

PRE-MEETING AGENDA

ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
AUGUST 4, 2008

The City Commission will meet for a pre-meeting study session on Monday, August 4, 2008, at 5:30 p.m. in the 2nd floor Conference Room at City Hall to discuss the following:

- I. Continuation of Discussion on Ethics Policy
- II. Contractual Issues - City Complex and Library
- III. Other Items as Time Permits

COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
AUGUST 4, 2008
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- I I. ROLL CALL
- I I I. APPROVAL OF THE MINUTES OF THE JULY 21, 2008 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. COMMUNICATION
 - 1. Communication from Finance Director regarding amendments to the Brownfield Redevelopment Financing Act
- V I. CONSENT AGENDA
 - A. RESOLUTIONS
 - 1. CR08-062. Resolution to make temporary traffic control orders permanent by posting "Two Hour Parking" signs in Lot #3 (Pearl St. parking lot) behind El Chapulin.
 - 2. CR08-063. Resolution to change first meeting in September to Tuesday, September 2, 2008, in observance of Labor Day.
 - 3. CR08-064. Resolution to approve the purchase of a 1-ton 4-wheel drive dump truck, dump body and snow plow package for the Public Works Department.
 - 4. CR08-065. Resolution to award bid for the replacement of the roof on the salt dome at Public Works.
 - 5. CR08-066. Resolution to award annual bid for rock salt.
- V I I. PUBLIC COMMENT
- V I I I. REGULAR AGENDA
 - A. ORDINANCES
 - 1. Ord. 08-13. Second reading of an Ordinance to amend Section 3.1 of Article III of the Zoning Development Regulations, and the Zoning Map, by deleting 440 E.

Church Street from the R-4 Single Family Residential District and the B-1 Local Business District and including the same in the R-O Residential Office District.

B. RESOLUTIONS

1. R08-110. Resolution to approve the appointment of Chris Atkin as the Community Development Director and the resulting budget amendments.
2. R08-111. Resolution to retain Executone for expansion of the city's telephone system to all ancillary city-owned buildings and that the bid process be waived.
3. R08-112. Resolution to approve a revision to the Thelma H. Swigert Estate Endowment Trust Policy by authorizing the City Administrator to sign an agreement to establish a designated fund within the Lenawee Community Foundation, to allow the transfer of the Swigert bequest to the Lenawee Community Foundation and that a donor advisory board be established to ensure satisfactory execution of the aforementioned revised policy.
4. R08-113. Resolution to award bid for the Island Park bridge replacement and slope replacement.
5. R08-114. Resolution to approve a change order to the contract with Clegg Electric for additional work on Phase II of the electrical upgrades at the Adrian Public Library.
6. R08-115. Resolution to award bid for sidewalk rehabilitation in an area loosely bounded by Main to Madison and Beecher to Michigan Avenue, including S. Main Street.
7. R08-116. Resolution to approve Change Order #2 to the contract with Soils & Materials Engineering to provide additional soil management work as part of the Dial-A Ride/Lenawee Transportation project.

I X. PUBLIC COMMENT

X. COMMISSION COMMENTS

MINUTES

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

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

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

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

ABSENT: Commissioners Mitzel and Clegg

Commissioner Steele moved to excuse Commissioners Mitzel and Clegg, seconded by Commissioner DuMars, motion carried by a unanimous vote.

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

PRESENTATION OF ACCOUNTS

| | |
|--|------------------------------|
| Utility Department Receiving Fund Voucher #2856 through #2866 | \$ 115,132.43 |
| General Fund Vouchers #18599, 18753 through #18776 | \$ 288,034.37 |
| Clearing Account Vouchers amounting to | <u>\$1,013,102.34</u> |
| TOTAL EXPENDITURES | <u>\$1,416,269.14</u> |

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

COMMUNICATION

1. Communication from Comcast on a change in channel lineup

CONSENT AGENDA

RESOLUTION CR08-056

WHEREAS, the Adrian City Commission, at the July 7, 2008 regular meeting, adopted Resolution R08-097, which set a public hearing date to hear and consider comments to the establishment of a Special Assessment District (SAD #376) for improvements in the College Park subdivision and portions of Vine and Sherman Streets; and

WHEREAS, the costs approved for this project, which were shown as \$440,000 to be defrayed by special assessment and \$260,000 to be paid from local street funds, were transposed and need to be corrected.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the amendment of Resolution R08-097 to reflect that \$260,000 be defrayed by special assessment and \$440,000 be paid from local street funds.

