



**CITY COMMISSION
MEETING
May 20, 2013**



PRE-MEETING AGENDA

**ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
MONDAY,
MAY 20, 2013**

The City Commission will meet for a pre-meeting study session on Monday, May 20, 2013 at 5:30 p.m. at the City Chambers at 159 East Maumee Street, Adrian, Michigan.

1. Continuation of sign ordinance discussion.
2. Other items as time permits.



COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
MAY 20, 2013
7:00PM**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE MAY 6, 2013 REGULAR MEETING OF THE ADRIAN CITY COMMISSION.
- IV. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS
 - 1. **C-1. Community Development.** DDA Memo to City Commission regarding proposed vacant building ordinance.
- VI. PUBLIC COMMENT ON AGENDA ITEMS
- VII. REGULAR AGENDA
 - A. SPECIAL ORDERS
 - 1. **SO-1.** Public hearing to hear and consider comments to the proposed establishment of Commercial Rehabilitation District # 3 at 506 W. Maumee Street.
 - B. ORDINANCES
 - 1. **Ord. 13-009.** Second reading and adoption of an ordinance to amend Article XXX of the Zoning Ordinance (revised sign ordinance).
 - C. RESOLUTIONS
 - 1. **R13-047. Community Development.** Resolution to establish Commercial Rehabilitation District # 3 at 506 W. Maumee Street.
 - 2. **R13-048. Community Development.** Resolution to set a public hearing to hear and consider comments regarding the proposed establishment of a Commercial Rehabilitation District # 4 at 964 Caton.
 - 3. **R13-049. Administration.** Resolution to name the City park located on Erie Street the "Bob and Harriett Parish Park".
- VIII. MISCELLANEOUS
 - 1. Departmental Report.
 - 2. Adrian Fire Department Report.

3. D.A.R.T. Passenger Ridership Report.
4. Planning Commission Meeting Minutes.
5. Zoning Board of Appeals Meeting Minutes.

IX. PUBLIC COMMENTS

X. COMMISSIONER COMMENTS



MINUTES

**MINUTES
ADRIAN CITY COMMISSION
MAY 6, 2013
7:00 P.M.**

Official proceedings of the May 6, 2013 regular meeting of the City Commission, Adrian, Michigan.

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

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

Mayor DuMars in the Chair.

Commissioner Berryman Adams motioned to approve the minutes from the April 15, 2013 Commission meeting; seconded by Commissioner Jacobson, and the motion was carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher # 3774 through # 3786	\$310,360.32
General Fund Vouchers # 21377 through # 21419	\$608,969.95
Clearing Account Vouchers amounting to	<u>\$397,801.67</u>
TOTAL EXPENDITURES	<u>\$1,317,131.94</u>

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

PUBLIC COMMENT

1. Garry Clift – 665 Stonecrest – would like an opportunity to address the new sign ordinance before it is adopted; has some concerns about it.
2. Kevin Wright – Wright Signs – also asked for a chance to discuss parts of the new sign ordinance; would like to hold off on adopting it until these issues can be addressed.
3. Chip Moore – 677 Stonecrest – would like to table the adoption of the sign ordinance until downtown concerns are addressed.

COMMUNICATIONS

C-1. Finance. – Senior Citizens Trust Fund – FY2012-13 Second and Third Quarter Financial Report.

C-2. Finance. – Third Quarter Financial Report.

CONSENT AGENDA

CR13-018

RE: COMMUNITY DEVELOPMENT - Establish Commercial Rehabilitation District # 3 at 506 W. Maumee

WHEREAS, the State of Michigan has adopted the Commercial Rehabilitation Act, Public Act 210 of 2005, as amended; and

WHEREAS, Act 210 as amended provides for creation of Commercial Rehabilitation Districts, and for review and approval of exemption request certificates; and

WHEREAS, the City of Adrian has certain properties that could utilize the economic development tools in PA210 to spur investment and development of projects; and

WHEREAS, city staff have identified 506 W. Maumee as a likely development site; and

WHEREAS, the property number of 506 W. Maumee is as follows:

XAO-100-0121-00 ; and

WHEREAS, Act 210 requires the legislative body shall give written notice by certified mail to the county in which the property is located, and to the owners of real property within the proposed rehabilitation district and shall afford an opportunity for a hearing on the establishment of the commercial rehabilitation district at which any of those owners or any other resident or taxpayer of the qualified local governmental unit may appear and be heard.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby authorizes the scheduling of a public hearing on Monday, May 20 at 7:00p.m. in the City Chambers Building, 159 E. Maumee Street, Adrian, MI to receive comments on this matter, and directs the City Clerk to provide notice to the appropriate real property owners and the public as required by Act 210.

CR13-019

RE: TRANSPORTATION - Dial-A-Ride, Purchase of Dispatch Software

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

WHEREAS, project authorization 2007-0156, Z10 had been proposed which granted \$18,000 for the purchase of dispatch software, in conjunction with Lenawee County's project authorization 2007-0243/Z13 which also granted \$18,000 for the purchase of dispatch software, and,

WHEREAS, Third Party Agreement # 2007-0156/Z10/S1 and 2007-0243/Z13/S1 between the City of Adrian, the Lenawee County Board of Commissioners, and Crystal Computer Support has been proposed.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Adrian does hereby accept the proposal of \$34,155 from Crystal Computer Support with coordinating Lenawee County funds of \$18,000 from 2007-0243, Z13.

BE IT FURTHER RESOLVED, that the equipment and funds from the project authorization be granted to the Adrian Dial-A-Ride/Lenawee Transportation in accordance with the terms of the project authorization, subject to the City Standard Professional Services Contract.

