	<b>\$45,975.40</b>	<b>\$54,932.00</b>	<b>\$48,745.00</b>	<b>\$40,711.00</b>	<b>\$46,932.00</b>	<b>\$58,248.00</b>
					Striping 1-yr war - (\$2,200)		
<b>ALTERNATE #1:</b>							
HMA, 13A - 125 TON	\$8,312.50	\$9,168.75	\$10,500.00	\$8,000.00	\$7,725.00	\$8,543.00	\$13,500.00
HMA, 36A - 125 TON	\$10,687.50	\$9,375.00	\$11,250.00	\$8,500.00	\$8,089.00	\$8,543.00	\$13,750.00
Bond Coat - 69 gal	\$138.00	\$517.50	\$207.00	\$138.00	\$311.00	\$510.00	\$345.00
3" Milling - 13275 SF	\$3,318.75	\$5,973.75	\$8,496.00	\$7,699.50	\$5,000.00	\$4,115.00	\$7,035.75
Parking Lot Striping	\$1,200.00	\$1,200.00	\$1,300.00	\$1,235.00	\$84.00	\$1,267.00	\$500.00
<b>TOTAL</b>	<b>\$23,656.75</b>	<b>\$26,235.00</b>	<b>\$31,753.00</b>	<b>\$25,572.50</b>	<b>\$21,209.00</b>	<b>\$22,978.00</b>	<b>\$35,130.75</b>
					Striping (\$1,000)		
<b>ALTERNATE #2:</b>							
HMA, 13A - 321 TON	\$18,216.75	\$21,490.95	\$25,680.00	\$19,741.50	\$20,023.00	\$21,927.00	\$28,248.00
HMA, 36A - 321 TON	\$21,988.50	\$21,988.50	\$27,606.00	\$21,105.75	\$20,963.00	\$21,927.00	\$29,211.00
Bond Coat - 194 gal	\$388.00	\$1,455.00	\$582.00	\$388.00	\$873.00	\$1,334.00	\$970.00
3" Milling-35010 SF	\$7,352.10	\$12,253.50	\$14,704.20	\$12,253.00	\$6,542.00	\$7,352.00	\$15,404.40
Parking Lot Striping	\$3,675.00	\$3,675.00	\$3,975.00	\$3,675.00	\$582.00	\$3,841.00	\$1,500.00
<b>TOTAL</b>	<b>\$51,620.35</b>	<b>\$60,862.95</b>	<b>\$72,547.20</b>	<b>\$57,163.75</b>	<b>\$48,983.00</b>	<b>\$56,381.00</b>	<b>\$75,333.40</b>
					Striping (\$3,500)		

**R10-099**

August 2, 2010

**RE: DEPARTMENT OF PUBLIC WORKS –City Hall Parking Lot Paving Project**

**RESOLUTION**

WHEREAS, the City of Adrian Purchasing Office, in conjunction with the City Engineer, solicited and received bids for paving work for the Toledo Street parking lot, including:

Base Bid: South Toledo Street Parking Lot,  
Alternative 1: South Toledo Street Parking Lot - Southwest Annex, and  
Alternative 2 North Toledo Street Parking Lot; and

WHEREAS, seven (7) bids were submitted on July 27, 2010, which are summarized as follows:

<b><u>Vendor</u></b>	<b><u>Base Bid</u></b>	<b><u>Alt 1</u></b>	<b><u>Alt 2</u></b>	<b><u>Total</u></b>
Belson Asphalt Reading, MI	\$40,711.00	\$21,209.00	\$48,983.00	\$110,903.00
Gerken Paving Adrian, MI	\$44,980.00	\$23,656.75	\$51,620.35	\$120,257.10
Slusarski Excavating Adrian, MI	\$45,975.40	\$26,235.00	\$60,862.95	\$133,073.35
Quality Asphalt Homer, MI	\$46,932.00	\$22,978.00	\$56,381.00	\$126,291.00
Geddis Paving Toledo, OH	\$48,745.00	\$25,572.50	\$57,163.75	\$131,481.25
Gradel, LLC Toledo, OH	\$54,932.00	\$31,753.00	\$72,547.20	\$159,232.20
Michigan Paving Jackson, MI	\$58,248.00	\$35,130.75	\$75,333.40	\$168,712.15