RE: POLICE DEPARTMENT – Traffic Control Order 08-13

RESOLUTION CR08-057

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

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

TCO 08-13: Remove and rescind "Advance Cross Walk" sign S1-1 Fluor at 803 E. Front Street on the Elm Street side.

RE: POLICE DEPARTMENT – Traffic Control Order 08-14

RESOLUTION CR08-058

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

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

TCO 08-14: Remove and rescind "School Crossing" sign S2-1 Fluor at 314 Elm Street at the southeast corner of Elm and Maple

RE: POLICE DEPARTMENT – Traffic Control Order 08-15

RESOLUTION CR08-059

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

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

TCO 08-15: Remove and rescind "Advanced School Crossing sign S1-1 Fluor at 823 Bristol Street

RE: POLICE DEPARTMENT – Traffic Control Order 08-16

RESOLUTION CR08-060

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

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

TCO 08-16: At 555 S. Scott Street, on the Gettysburg side, change "Dead End" sign to "No Outlet"

RE: POLICE DEPARTMENT – Traffic Control Order 08-17

RESOLUTION CR08-061

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

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

TCO 08-17: At 904 Oak Street, west side of the street, change "Dead End" sign to "No Outlet"

On motion by Commissioner DuMars, seconded by Commissioner Osborne, Consent Resolutions CR08-056 through CR08-061 were adopted by a unanimous vote.

PUBLIC COMMENT

The following people addressed the Commission regarding the establishment of a Special Assessment District for improvements in the College Park subdivision and portions of Vine and Sherman Streets.

- Damon Sloan, 1335 Sherman Ct. – Wanted to know how the costs were determined and how the frontage of a property in a cul-de-sac was figured.
- Joe Terlesky, 1370 Harrison Place – Didn't think it was fair to replace driveway approaches that had recently been redone by property owners. Also expressed frustration with dirt piled up by the Adrian College storage building, which he feels has caused flooding in the area. Residents have approached the college, but nothing has been done. Also thinks that 6% interest on the special assessment amount is too high.
- John & Katie Thomas, 1371 Harrison Place – Wanted an accurate estimate so he can figure it into his budget. Said many people in this

area are on a fixed income and it will be difficult to pay. Asked the Commission to keep in touch with residents in the area.

- Bob Ohrman, 1345 Michigan Ave. – Has lived in his home for 40 years and said the street and curb and gutter were in disrepair at that time. Feels that the city should waive the assessment and pay the entire amount.
- Kim Dezelski, 1234 Sherman St. – He put in new driveway three years ago; doesn't feel he should have to pay for the replacement of that driveway due to street reconstruction.
- Allen Kern, 1249 Vine – He lives on the corner of Vine and College Park and has replace both driveways. Doesn't feel he should have to pay to have the replaced due to street construction.
- Lily Wolcott, 1238 Vine – Asked if the water main work was finished because the water pressure at her home is bad.
- Ed Cooksey, 1345 Feeman – Said the city should have known how bad the road was and doesn't feel the city has done anything to maintain the area.

REGULAR AGENDA

ORDINANCES

1. Ord. 08-10. Second reading and adoption of an Ordinance to amend Sections 2.41.01, 2.52(c), 8.2, 9.2 and 12A.03 of the Zoning/ Development Regulations to address housing shelters. Eff. Date: 08-05-08

On motion by Commissioner DuMars, seconded for discussion by Commissioner Osborne, this Ordinance was adopted by a 4-1-0 vote.

AYES: Mayor McDowell, Commissioners Osborne, Valentine and DuMars

NAYS: Commissioner Steele

ABSTAINED: None

2. Ord. 08-11. Second reading and adoption of an Ordinance to amend Section 66.42(b) of Chapter 66, Article II, Residential Trash Collection, which is hereby amended by numbering the first paragraph of Section (b) as (1); addition of Section (b)(2) and Subsections (i), (ii), (iii), (iv) and (v). Eff. Date: 08-05-08

Commissioner DuMars asked if the owners of the private drives agreed to waive the potential damage for the trash collection. Administrator Nelson stated that they had not been approached but that Bradish Estates had been willing to do that.