CR13-020

RE: HUMAN RESOURCES DEPARTMENT – Authorization to Establish a New Tier of Pension Benefit for Newly-Hired Division 02-Police Officers Association of Michigan (POAM) Employees to the Municipal Employees Retirement System (MERS)

WHEREAS the City of Adrian joined the Municipal Employees Retirement System (MERS) of Michigan as a Charter Member in 1945 and is currently a member-in-good-standing that provides a secure pension program for all City employees; and

WHEREAS the Compensation Component of the Governor's Economic Vitality Incentive Program (EVIP), which generates approximately \$140,000 of shared sales tax revenue to the City of Adrian, requires implementation of a modified pension benefit that would limit employer cost of a pension plan for all new hires at 10% of base salary for employees eligible for Social Security and 16.2% of base salary for employees not eligible for Social Security.; and

WHEREAS MERS requires submission of a separate resolution by the City Commission authorizing the aforementioned change in benefits; and

WHEREAS the MERS Pension Plan Document specifies in Section 43:

- (1) (a) A participating municipality may elect to change the benefit programs and member contribution programs which apply to the employees of the participating municipality by an affirmative vote by a majority of the members of the participating municipality's governing body. The participating municipality shall specify the effective date of the change in coverage and the benefit programs and member contribution programs which shall apply to the employees of the participating municipality from the effective date of the change. The effective date of the change in coverage shall be the first day of a calendar month.*
- (2) The clerk or secretary of the municipality shall certify to the retirement system, in the manner and form prescribed by the Retirement Board, the determination of the participating municipality. The certification shall be made within 10 days after the date of the vote by the governing body.*

WHEREAS, under the auspices of Public Act 220 of 1996 (establishing MERS as an independent retirement system), and with the settlement of their Bargaining Agreement on July 2, 2012, the Human Resources Director recommends that the City of Adrian implement

a new-tier MERS Defined-Benefit Pension Program for new hires in the Police Officers Association of Michigan (POAM) Division (02). Effective immediately, the following provisions are recommended and would become linked to the current Defined Benefit Pension Program for POAM Division (02):

1. Service Retirement Allowance – Benefit B-4 – 2.5% of Final Average Compensation (FAC);
2. Eligibility for Retirement – Age Fifty (50) with twenty-five (25) or more years of service;
3. Final Average Compensation – (FAC-3) – i.e., One-third of the aggregate amount of compensation, excluding payments for overtime, accumulated sick leave and accumulated vacation leave, paid to a member during the period of three (3) consecutive years of the member's credited service in which the aggregate compensation paid is the highest;
4. Member Contribution Rate – 6% - Determined by the municipality as the members contribution as a percent of annual compensation;
5. 10-year vesting period;
6. Maximum Years of Credited Service – All; and

WHEREAS the employer contribution is initially estimated to be seven and forty-six hundredths percent (7.46%) employer contribution of the normal cost of the plan; and

WHEREAS the advantage of linking the newly established pension program for new-hires to the currently open Defined Benefit pension program for Division 02 employees is allowing the current program to remain open and avoidance of the accelerated amortization of the accumulated Actuarial Unfunded Liability.

WHEREAS the City Administrator recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the establishment of a new-tier system of pension benefits for newly hired employees in the POAM Division (02), and linked to the current Defined Benefit Pension Program for the POAM Division (02) as provided for by Public Act 220 of 1996.

BE IT FURTHER RESOLVED that the revised pension program for new-hires be effective May 1, 2013 and that the following provisions be implemented:

1. Service Retirement Allowance – Benefit B-4 – 2.5% of Final Average Compensation (FAC);
2. Eligibility for Retirement – Age Fifty (50) with twenty-five (25) or more years of service;
3. Final Average Compensation – (FAC-3) – i.e., One-third of the aggregate amount of compensation, excluding payments for overtime, accumulated sick leave and accumulated vacation leave, paid to a member during the period of three (3) consecutive years of the member's credited service in which the aggregate compensation paid is the highest;
4. Member Contribution Rate – 6% - Determined by the municipality as the members contribution as a percent of annual compensation;
5. Maximum Years of Credited Service – All

BE IT FURTHER RESOLVED that a certified copy this resolution be submitted to MERS, within the ten (10) day time requirement following Commission approval, to effectuate the authorized change in benefits.

CR13-021

RE: HUMAN RESOURCES DEPARTMENT – Civil Rights Act of 1964 – Title VI Non-Discrimination Plan

WHEREAS, the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241, enacted July 2, 1964) was a landmark piece of legislation in the United States that outlawed major forms of discrimination against blacks and women, including racial segregation; and

WHEREAS, Title VI (Section 601) declares it to be the policy of the United States that discrimination on the ground of race, color, or national origin shall not occur in connection with programs and activities receiving Federal financial assistance and authorizes and directs the appropriate Federal departments and agencies to take action to carry out this policy; and

WHEREAS, Section 602 directs each Federal agency administering a program of Federal financial assistance by way of grant, contract, or loan to take action pursuant to rule, regulation or order of general applicability to effectuate the principle of section 601 in a manner consistent with the achievement of the objectives of the statute authorizing the assistance; and

WHEREAS, in seeking the effect compliance with its requirements imposed under Section 602, an agency is authorized to terminate or to refuse to grant or to continue assistance under a program to any recipient as to whom there has been an express finding pursuant to a hearing of a failure to comply with the requirements under that program, and it may also employ any other means authorized by law. However, each agency is directed first to seek compliance with its requirements by voluntary means; and

WHEREAS, in order to comply with foregoing Federal statutes and, thereby, ensure continued eligibility for Federal financial assistance (particularly from the Department of Transportation for road improvements and Dial-A-Ride operations), the City of Adrian has prepared the attached Title VI Non-Discrimination Plan; and

WHEREAS, the Human Resources Director and City Administrator recommend adoption of this resolution, approving the aforementioned Title VI Non-Discrimination Plan for the City of Adrian, effective May 6, 2013, consistent with Section 601 of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the establishment of the Title VI Non-Discrimination Plan for the City of Adrian, effective May 6, 2013, consistent with Section 601 of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

BE IT FURTHER RESOLVED that, under the general direction of the City Administrator, administration of the Title VI Non-Discrimination Plan for the City of Adrian shall be the responsibility of the Human Resources Department.

CR13-022

RE: Notice of Public Hearing – City of Adrian Utilities Department Rehabilitation/ Replacement of the Brick Arch Sewers

WHEREAS, the Utilities Department has received an S2 grant from the Michigan Department of Environmental Quality for planning work associated with the Rehabilitation/Replacement of the Brick Arch Sewers; and

WHEREAS, the project will involve rehabilitation and/or replacement of the existing brick arch sewers in and around the downtown area that date back to the 1870's. These brick arch sewers are the last remaining combined sewers in our collection system. The intent of the work would also be separate the storm water from the brick arches; and

WHEREAS, to satisfy the requirement of the S2 grant, a public hearing is required to be set to allow the public to hear and comment on the project plan.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby authorizes the scheduling of a public hearing for Monday, June 3, 2013, at 7:00 p.m. in the City Chambers Building to hear and receive comments on this matter.