WHEREAS, due to a pending grant application to construct a Farmers' Market facility on the North Toledo Street Parking Lot, Alternative 2 is being postponed until financing is clarified; and

WHEREAS, the City Engineer and City Administrator recommend acceptance of the low bidder, Belson Asphalt, Reading, MI, for engagement in the City's Standard Professional Services Contract at a total cost of \$61,920.00 for asphalt

paving of the South Toledo Street Parking Lot, including the Base Bid of \$40,711 and Alternative 1 of \$21,209 for the Southwest Annex; and

WHEREAS the Finance Director indicates that sufficient funds are available from the remaining funds appropriated for the Downtown Government Complex Project for this purpose included in the FY2010-11 General Fund (101) Budget (Account #101-836.00-801.000).

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance low bidder, Belson Asphalt, Reading, MI for engagement in the City's Standard Professional services Contract at a total cost of \$61,920.00 for asphalt paving of the South Toledo Street Parking Lot, including the Base Bid of \$40,711 and Alternative 1 of \$21,209 for the Southwest Annex.

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

R-1

# Memo

**TO:** Dane C. Nelson, City Administrator  
**FROM:** Mark K. Gasche, Parks and Recreation Director  
**DATE:** July 28, 2010  
**SUBJECT:** Bid Recommendation – Kubota Utility Vehicle for Oakwood Cemetery

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I concur with the recommendations of the Parks & Recreation Director to award the bid for a Kubota RTV utility vehicle to Dan's Turf & Contractor Equipment of Adrian, MI, at a cost of \$16,675.00. This utility vehicle will be used at Oakwood Cemetery and replaces a John Deere Gator 6 x 6.

Seven firms were invited to bid with two responding. There are sufficient funds in the General Fund Unassigned Fund Balance for this purchase.



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Dane C. Nelson  
City Administrator

DCN:bjw

Sealed bids were received and opened at the Purchasing Office on Tuesday, July 27, 2010 for the purchase of a Kubota RTV utility vehicle to be used at Oakwood Cemetery. Six vendors were invited to bid, with two responding. The bid tabulation is outlined below.

<u>Vendor</u>	<u>Amount</u>	<u>Model</u>
Dan's Turf & Contractor Equip. Adrian, MI	\$ 16,675.00	Kubota RTV 1100
Dakin's Yard-n-Garden Jackson, MI	\$ 17,200.00	Kubota RTV 1100

This utility vehicle will replace our existing John Deere Gator 6x6 at Oakwood Cemetery; it is budgeted for replacement in the 2010-11 FY capital budget. I recommend that purchase of this Kubota RTV be awarded to the low bidder, Dan's Turf & Contractor Equipment of Adrian, MI in the amount of \$16,675.00.

**R10-100**

August 2, 2010

**RE: DEPARTMENT OF PARKS & RECREATION – OAKWOOD CEMETERY –  
Authorization to Purchase Kubota Utility Vehicle**

**RESOLUTION**

WHEREAS, the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Tuesday, July 27, 2010 for the purchase of a Kubota utility vehicle to replace the John Deere Gator currently being used at Oakwood Cemetery; and

WHEREAS, six (6) vendors were invited to bid and two (2) responded with the following results:

<u>Vendor</u>	<u>Amount</u>	<u>Model</u>
Dan's Turf & Contractor Equip. Adrian, MI	\$16,675.00	Kubota RTV 100
Dakin's Yard-n-Garden Jackson, MI	\$17,200.00	Kubota RTV 1100

WHEREAS, the Parks & Recreation Director and City Administrator recommend acceptance of the low bid, Dan's Turf & Contractor Equip., Adrian, MI and authorization to purchase the Kubota utility vehicle at a cost not to exceed \$16,675; and

WHEREAS, the Finance Director indicates that sufficient funds (\$17,500) are available in the FY2010-11 Motor Vehicle Pool (MVP) Capital Budget for this purpose; however, due to revised criteria for determining MVP equipment ownership (i.e., all licensed vehicles plus motorized equipment with a value greater than \$25,000), the revised source of funding requires an amendment to the budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby accepts the low bid and authorizes the Parks & Recreation Department – Cemetery Division to purchase a Kubota utility vehicle at a cost not to exceed \$16,675.