Commissioners Osborne repeated his concerns about this making the budget even tighter. Administrator Nelson said that it would make it tighter, but that it would be manageable.

On motion by Commissioner Steele, seconded by Commissioner DuMars, this resolution was adopted by a 3-1-1 vote.

AYES: Mayor McDowell, Commissioners Steele and DuMars

NAYS: Commissioner Osborne

ABSTAINED: Commissioner Valentine

3. Ord. 08-12. Second reading and adoption of an Ordinance to amend Section 46-56 (a) by deleting the language in Subsection (8) (a), (b) and (c) and adding the fee amount after (8) – Closing-Out Sale. Eff. Date: 08-05-08

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

4. Ord. 08-13. Introduction of an Ordinance to amend Section 3.1 of Article III of the Zoning Development Regulations, and the Zoning Map, by deleting 440 E. Church Street from the R-4 Single Family Residential District and the B-1 Local Business District and including the same in the R-0 Residential Office District.

SPECIAL ORDERS

1. Public Hearing to hear and consider comments to the establishment of a Special Assessment District for improvements in the College Park subdivision and portions of Vine and Sherman Streets.

The following residents addressed the Commission during the Public Hearing:

- Ruth Rickard, 1324 Sherman Ct. – Concerned about when they would receive the bill for the special assessment. The City Engineer assured Ms. Rickard that the billing would not go out until early 2009.
- Robert Jackson, 1223 Sherman St. – Concerned about parking during construction and if there would be additional police patrol if they had to park on the street
- Marie Berridge, 1230 Sherman St. – Concerned about access to and from home during construction
- John Terlesky, 1370 Harrison Place – Wanted to know when they would find out if their driveway approaches needed to be redone.

RESOLUTIONS

RE: ENGINEERING DEPT. – ESTABLISH SPECIAL ASSESSMENT DISTRICT FOR IMPROVEMENTS IN THE COLLEGE PARK SUBDIVISION, INCLUDING VINE STREET (MADISON TO COLLEGE PARK) AND SHERMAN ST. (FOREST TO MADISON) – SAD #376

RESOLUTION R08-104

WHEREAS, the Adrian City Commission, by resolution duly adopted at its July 7, 2008 regular meeting, deemed it necessary and declared its intention to construct

street improvements in the College Park Subdivision, including Vine Street (Madison to College Park) and Sherman St. (Forest to Madison) 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 hearing held.

NOW, THEREFORE, BE IT RESOLVED:

1. That said public improvements be made and the City Administrator be directed to proceed with 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 costs of said improvements are determined to be \$700,000.
4. That \$260,000 of the said estimated costs shall be defrayed by special assessment and \$440,000 shall be paid from 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 #376, are described as follows:

Special Assessment Properties

College Park Subdivision, including College Park Dr., Harrison Pl., Anthony Ct., Feeman Ct., Forest St., Spencer Pl., Sherman Ct., as well as Vine St. (from Madison St. to College Park Dr.) and Sherman St. (Forest St. to Madison St.)

7. That the City Assessor is directed to prepare a special assessment roll in accordance with this resolution.

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

Commissioner Valentine sympathized with residents and discussed the delay in getting this project started; that the water main project in that area needed to be completed first. Felt that there was no disagreement that the work needed to be done.

Commissioner Steele questioned if the water main project was the reason for the delay in having the street needs met, and wondered if there were other areas in

the city that had not had curb and gutter since the 50's. Also asked about the decision on the 6% interest rate.

Commissioner DuMars said it was unfortunate that so many things happened at once, but felt the Commission would not be good stewards of the taxpayers' money if the job was not done right.

RE: Department of Public Works/City Engineer – College Park Subdivision Street Reconstruction

RESOLUTION R08-105

WHEREAS, the City Commission, by Resolution #08-066 dated May 5, 2008, adopted the FY2008-09 Budget and General Appropriations Act, which included provision in the Local Street Fund Capital Budget to reconstruct streets in the College Park Subdivision; and

WHEREAS a quote was solicited and obtained from Associated Engineers and Surveyors, Inc, Adrian, MI to provide topographic survey (\$4,500), design engineering services (\$6,700) and construction staking (\$5,600) for a total cost of \$16,800; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the Local Street Fund (203-451.10-801.203); and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution, including waiver of the competitive bid process due to the familiarity of this project by the proposed vendor and the temporarily acute staffing shortage in the City Engineer's office, which normally is utilized to perform some of these services.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Associated Engineers and Surveyors, Inc, Adrian, MI to provide topographic survey (\$4,500), design engineering services (\$6,700) and construction staking (\$5,600) for a total cost of \$16,800.