On motion by Commissioner Berryman Adams, seconded by Commissioner Carrico, Consent Agenda resolutions CR13-018 thru CR13-022 were adopted by a unanimous vote.

REGULAR AGENDA

SPECIAL ORDERS

SO-1 Public hearing to hear and consider comments to the approval of a Special Assessment Roll for delinquent rental registration invoices, including a ten (10%) percent penalty for late payments.

Mayor DuMars opened the public hearing and the following comments were made:

1. Attorney for estate of 1361 Oregon Rd – said that this property was never rented out to anyone; only the owner's family members lived there. Should not be on the rental list. This will be excluded from the resolution.
2. Harold Schadewald – has several rental properties; asked if he paid the bills, would they be taken off the special assessment list and he was told yes.

There were no further public comments so the Mayor declared the hearing closed.

ORDINANCES

Ord. 13-009 – Second reading and adoption of an ordinance to amend Article XXX of the Zoning Ordinance (Revised Sign Ordinance).

There was much discussion among the Commission in the pre-meeting to take more time to address the concerns about the revised sign ordinance, especially those concerns by the downtown merchants and Adrian College.

Commissioner Faulhaber motioned to **table the ordinance until the May 20, 2013 City Commission meeting**; seconded by Commissioner Carrico and approved by unanimous vote.

Ord. 13-010. – Second reading and adoption of an ordinance to amend Section 3.1 of Article III of the Zoning/Development Regulations to rezone 1220 North Main Street from B-2 Community Business and RM-1 Multiple Family Residential to B-2 Community Business.

On motion by Commissioner Carrico; seconded by Commissioner Jacobson; this ordinance was adopted by unanimous vote.

RESOLUTIONS

R13-034

RE: FINANCE DEPARTMENT – Approve Special Assessment Roll for Delinquent Invoices

WHEREAS, Sections 70-12, 74-169, 10-94 and 10-98 of the Adrian City Code provides that any expense or cost incurred by the City upon or in respect to any delinquent rental registration requires that the City Treasurer prepare a Special Assessment Roll for any such charges which have not been paid; and

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

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

On motion by Commissioner Faulhaber, seconded by Commissioner Carrico, this resolution, **with the exclusion of 1361 Oregon Rd, which is removed for further investigation**, was adopted was by a unanimous vote.

R13-035

RE: INFORMATION TECHNOLOGY – BS&A Online Information Services

WHEREAS, at a cost of \$4,240 annually, the City of Adrian currently provides (free of charge) online access to assessment records, tax records, special assessments, miscellaneous receivables and utility bills; and

WHEREAS. the site experienced over 47,000 visits in a period beginning April 24, 2012 and ending April 24, 2013; and

WHEREAS, in view of the current economic stringencies, many Michigan counties and municipalities, including Lenawee County and the Village of Blissfield, have switched to a charge-per-visit online site hosted by BS&A, which shares twenty (20%) of the revenue with the participating municipality; and

WHEREAS, the system continues to allow taxpayers to look up their own parcel for free, as well as provide a public terminal at City Hall that accesses information free of

charge, however, a convenience fee would be charged for the convenience of off-site access to the aforementioned records at the following rates:

- Assessing, Tax and Special Assessment Records \$2.00 per record
- Utility Billing and Misc. Receivables \$1.00 per record

WHEREAS, the Information Technology Director, Finance Director and City Administrator recommend approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the contract with BS&A, Bath, MI for the implementation of a fee for service internet access to following City records at the specified rates following the expiration of the current agreement August XX, 2013:

- Assessing, Tax and Special Assessment Records \$2.00 per record
- Utility Billing and Misc, Receivables \$1.00 per record.

FURTHER BE IT RESOLVED that the revenue received from implementation of the fee for service from BS&A be credited to Information Technology account 661-000.00-695.000.

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

R13-036

RE: FIRE DEPARTMENT – AccuMed EMS Transport Billing Agreement

WHEREAS, the Adrian Fire Department has provided non-transport emergency medical service to the citizens and visitors of the City of Adrian with ten (10) paramedics, two (2) emergency medical technician specialists and six (6) basic emergency medical technicians; and

WHEREAS, the Adrian Fire Department will receive a new rescue vehicle that has transport capability; and

WHEREAS, from time to time the current emergency medical service transport provider, Emergent Health Partners, doing business as Lenawee Community Ambulance is unable to transport patients because of the number of calls for service within Lenawee County; and

WHEREAS, members of the Adrian Fire Department have requested assistance from neighboring emergency medical transport providers when Lenawee Community Ambulance is unavailable but will have the capability to transport patients in the department's rescue vehicle; and

WHEREAS, patients transported are billed individually, through insurance or through various healthcare programs.

NOW, THEREFORE, BE IT RESOLVED, the City Commission hereby authorizes the following fee schedule for persons transported by the Adrian Fire Department to a facility of definitive medical care:

<u>Service</u>	<u>Level of Care</u>	<u>Fee</u>
Basic Life Support	Pre-Scheduled	\$429
Basic Life Support	Non-Emergency	\$594
Basic Life Support	Emergency	\$720
Advanced Life Support	Emergency	\$720
Advanced Life Support	Critical Patients	\$835
Oxygen Therapy		\$47
Mileage	Per loaded mile	\$12

FURTHER LET IT BE RESOLVED that the Adrian City Commission authorizes its City Administrator to enter into a billing service agreement with AccuMed Billing, Inc. of Riverview, Michigan to bill patients, their insurance companies or agencies responsible for reimbursement for transport emergency medical services. In return for their services the City of Adrian agrees to pay AccuMed Billing, Inc. an amount equal to 8.0% of the amount collected each month for emergency medical services.

FURTHER LET IT BE RESOLVED that the revenues from transport of patients be placed in 101.336.00-636.000.