BE IT, FURTHER, RESOLVED that \$16,675 be appropriated from General Fund Unassigned Fund Balance and that the FY2010-11 Budget be amended as follows:

**Motor Vehicle Pool Fund (662)**

Expenditures:	
(662-276.00-977.000) MVP Cemetery Capital Outlay	\$(17,500)
(662-990.00-990.000) MVP Contingency	<u>17,500</u>
Total	<u>\$ -0-</u>

**General Fund (101)**

Revenue:	
(101-990.00-697.000) Prior Years' Revenue	\$16,675

Expenditures:	
(101-276.00-977.000) Cemetery Capital Outlay	<u>16,675</u>
Total	<u>\$ -0-</u>

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



# MISCELLANEOUS

m-1

**ADRIAN CITY PLANNING COMMISSION**  
JUNE 1, 2010  
REGULAR MEETING  
MINUTES

The regular meeting of the Adrian City Planning Commission was called to order by Chair Jacobitz at 7:00 p.m. in the City Chambers at 159 East Maumee Street.

Present:           Mike Jacobitz           Chair  
                  Marilyn Schebil       Vice Chair  
                  Mike Clegg            City Commissioner  
                  James Caldwell  
                  Mel Dye  
                  Chad Johnson  
                  Ken Tokarz

Also Present:      Chris Atkin            Community Development Director

Absent:            Carl Phipps  
                      Brian Watson

APPROVAL OF MINUTES OF THE  
JUNE 1, 2010, REGULAR MEETING

There were no corrections or additions to the minutes. Commissioner Dye moved that the Minutes of the June 1, 2010, regular meeting be approved as submitted. Commissioner Schebil supported. Motion carried unanimously.

CASE NO. 10-013  
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO  
REZONING THE LENAWEE CHRISTIAN COMPLEX  
1800 WEST US-223 FROM  
R-1 SINGLE FAMILY RESIDENTIAL TO  
ERO EDUCATION, RESEARCH AND OFFICE

Mr. Ron Evans, Executive President for Lenawee Christian Ministries, was present for this request. Mr. Evans gave an explanation of their request; the designation of residential does not accurately reflect the activities that occur at their facility on a daily basis. Chair Jacobitz explained to the audience the procedures involved in rezoning and the criteria the Planning Commission must consider in rezoning. The public hearing was opened. One telephone call was received from Mr. Pete Clark representing the Christian Mission, with no objections to this request. There were no comments from the audience. Commissioner Clegg arrived at 7:06 p.m. Public hearing closed. The Commission was in agreement that the ERO District is the appropriate zoning for the

manner in which this property is currently used. There was no further discussion from the Commission. Commissioner Caldwell moved that the Planning Commission recommend to the City Commission the approval of rezoning the Lenawee Christian Family Center and School at 1800 West US-223 from R-1 Single Family Residential to ERO Education, Research and Office, and adopt the following resolution:

### **RESOLUTION**

WHEREAS, the Lenawee Christian Ministries has submitted a request for rezoning of a single parcel identified in the Case File 10-013; and

WHEREAS, the existing use of the parcel is residential; and

WHEREAS, the City of Adrian Comprehensive Plan Future Land Use Map calls for designation of such parcel as Quasi-Public/College or University; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the Zoning/Development Regulations, Section 28 pertaining to Official Zoning Map Amendments;

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in compliance with the standards for Official Zoning Map Amendments; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning Parcel XA0-133-1000-00; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission recommends that the Adrian City Commission prepare and approve an ordinance to amend the City of Adrian Official Zoning Map in accordance with said findings.

Commissioner Johnson supported. The Commission then discussed the criteria set forth in Section 28.06 (1).

- a. What identifiable conditions related to the application have changed which justify the proposed amendment?

**What has changed is the actual use of the property.**

- b. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?

**The Planning Commission doesn't anticipate any precedents will result from this rezoning.**

- c. What is the impact on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?

**The property already has public services and the Planning Commission doesn't feel there will be an impact on public services.**

- d. Does the petitioned district change adversely affect environmental conditions or the value of the surrounding properties?