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 Osborne, this resolution was adopted by a unanimous vote.

Commissioner Valentine asked that Associated Engineers look carefully at the stormwater system.

RE: UTILITIES DEPARTMENT –Water Main Improvement Projects – Change Orders 1-4 for Contract #5

RESOLUTION R08-106

WHEREAS, the City Commission, on April 16, 2004, adopted a Water Main Improvement Project Plan, which recommended the construction of Westside well fields, Water Treatment Plant sedimentation basin improvements and Water Distribution improvements, all of which were funded by low interest loans through the State of Michigan's Drinking Water Revolving Loan Fund (DWRP Project No. 7130-01) at a Project Plan estimated cost of \$9,250,000; and

WHEREAS the City Commission, by Resolution #R07-044 dated March 5, 2007, adopted an amendment to the Project Plan regarding the route of the raw water line and authorizing issuance of Request for Proposals to construct the Project; and

WHEREAS bids were solicited, received and awarded through several City Commission actions on August 6, 2007, resulting in a cost reduction to \$7,889,000 including the following:

| | |
|---|------------------------------|
| Contract #1: Wells & Pumps to C.S. Raymer Co., Inc. | \$ 260,000.00 |
| Contract #2: Raw Water Transmission Pipeline to E.T. Mackenzie Company | 3,389,990.00 |
| Contract #3: Sedimentation Basin Rehabilitation to 3-S Construction, Inc. | 747,478.46 |
| Contract #4: Westside Well Field to Baseline Construction, Inc. | 697,500.00 |
| Contract #5: Water Main Improvements to Concord Excavating and Grading, Inc. | 1,083,675.50 |
| Contract #6: Recarbonation System Improvements to Monroe Plumbing & Heating Co. | 259,890.00 |
| Other Direct Costs (Engineering, In-House, etc.) | 727,126.04 |
| CONTINGENCY (6%) | 473,340.00 |
| Issuance Costs | <u>250,000.00</u> |
| Total | <u>\$7,889,000.00</u> |

;and

WHEREAS, Contracts #1 through #4 and #6 are either completed or nearing completion and will be evaluated; however, Contract #5, Water Main Improvements, required extra time and materials for additional service extensions and reconnects, resulting in requested Change Orders 1-4, amounting to a total of \$118,198.67, revising the amended contract to \$1,201,874.17; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose within the Project Contingency funding provided for in the DWRP Revolving Fund bond proceeds; and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution amending Contract #5, Water Main Improvements, Concord Excavating and Grading, Inc. to incorporate Change Orders 1-4 at an additional not-to-exceed cost of \$118,198.67.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes approval of this resolution amending Water Main Improvement Project - Contract #5, Concord Excavating and Grading, Inc. to incorporate Change Orders 1-4 at an additional cost not to exceed \$118,198.67, revising the amended contract to \$1,201,874.17.

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

RE: INFORMATION TECHNOLOGY DEPARTMENT –Network Mail Server Replacement

RESOLUTION R08-107

WHEREAS, the Adrian City Commission, by Resolution R08-066 dated May 5, 2008, adopted the FY2008-09 Budget and General Appropriations Act, which included a \$10,000 Capital Equipment appropriation for replacing the server for the City's e-mail system; and

WHEREAS, Director of Information Technology recommends waiving the competitive bid process and acquiring the network e-mail server from Hewlett-Packard, Omaha, NE at a cost of \$7,679.01; and

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

WHEREAS, the City Administrator recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the acquisition of a new network e-mail server from Hewlett-Packard, Omaha, NE at a cost of \$7,679.01.