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

R13-037

RE: FIRE DEPARTMENT – AccuMedWeb.com Software Agreement

WHEREAS, the Adrian City Commission in Resolution R13-036 authorized the billing agreement between the AccuMed Billing, of Riverview, Michigan and the City for EMS transport billing, and

WHEREAS, fire department staff will gather information and data from persons on every EMS call for record keeping purposed and for billing purposes when the fire department transports a patient to a care facility, and

WHEREAS, AccuMed Billing has a companion product known as AccuMedBilling.com that provides features and functions needed to collect data needed for transport EMS billing and reporting to the National EMS Information System, and

WHEREAS, AccuMedBilling.Com has a price structure as follows:

Qty.	Description	Chargeable with	Cost per unit	Total
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	AccuMedWeb Fee		
Annual Support (15% of Total Cost, Excluding Deployment \$22,951.00)			
1 (Included Year 1)	1	\$3,442.65	\$3,442.65
Total AccuMedWeb Start- Up Cost	1	\$2,500.00	\$2,500.00

Start –up costs due at time of signing

* Annual support will be billed annually years 2-5 on the anniversary “Effective Date”

NOW, THEREFORE, BE IT RESOLVED, the City Administrator is hereby authorized to execute for the City of Adrian the AccuMedWeb.com Subscription Agreement for a period of 5 years with \$2,500 to be paid the first year and \$3,442.65 to be paid the following 4 years of the agreement with funds from Information Technology Contract Services – Computer Software, 661.290.00-811.000.

BE IT FURTHER RESOLVED, the effective date of the AccuMedBilling.Com agreement shall be August 1, 2013.

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

R13-038

RE: FIRE DEPARTMENT – Physio-Control Life Pak 15 defibrillator and one Port02Vent CPAPos

WHEREAS, the Adrian Fire Department has provided the citizens of Adrian with Limited Advanced Life Support since 1996 and this summer, in an effort to give the most comprehensive pre-hospital emergency treatment will begin Advanced Life Support service, and;

WHEREAS, required equipment for Advanced Life Support includes a defibrillator and positive pressure ventilation device for treatment of patients in cardiac or respiratory distress or failure, and;

WHEREAS, bids were solicited for the purchase of defibrillation and positive pressure ventilation equipment from emergency medical equipment suppliers, and;

WHEREAS, Emergency Medical Products, Inc. from Cudahy, Wisconsin was the low bidder for the positive pressure ventilation equipment, and;

WHEREAS, Physio-Control from Redmond, Washington is the sole supplier for Physio-Control Life Pack 15 Defibrillators;

WHEREAS, the Finance Director has indicated funds are available in the Fire Department Capital Account (101.336.00-977.000).

NOW, THEREFORE, BE IT RESOLVED, the Adrian City Commission authorizes the Adrian Fire Department to purchase one Port02Vent CPAPos positive pressure oxygen delivery system from Emergency Medical Products in Cudahy, Washington in the amount of \$942.35.

FURTHER BE IT RESOLVED, the Adrian City Commission authorizes the Adrian Fire Department to purchase one Physio-Control Life Pack 15 Defibrillator and related equipment from sole source supplier Physio-Control, Redmond, Washington in the amount of \$32,751.40.

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

R13-039

RE: UTILITIES DEPARTMENT – Wastewater Treatment Plant – HVAC Replacement

WHEREAS, the Adrian City Commission, adopted the FY2012-13 Budget and General Appropriations Act on May 7, 2012, which included a \$30,000 (497-553.00-975.143) appropriation to replace HVAC units at the Wastewater Treatment Plant; and

WHEREAS, bids were solicited and three (3) bids received on Tuesday, April 16, 2013 by the City of Adrian Purchasing Office for HVAC replacements in the Retention and Old Primary buildings at the Wastewater Treatment Plant with the following results:

<u>Supplier</u>	<u>Location</u>	<u>Total Cost</u>
Thompson Plumbing & Heating	Petersburg, MI	\$61,191.00
Adrian Mechanical	Adrian, MI	\$76,960.00
T.H. Eifert	Lansing, MI	\$119,050.00; and

WHEREAS, the remaining amount for this project of \$31,191.00 can be allocated by making the following budget amendment to the Sewer Capital Fund:

497-553.00-975.143	Plant/Broad St HVAC	\$32,000
(497-553.00-975.115)	Misc. Structural Repairs	(\$10,000)
(497-553.00-975.118)	Painting of Structural Component	(\$ 4,000)
(497-554.00-977.571)	Grit Removal Equipment Repair	<u>(\$18,000)</u>
	Total	\$ 0; and

WHEREAS, the Utilities Director and City Administrator recommend that the low bidder be awarded the bid, and that Thompson Plumbing & Heating of Petersburg, MI be engaged in the City's Standard Professional Services Contract for the acquisition and installation of HVAC replacements in the Retention and Old Primary buildings at the Wastewater Treatment Plant at a cost not to exceed \$61,191.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Thompson Plumbing & Heating of Petersburg, MI in the City's Standard Professional Services Contract for the acquisition and installation of HVAC replacements in the Retention and Old Primary buildings at the Wastewater Treatment Plant at a cost not to exceed \$61,191.00.

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

R13-040

RE: DEPARTMENT OF PARKS & RECREATION – Change Order Island Park Baseball Dugouts

WHEREAS, the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Tuesday, October 30, 2012 for the construction of baseball dugouts at Island Park; and

WHEREAS, on November 2012 the City Commission authorized the engagement of Michigan Building Specialties, Adrian, MI in the City's Standard Professional Services Contract to construct two (2) dugouts at Island Park at a cost not to exceed \$10,300.

WHEREAS, during the construction of the dugouts it was discovered that the foundations of an older set of dugouts existed below grade causing additional demolition, excavation, and deposal this change in the original scope of work resulting in an additional \$1,000

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the following account of the Parks & Recreation Capital Budget for FY2012-13:

(101-691.00-975.000) Recreation Capital Improvements \$1,000; and

WHEREAS, the Parks & Forestry Director and City Administrator recommend approval of the of the change order from Michigan Building Specialties, Adrian, MI in the City's Standard Professional Services Contract to construct two (2) dugouts at Island Park at a cost not to exceed \$1,000.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby accepts the low bid and authorizes a change order for Michigan Building Specialties, Adrian, MI in the City's Standard Professional Services Contract to construct two (2) dugouts at Island Park at a cost not to exceed \$1,000.

On motion by Commissioner Faulhaber, seconded by Commissioner Jacobson, this resolution is adopted by unanimous vote.

R13-041

RE: POLICE DEPARTMENT –Change in Fee Schedule

WHEREAS, the Adrian Police Department recently completed a fee survey of similar agencies in the State of Michigan; and

WHEREAS, based on the results of the aforementioned survey, the Chief of Police recommended the revised fee schedule below for the Adrian Police Department, effective July 1, 2013; and

WHEREAS, the recommended changes will help offset increased personnel and operating costs, the last increase was in 2009; and

WHEREAS, the City Administrator recommends the approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the following proposed fee schedule for the Adrian Police Department, effective July 1, 2013.