**The Planning Commission doesn't anticipate any negative impact on environmental conditions or on the value of surrounding properties**

- e. What is the ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located?

**The current use is more in keeping with the ERO District. As this is a large enough site, it will not be considered spot zoning.**

The Findings of Fact have been found in the affirmative to recommend this rezoning to the City Commission. A roll call vote was made.

In Favor of Motion: Tokarz, Dye, Caldwell, Schebil, Jacobitz, Clegg, Johnson.

Against Motion: none

Motion carried unanimously.

CASE NO. 10-016  
SITE PLAN REVIEW FOR SIENA PERFORMANCE STADIUM  
SIENA HEIGHTS UNIVERSITY, 1247 EAST SIENA HEIGHTS DRIVE

Mr. Miguel Vargas, Associated Engineers and Surveyors, was present for this meeting. Mr. Vargas explained what the project entails. The proposed project would be for a multi-use stadium with bleachers a new parking lot with approximately 180 spaces, and a field for outdoor throwing sports. A copy of the university's phasing plan was submitted with the application and it shows a university center, athletic complex and another parking lot which are not a part of this site plan review. The former church building at Oakwood and Elm will be demolished, along with the baseball field and tennis courts. It was mentioned that the church parcel is not zoned ERO and this would be zoned the same as the rest of the university campus. There were no questions or comments from the Commission or audience. The Staff Analysis listed three

contingencies, which were then discussed. Mr. Vargas mentioned the first two contingencies were already taken care of. Their tentative construction should start this August. Commissioner Johnson moved that the Planning Commission adopt the following resolution to approve the site plan for the Siena Performance Stadium project with contingencies:

### RESOLUTION

WHEREAS, Miguel Vargas on behalf of Siena Heights University has submitted a request for Site Plan Review and Approval for the new construction of a University Center and Performance Stadium, to be built in multiple stages, on the Siena Heights campus, parcel XA0-850-0144-00; and

WHEREAS, the existing use of the parcel for post secondary education; and

WHEREAS, the zoning district of the subject parcel is designated as ERO, Education, Research & Office; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the City Code of Ordinances, Section 4.6, pertaining to site plan review and approval.

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in general compliance with the standards for Site Plan Review and Approval; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the submitted Site Plan with the following contingencies under Case #10-016 for Parcel XA0-850-0144-00.

1. Contact Captain Nick Moorehead of the Adrian Fire Department for further instruction of AFD's requirements as submitted.
2. Receive rezoning application for properties currently zoned residential.

Commissioner Caldwell supported.

In Favor of Motion: Johnson, Caldwell, Jacobitz, Clegg, Dye, Schebil, Tokarz

Against Motion: none

Motion carried unanimously.

CASE NO. 10-015  
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO  
AMENDING ARTICLE IV, SECTION 4.42

This text amendment is to correct language concerning distances vision obstructions can be at the intersection of a driveway and street. The diagram shows 15 feet and the language states 25. This change will correct the language to 15 feet. Public hearing opened. There were no comments or questions from the audience. Public hearing closed. There were no comments or discussion from the Commission. Commissioner Dye moved that the Planning Commission recommend to the City Commission the approval of amending Article IV, Section 4.42 as presented. Commissioner Schebil supported. Motion carried unanimously.

SET PUBLIC HEARING TO CONSIDER REZONING LAND  
OWNED BY SIENA HEIGHTS UNIVERSITY FROM  
R-4 SINGLE FAMILY RESIDENTIAL AND RM-1 MULTIPLE FAMILY RESIDENTIAL  
TO ERO EDUCATION, RESEARCH AND OFFICE.

It was felt that since the university was now going to development this land, that the zoning should be consistent with the rest of the campus. Commissioner Dye moved that the Planning Commission set a public hearing to hear and consider comments to rezoning land owned by Siena Heights University from R-4 Single Family Residential and RM-1 Multiple Family Residential to ERO Education, Research and Office. Commissioner Johnson supported. Motion carried unanimously.

There being no further business the meeting adjourned at 7:34 p.m.

Respectfully submitted,

Denise Cook, Secretary