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

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

RE: FINANCE DEPARTMENT - City of Adrian Business Expense Reimbursement Regulations – Revision #1

RESOLUTION R08-108

WHEREAS, the City Commission, by Resolution #R04-079 dated May 3, 2004, adopted Business Expense Reimbursement policy and regulations that pinpointed responsibilities and specified procedures for reimbursement; and

WHEREAS, based on four years' experience, the aforementioned regulations are in need of updating and streamlining to meet current business needs and expedite the reimbursement process; and

WHEREAS, the revised regulations and suggested resolution continue to specify that the City Administrator has the authority and responsibility for overall

approval, interpretation and enforcement of these regulations for employees, elected and appointed officials, and non-city personnel; and

WHEREAS, furthermore, department heads continue to be charged with the responsibility for implementation of the regulations, including, but not limited to, the determination that the expense is required to conduct city business and sufficient funds are available for such expense.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the Business Expense Reimbursement Regulations – Revision #1 proposed by the City Finance Director and recommended by the City Administrator.

BE IT, FURTHER, RESOLVED that the adopted regulations provide that the meal expenses will be reimbursed based on the Internal Revenue Service (IRS) daily meal allowance, which currently stands at an average \$40.00 per day (including gratuities). Likewise, mileage reimbursement shall be pegged at the IRS allowable rate, which is currently \$.585 per mile. These rates will be reviewed annually, during the budget process.

BE IT, FURTHER, RESOLVED that the City Administrator has the authority and responsibility for overall approval, interpretation and enforcement of these regulations for employees, elected and appointed officials, and non-city personnel.

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

RE: PARKS & RECREATION – Establishment of Pet Cemetery at Oakwood Cemetery

RESOLUTION R08-109

WHEREAS, due to increased demand for burial sites for family pets, the Parks and Recreation Director and Oakwood Cemetery Superintendent have researched the possibility of pet burial lots at Oakwood Cemetery; and

WHEREAS, it has been determined that there would be adequate space for approximately 1,000 pet burial sites along the drive in the back of the cemetery; and

WHEREAS, the Parks & Recreation Director has recommended that the following rules and price schedule be established:

- Lot size would be 2' x 2'
- Lots would include perpetual care and a deed
- Cremations only – Cremated remains must be placed in a non-porous container. No scattering of cremated remains.
- One burial per grave – Pet cremations only
- Markers optional, but if installed, must be uniform in size (16" x 8" x 4"), granite, flush to the ground and set on foundations. Foundations to be poured by cemetery staff only.
- No decorations
- Hours for pet burial – Monday through Friday – 8 a.m. – 2 p.m.
- Pricing:

Regular

- \$125.00 for each lot
- \$125.00 for opening and closing
- \$100.00 for each foundation

City Residents

- \$100.00 for each lot
- \$100.00 for opening and closing
- \$ 80.00 for each foundation

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the designation of a section in Oakwood Cemetery as a pet cemetery and, further, approves the rules and fee schedule as outline above.

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

MISCELLANEOUS

1. Zoning Board of Appeals Minutes
2. Planning Commission Minutes
3. D.A.R.T. Passenger Ridership Report
4. Parks & Recreation Quarterly Report
5. Departmental Report
6. Fire Department Report

PUBLIC COMMENT

The following people addressed the Commission regarding trees in the College Park area:

- Carolyn Noel, 435 College Park Dr. – Said many of the trees in the area look bad and some are tagged. She will get with the City Forester to find out what is wrong with the trees and what will be done with them.
- Joe Terleskey, 1370 Harrison Place – Didn't want the city to plant trees in the smaller boulevards (4') because of the damage that the roots cause.
- Allen Kern, 1249 Vine St. – Concerned about a large pine tree on the Southwest corner of Vine and McKenzie that blocks the view of traffic.

COMMISSION COMMENTS

The next regular meeting of the Adrian City Commission will be held on Monday, August 4, 2008, at 7:00 p.m. in the Commission Chambers on the 2nd floor of Adrian City Hall, 100 E. Church St., Adrian, MI 49221.

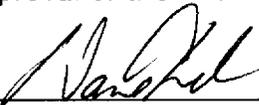
Gary E. McDowell
Mayor

Pat Baker
City Clerk

CHECK
REGISTER

August 4, 2008

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



Dane C. Nelson
City Administrator

DCN:bjw

RESOLVED, that disbursements be and they are hereby authorized for warrants directed to be drawn on the City Treasurer for the following:

| | |
|-----------------------------------|---------------------|
| Utility Department Vouchers | |
| Vouchers #2867 through #2874..... | \$128,852.12 |
| General Fund | |
| Vouchers #18777 through #18800 | 394,029.18 |
| Clearing Account Vouchers | |
| amounting to..... | <u>309,399.70</u> |
| TOTAL EXPENDITURES | <u>\$832,281.00</u> |