	Current	Proposed
Fingerprints non-profit	\$60.00	\$70.00
Fingerprints profit org.	\$65.00	\$75.00
Applicant card only	\$15.00	\$20.00
Photocopy reports	\$5.00	\$5.00
Docview UD-10 reports	\$10.00	\$10.00
Impounded vehicle	\$60.00	\$100.00
SOR registration	\$50.00	\$50.00
Notary fee	\$10.00	\$10.00
Local background check	\$5.00	\$15.00

On motion by Commissioner Berryman Adams, seconded by Commissioner Warren, this resolution is adopted by a unanimous vote.

R13-042

RE: ADMINISTRATION – Farm Lease Agreement with James Marvin – Former Marvin Farm

WHEREAS, the City of Adrian is the owner of approximately one hundred fifty seven (157) acres of land adjacent to Beecher Road in the City of Adrian; and

WHEREAS, a portion of the real estate is tillable; and

WHEREAS, the City Administrator has negotiated a proposed Lease Agreement with the former farmer of said property, which terms have been reviewed by the City Commission and found to be in the best interest of the City to approve.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with James Marvin to rent approximately one hundred fifty seven (157) acres of tillable ground on the above-mentioned parcel of real estate for One Hundred Twenty Five (\$125.00) Dollars per acre for a period ending December 31, 2013, and subject to other terms acceptable to the City Administrator.

On motion by Commissioner Faulhaber, seconded by Commissioner Jacobson, this resolution is adopted by unanimous vote.

R13-043

RE: ADMINISTRATION – Farm Lease Agreement with James Marvin – Former Marvin Farm

WHEREAS, the City of Adrian is the owner of approximately fifty-three (53) acres of land South of Beecher Road in the City of Adrian at the intersection of Sand Creek Hwy; and

WHEREAS, a portion of the real estate is tillable; and

WHEREAS, the City Administrator has negotiated a proposed Lease Agreement with the former farmer of said property, which terms have been reviewed by the City Commission and found to be in the best interest of the City to approve.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with James Marvin to rent approximately fifty-three (53) acres of tillable ground on the above-mentioned parcel of real estate for One Hundred Twenty Five (\$125.00) Dollars per acre for a period ending December 31, 2013, and subject to other terms acceptable to the City Administrator.

On motion by Commissioner Berryman Adams, seconded by Commissioner Faulhaber, this resolution is adopted by unanimous vote.

R13-044

RE: ADMINISTRATION – Farm Lease Agreement with Fred Feight – Former Witt Farm

WHEREAS, the City of Adrian is the owner of approximately fifty-four (54) acres of land adjacent to M-52, formerly known as the Witt Farm; and

WHEREAS, a portion of the real estate is tillable; and

WHEREAS, the City Administrator has negotiated a proposed Lease Agreement with the previous farmer of said property, which terms have been reviewed by the City Commission and found to be in the best interest of the City to approve.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with Fred Feight to rent approximately fifty-four (54) acres of tillable ground on the above-mentioned parcel of real estate for One Hundred (\$100.00) Dollars per acre for a period ending December 31, 2013, and subject to other terms acceptable to the City Administrator.

On motion by Commissioner Faulhaber, seconded by Commissioner Carrico, this resolution is adopted by unanimous vote.

R13-045

RE: ADMINISTRATION – Farm Lease Agreement with Shane Bierman– Industrial Park

WHEREAS, the City of Adrian is the owner of approximately thirty-nine (39) acres of land adjacent to M-34, known as the Industrial Park; and

WHEREAS, a portion of the real estate is tillable; and

WHEREAS, the City Administrator has negotiated a proposed Lease Agreement with Shane Bierman, which terms have been reviewed by the City Commission and found to be in the best interest of the City to approve.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with Shane Bierman to rent approximately thirty-nine (39) acres of tillable ground on the above-mentioned parcel of real estate for One Hundred ten (\$110.00) Dollars per acre for a period ending December 31, 2013, and subject to other terms acceptable to the City Administrator.

On motion by Commissioner Jacobson, seconded by Commissioner Warren, this resolution is adopted by unanimous vote.

R13-046

RE: FINANCE – Placement of delinquent invoice for private sewer lateral for 112 Hunt Street on the Special Assessment Roll.

WHEREAS, a public hearing was held on April 15, 2013 to hear public comment for the special assessment roll for delinquent invoices for any single lot, delinquent storm water utility and parking assessments; and

WHEREAS, the former owner of 112 Hunt Street appeared and objected to the inclusion of a delinquent invoice for city repair of a private sewer lateral for 112 Hunt Street; and

WHEREAS, said invoice for 112 Hunt Street was removed from the special assessment roll so that additional investigation could be conducted; and

WHEREAS, said investigation was conducted and it was determined that pursuant to Sections 94-157 and 70-112 of the Adrian City Code, said unpaid invoice is properly subject to placement on the special assessment roll; and

WHEREAS, a public hearing has already been conducted for the purpose of reviewing the roll, and the commission hearing and considering objections thereto.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, places the delinquent invoice for private sewer lateral repair for 112 Hunt Street on the special assessment roll.

On motion by Commissioner Jacobson, seconded by Commissioner Gallatin, this resolution is adopted by unanimous vote.

PUBLIC COMMENTS

1. Angela Jackson -818 W Maple Ave – Would like to add bamboo to the City's list of nuisance vegetation. Has a neighbor who has planted some and it is ruining the property of the surrounding homes and is very difficult to control and get rid of. The Commission and City Attorney will look into this.

2. Chip Moore – 667 Stonecrest – thinks it is a bad idea to charge a fee for internet access to individual property records. This is public information.

COMMISSIONER COMMENTS

1. Commissioner Berryman Adams gave kudos to the organizers of the Cinco de Mayo parade and festivities; it was a wonderful event.
2. Commissioner Warren congratulated the recipient of the Commissioner scholarship and wished her the best of luck.

At 8:00pm, Commissioner Berryman Adams motioned to go into closed session to discuss a possible real estate venture; this was seconded by Commissioner Warren and approved by unanimous vote. The Commission took a 5 minute recess.

At 8:50pm, the Commission came out of closed session, entered the main chambers and officially closed the meeting.

The next regular meeting of the Adrian City Commission will be held on Monday, May 20, 2013 at 7:00 p.m. in the City Chambers Building, 159 E. Maumee St, Adrian, MI 49221.

Greg DuMars
Mayor

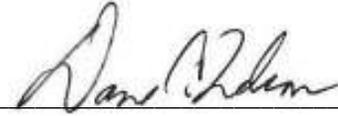
Pat Baker
City Clerk



CHECK REGISTER

May 20, 2013

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



Dane C. Nelson
City Administrator

DCN:mlld

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 # 3787 through # 3788	\$61,063.69
General Fund	
Vouchers # 21420 through # 21443	\$258,077.94
Clearing Account Vouchers	
amounting to.....	<u>\$505,834.40</u>
TOTAL EXPENDITURES	<u>\$824,976.03</u>

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

May 20, 2013

UTILITIES FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
3787	\$ 102,536.27	City of Adrian Clearing	AP Reg 5/6/13
3788	\$ 61,063.69	City of Adrian Payroll	Payroll 5/10/13
	\$ 163,599.96		
	\$ (102,536.27)	Less: Check 3787	
	\$ 61,063.69	TOTAL	

May 20, 2013

May 20, 2013

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
21420	\$ 456.50	City of Adrian Utilities	May 2013 EFT
21421	\$ 268,850.96	City of Adrian Clearing	AP Check Register 5/6/13
21422	\$ 13.00	Jennifer Blohm	Rec Reimburse
21423	\$ 65.00	Tracy Richard	Rec Reimburse
21424	\$ 67.50	Mae Dryer	Rec Reimburse
21425	\$ 1,396.92	Allied Waste Service	May 2013 Trash
21426	\$ 100.00	First Federal Bank	Cash Bank for Rec Event
21427	\$ 1,245.53	Lenawee Fuels	Fuel for Oakwood Cemetery
21428	\$ 37,579.23	Avery Oil and Propane	April 2013 Diesel/No Lead
21429	\$ 51.00	Kristina Betz	Rec Reimburse
21430	\$ 45.00	April May Drews	Rec Reimburse
21431	\$ 45.00	Krystal Michalak	Rec Reimburse
21432	\$ 60.00	Crystal Petosky	Rec Reimburse
21433	\$ 26.40	Donald Stover	Duplicate payment/Trash
21434	\$ 615.51	US Postmaster	Mailing of Rec Brochures
21435	\$ 25.00	Kristy Butts	Duplicate payment/Parking Ticket
21436	\$ 50.00	City of Adrian	Change Fund/Police
21437	\$ 50.00	City of Adrian	Change Fund/Police
21438	\$ 194,374.67	City of Adrian Payroll	Payroll w/e 5/10/13
21439	\$ 14,115.68	First Federal Bank	Soc Sec w/e 5/10/13
21440	\$ 26.40	Phyllis Pate	Duplicate payment/Trash
21441	\$ 102.72	Lenawee Co Treasurer	Refund Weedmowing
21442	\$ 7,540.48	Nola's Transportation	Payroll w/e 5/11/13
21443	\$ 26.40	Richard Sharpsteen	Duplicate payment/Trash
	\$ 526,928.90		
	\$ (268,850.96)	Less : Check 21421	
	\$ 258,077.94		

May 20, 2013

EXP CHECK RUN DATES 10/01/2012 - 05/20/2013
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

Claimant	Amount Claimed	Amount Owed	Amount Rejected
1. ACCUCUT SYSTEMS	31.50		
2. ADRIAN COMMUNICATIONS	967.95		
3. ADRIAN LOCKSMITH & CYCLERY	99.06		
4. ADRIAN MECHANICAL SERVICES CO	955.00		
5. ADRIAN NAPA	6.50		
6. ADRIAN PAINTERS SUPPLY & EQUIPMENT	12.04		
7. ADRIAN PUBLIC SCHOOLS	4,985.00		
8. ADRIAN WATER CONDITIONING INC	19.50		
9. ALL AMERICAN SEWER & DRAIN	225.00		
10. AMAZON CREDIT PLAN	674.97		
11. AMERICAN LIBRARY ASSOCIATION	582.95		
12. AMERICAN OFFICE SOLUTIONS, INC.	85.48		
13. APPLE MAT RENTAL	560.50		
14. ARCHBOLD EQUIPMENT CO	7.10		
15. AUTO ZONE COMMERCIAL	80.87		
16. BADER & SONS CO	1.58		
17. BAKER & TAYLOR BOOKS	2,709.56		
18. BATTERY WHOLESALE	329.44		
19. KRISTIN BAUER	20.00		
20. BEAVER RESEARCH COMPANY	301.46		
21. MARK BISHOP	20.00		
22. ROBERT BISHOP	244.52		
23. BLACK SWAMP EQUIPMENT	122.42		
24. BOOK OF THE MONTH CLUB	40.04		
25. BOOKLIST	147.50		
26. BRODBECKS LLC	1,500.00		
27. TODD BROWN	840.00		
28. BSN SPORTS	127.98		
29. BUCK & KNOBBY EQUIP CO INC	995.00		
30. CARUS CORPORATION	4,059.60		
31. CDW-G COMPUTER SUPPLIES	299.52		
32. CENGAGE LEARNING	2,893.00		
33. CLEAN CARE INC	4,429.00		
34. GARRY CLEVELAND	92.98		
35. CLIFT BUICK-GMC	4.14		
36. COLE-PARMER INSTRUMENT CO	256.84		
37. JUSTIN COMBS	20.00		
38. COMFORT ENTERPRISES INC.	291.85		
39. COMMSPEC, INC.	5,829.32		
40. CUTLER DICKERSON CO	1,210.64		
41. CUTTING EDGE ENGRAVING	143.75		
42. D&P COMMUNICATIONS, INC.	1,680.43		
43. DAILEY ENGINEERING, INC.	912.50		
44. THE DAILY TELEGRAM	3,442.38		
45. JERRY DAVIS	20.00		
46. DETROIT ELEVATOR COMPANY	150.00		
47. DETROIT MARKING PRODUCTS CORP.	179.60		
48. MICHELLE DEWEY	20.00		
49. DIRECT TECHNOLOGY GROUP, INC	219.00		

EXP CHECK RUN DATES 10/01/2012 - 05/20/2013
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

Claimant	Amount Claimed	Amount Owed	Amount Rejected
50. DOAN COMPANIES	379.50		
51. DWYER INSTRUMENTS, INC	1,219.79		
52. E & B SALVAGE LLC	12.50		
53. STEVE EBERLE	20.00		
54. EJ	3,536.75		
55. ENGLEWOOD ELECTRICAL SUPPLY	202.80		
56. ETNA SUPPLY COMPANY	1,009.70		
57. FASTENAL COMPANY	1,130.74		
58. WALTER FISCHOFF	61.48		
59. FISHER SCIENTIFIC COMPANY LLC	454.47		
60. GALLANT & SON	56.56		
61. J.O. GALLOUP COMPANY	17.12		
62. GALL'S INC	159.99		
63. MARK GIGAX	20.00		
64. RAMON GONZALEZ	110.00		
65. GORDON FOOD SERVICE	1,097.44		
66. GRAND VALLEY CONCRETE PRODUCTS	1,716.00		
67. DENISE GRITZMAKER	20.00		
68. GS MATERIALS	1,594.81		
69. HADDEN TIRE COMPANY	70.00		
70. HALLAHAN & ASSOC, PC	1,074.06		
71. SHANE HORN	20.00		
72. HUBBARD'S AUTO CENTER INC	547.22		
73. HYDRODYNAMICS, INC.	5,296.20		
74. I C M A VANTAGE POINT	5,160.60		
75. ICMA RETIREMENT CORPORATION	158.68		
76. IDEXX LABORATORIES, INC.	3,918.76		
77. INGRAM LIBRARY SERVICES	265.41		
78. J T OVERHEAD DOORS	2,775.00		
79. JAMES KARLE	168.40		
80. ERIC KELLY	20.00		
81. DAVE KNAPP FORD LINCOLN	53.09		
82. KONICA MINOLTA BUSINESS SOLUTIONS	33.12		
83. BRENT KUBALEK	119.68		
84. LARRY'S MUFFLER	70.00		
85. LENAWEЕ COUNTRY CLUB	100.00		
86. LENAWEЕ COUNTY TREASURER	5.60		
87. LENAWEЕ INTERMEDIATE SCHOOL	99.00		
88. LENAWEЕ TIRE & SUPPLY CO, INC.	1,536.31		
89. LIBRARY DESIGN ASSOCIATES INC	2,832.52		
90. LJ CONSTRUCTION, INC.	52,677.44		
91. LOWE'S CREDIT SERVICES	2,373.60		
92. LYDEN OIL COMPANY	701.45		
93. CHARTER TOWNSHIP OF MADISON	50,292.64		
94. MANPOWER OF LANSING MI INC.	1,842.75		
95. MICHAEL MARVIN	20.00		
96. MC SPORTS	840.99		
97. MCGOWAN ELECTRIC SUPPLY INC	133.13		

EXP CHECK RUN DATES 10/01/2012 - 05/20/2013
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

Claimant	Amount Claimed	Amount Owed	Amount Rejected
98. MENIAL TASKS LLC	345.00		
99. MERCY SALES, INC	153,595.00		
100. MICHIGAN ASSOCIATION OF PLANNING	120.00		
101. MICHIGAN BUILDING SPECIALTIES	11,300.00		
102. MICHIGAN PIPE & VALVE INC	1,624.00		
103. STATE OF MICHIGAN	1,162.50		
104. MICROMARKETING LLC	1,382.03		
105. MIDWEST SCULPTURE INITIATIVE	10,500.00		
106. MIDWEST TAPE	273.25		
107. MITCHELL WELDING	360.00		
108. MOVIE LICENSING USA	385.00		
109. MUGS N' MORE IMAGING	6,564.25		
110. MUSIC PRODUCTS INC	161.46		
111. N.A.D.A. APPRAISAL GUIDES	137.00		
112. NATURAL SAND COMPANY	3,429.20		
113. NOLA'S TRANSPORTATION	8,633.19		
114. OCCUHEALTH - ADRIAN	97.00		
115. OLIVER OF ADRIAN, INC.	100.00		
116. OMNI III	1,119.27		
117. MIKE OSBORN	20.00		
118. PARAGON LABORATORIES INC	840.00		
119. DAVID PATE	20.00		
120. PEERLESS SUPPLY INC	141.68		
121. POLARIS LIBRARY SYSTEMS, INC	94.00		
122. GLENN PRESTON	20.00		
123. PRIORITY ONE EMERGENCY	753.59		
124. PROMEDICA CORP OF MICHIGAN	963.00		
125. QUILL CORPORATION	7.98		
126. RECORDED BOOKS LLC.	503.00		
127. RED PAINT PRINTING LLC	212.00		
128. TIM RITCHIE	20.00		
129. STACY ROBINSON	800.00		
130. WILLIAM SADLER	20.00		
131. SAGINAW CONTROL & ENGINEERING	2,636.61		
132. SCHUG CONCRETE CONSTRUCTION INC	21,643.02		
133. RYAN SKEELS	1,000.00		
134. SLUSARSKI EXCAVATING & PAVING INC	18,766.00		
135. ST VINCENT MEDICAL CENTER	1,545.00		
136. STEVENS DISPOSAL	37,875.28		
137. STEVENSON LUMBER, INC.	42.12		
138. JEFFREY A. STICKNEY, DO, PC	778.08		
139. SUPERIOR UNIFORM SALES INC.	108.40		
140. TDS SECURITY, INC	399.00		
141. TETRA TECH INC	8,780.00		
142. THOMSON WEST	2,851.81		
143. PAUL TRINKA	20.00		
144. TTB CLEANING LLC	3,275.00		
145. U S POSTMASTER	1,800.00		
146. UNITED PARCEL SERVICE	16.76		

EXP CHECK RUN DATES 10/01/2012 - 05/20/2013
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

Claimant	Amount Claimed	Amount Owed	Amount Rejected
147. USA BLUEBOOK	248.92		
148. UTILITIES REDUCTION SPECIALISTS INC	149.04		
149. VAN BRUNT TRANSPORT INC	206.10		
150. VERIZON WIRELESS	1,162.51		
151. DENNIS VESCELIUS	20.00		
152. WESTERN LIME CORPORATION	5,281.32		
153. RYAN WHITE	20.00		
154. WOODLANDS LIBRARY COOPERATIVE	2,633.26		
TOTAL ALL CLAIMS	505,834.40		



COMMUNICATIONS



May 8, 2013

To: Mayor Greg DuMars; Adrian City Commission

Fm: Downtown Development Authority Board

Re: Vacant Building Ordinance

Mayor DuMars and City Commission;

This morning at the May DDA board meeting, the DDA Board unanimously supported drafting this letter to you. Each month the board meets and addresses policies, actions, and strategies around the revitalization of downtown Adrian. In today's discussion, we addressed some of our problem buildings, and noted that the city still does not have an ordinance that protects building owners who are working hard to invest in downtown from those who own but neglect their buildings.

These owners cause significant harm to our downtown and the growing effort to remake Adrian into a vibrant community where businesses flourish and property values are protected. Unlike other neglected properties in the city that are removed from even close neighbors, in downtown, vacant and neglected buildings are actually contiguous with functioning buildings. In many cases right now we have new ownership investing in properties, and right next door a property that has been neglected, sometimes for decades. Currently, the neglectful building owners are simultaneously benefiting from the increased property values that will result from this new investment, and preventing the diligent property owners from realizing the maximum value of their investment.

The DDA Board strongly encourages the City Commission to adopt a comprehensive vacant building ordinance that provides an escalating penalty for owners who don't maintain vacant properties, market vacant properties, or work to find tenants for vacant properties. A vacant building ordinance is in the best interest of the entire downtown and community, and also safeguards owners of vacant buildings by helping to protect their investment.

DDA Board members and/or staff would be pleased to work or meet with City Commissioners in order to move this forward. Thank you.

Nelson Douglass – Board Chair, Jeff Willet – Vice Chair, Sister Peg Albert, Pi Benio, Greg DuMars, Dr. Jeff Docking, Todd Harder, Chip Moore, Mike Olsaver, Al Wilkerson



REGULAR AGENDA

SO-1

May 20, 2013

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments regarding the establishment of Commercial Rehabilitation District # 3 at 506 W. Maumee Street.

Discussion

When the Mayor call for final objections _____
_____ and he declared the hearing closed.

ORDINANCE NO. 13-009

AN ORDINANCE TO AMEND ARTICLE XXX - SIGNS OF THE ZONING/DEVELOPMENT REGULATIONS

The City of Adrian Ordains:

1. That Article XXX – Signs be amended in its entirety to read as follows:

ARTICLE XXX—SIGNS

SECTION 30.00 - Intent

These regulations establish rules and standards for the construction, location, maintenance and removal of signs. Directional, informational, emergency, or traffic-related signs owned by city, state or federal government agencies are not regulated by this chapter.

The execution of these regulations recognizes that the purpose of this chapter is to protect the dual interest of the public health, safety and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification, communication, and advertising. In order that such purposes can be achieved, the following objectives shall be applied for this chapter and any future additions, deletions and amendments:

- A. General. Ensure that signs are located, designed, constructed, installed and maintained in a way that protects life, health, morals, property and the public welfare;
- B. Public Safety. Protect public safety by prohibiting signs that are structurally unsafe or poorly maintained; that cause unsafe traffic conditions through distraction of motorists, confusion with traffic signs, or hindrance of vision; and that impede safe movement of pedestrians or safe ingress and egress from buildings or sites;
- C. Protect Aesthetic Quality of Districts and Neighborhoods. Prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views; preventing intrusion of commercial messages into non-commercial areas; and eliminating signs and sign structures on unused commercial properties. Also, to avoid glare, light trespass, and sky glow through selection of fixture type and location, lighting technology, and control of light levels;
- D. Free Speech. Ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication;
- E. Reduce Conflict. Reduce conflict among signs and light and between public and private information systems;
- F. Business Identification. Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law;
- G. Foster Economic Development. Ensure that signs are located in a manner that does not cause visual clutter, blight, and distraction, but rather promotes identification and communication necessary for sustaining and expanding economic development in the City; and
- H. Recognize Unique Areas. Acknowledge the unique character of certain districts, e.g., the B-3 District, and establish special time, place and manner regulations that reflect the unique aesthetic, historical, and/or cultural characteristics of these areas.

SECTION 30.10 - Definitions

Sign means any words, numbers, figures, presentations, designs, objects, trademarks, inflatables, announcements, pennants, emblems, banners, pictures or other symbols or similar devices which attract attention or make known such things as an individual, firm, profession, business, event, commodity or service and which are visible outdoors at the property line or any right-of-way lines, and shall include any structure designed to be used for such display. For the purpose of removal, such term shall also include sign supports. A sign shall not include any of the above that is customarily affixed to a person or clothing that is being actively worn by a person.

The following definitions are related to the regulation of signs in this ordinance (see end of this section for illustrative examples).

- A. **Abandoned sign** means any sign which for a period of at least 30 days or longer no longer correctly directs or exhorts any person or advertises a bona fide business lessor, owner, product, service or activity.
- B. **Advertising vehicle or trailer sign** means any vehicle or trailer which, as its basic purpose, has the advertisement of products or the direction of people to a business or activity, whether such business or activity is located on or off the premises.
- C. **Animated sign** means a sign that has any visible moving part, flashing or osculating lights, visible mechanical movement of any description, or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance in a manner that is not permitted by these regulations.
- D. **Area of sign** shall be calculated by measuring the area of all sign elements circumscribed by a rectangle, as follows (see graphic next page):
 - i. For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a rectangle that forms, or approximates, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building.
 - ii. For a freestanding sign, the sign area shall include the sign frame, if any, but shall not include 1) a pole or other structural support unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or a part of a display device. 2) Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, and which may consist of landscaping, a decorative sign base or structural forms complementing the site in general.
 - iii. Lower case letters with ascenders and descenders that extend beyond the limits of the sign height by a maximum of 12 inches, will not be calculated into the total sign area.
 - iv. In the case of a flat, two-sided sign, only one side shall be used to calculate the sign area. In the case of a multiple-faced sign, the area of all faces shall be considered as one surface. A sign shall be considered flat if there is less than a two-foot space between the two sign panels.
- E. **Ascenders** means the portion of a lowercase letter that rises above the main body of the letter as found in the letters b, d, f, h, k, l, and t.
- F. **Awning sign**— see Canopy Sign
- G. **Banner sign** means a temporary lightweight sign that is attached or imprinted on a flexible surface that deforms under light pressure and that is typically constructed of non-durable

materials, including, but not limited to, cardboard, cloth, and/or plastic.

H. **Billboard** means a large panel for the display of advertising and messages.

I. **Canopy sign** means any sign that is painted on, applied or attached to or hung from a marquee, mansard, awning, canopy or other structure projecting from and supported by the building and extending beyond the building wall.