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

August 4, 2008

UTILITY DEPARTMENT VOUCHERS

| <u>Check Number</u> | <u>To</u> | <u>Description</u> | <u>Amount</u> |
|-------------------------|-------------------------------|------------------------|----------------------|
| <u>Receiving</u> | | | |
| 2867 | City of Adrian: Payroll | Payroll for July 18 | \$ 17,657.03 |
| 2868 | Jamie Brown | Blue Cross Refund | \$ 66.67 |
| 2869 | James Raper | Blue Cross Refund | \$ 102.06 |
| 2870 | City of Adrian: General Fund | June Expenses | \$ 55,669.46 |
| 2871 | City of Adrian: IT Dept | June Services | \$ 5,892.18 |
| 2872 | City of Adrian: Clearing Acct | July 21 Check Register | \$ 632,676.04 |
| 2873 | City of Adrian: Payroll | Payroll for July 25 | \$ 49,341.71 |
| 2874 | Verizon North | O&M Phone | \$ 123.01 |
| Total | | | \$ 761,528.16 |
| Less CK# 2872 | | | \$ 632,676.04 |
| TOTAL | | | \$ 128,852.12 |

4-Aug-08

GENERAL FUND
CHECK REGISTER

| CHECK# | AMOUNT | PAYEE | DESCRIPTION |
|--------|---------------|-------------------------------|----------------------------|
| 18777 | \$ 17,360.57 | City of Adrian: Payroll | Payroll for July 18 |
| 18778 | \$ 3,049.61 | First Federal Bank | Soc Security for July 18 |
| 18779 | \$ 110.00 | Glenn Preston | Blue Cross Refund |
| 18780 | \$ 102.06 | Steve Chesher | Blue Cross Refund |
| 18781 | \$ 102.06 | Laura Berdyck | Blue Cross Refund |
| 18782 | \$ 260.00 | Gary Devore | Recreation Refund |
| 18783 | \$ 20.00 | Rene'e Ables | Recreation Refund |
| 18784 | \$ 116.00 | Christy Markin | Recreation Refund |
| 18785 | \$ 10.00 | Matt Beach | Recreation Refund |
| 18786 | \$ 10.00 | Billie Joe Brenke | Recreation Refund |
| 18787 | \$ 407.00 | Judith Krueger | Recreation Refund |
| 18788 | \$ 25.00 | Andrew Numson | Recreation Refund |
| 18789 | \$ 317,747.59 | City of Adrian: Clearing Acct | July 21 Check Register |
| 18790 | \$ 168.07 | Verizon North | Various Phone Bills |
| 18791 | \$ 3,895.76 | Quick Service Transportation | Payroll W/E July 20 |
| 18792 | \$ 56,708.24 | City of Adrian: Clearing Acct | June 30 Check Register |
| 18793 | \$ 232,233.74 | City of Adrian: Payroll | Payroll for July 25 |
| 18794 | \$ 16,325.75 | First Federal Bank | Soc Security for July 25 |
| 18795 | \$ 3,787.60 | City of Adrian: Payroll | Payroll for July 25 |
| 18796 | \$ 105.00 | Irish Hills Girl Scouts | Recreation Refund |
| 18797 | \$ 932.25 | Lenawee Fuels Inc | Cemetery Gasoline |
| 18798 | \$ 630.86 | Consumers Energy | Omni & P&T Electric |
| 18799 | \$ 114,123.29 | Blue Cross Blue Shield of MI | August Hospitalization Ins |
| 18800 | \$ 254.56 | Verizon North | Police, Bohn Pool Phone |

\$ 768,485.01
\$ (374,455.83) Less: CK# 18789 & 18792
\$ 394,029.18

| CLAIMANT | AMOUNT CLAIMED | AMOUNT ALLOWED | AMOUNT REJECTED |
|----------------------------------|-------------------|-------------------|--------------------|
| 1. ACP | 420.00 | | |
| 2. CITY OF ADRIAN | 4,101.30 | | |
| 3. ADRIAN COMMUNICATIONS | 1,109.00 | | |
| 4. ADRIAN LANDFILL | 127.81 | | |
| 5. ADRIAN LOCKSMITH & CYCLERY | 187.25 | | |
| 6. ADRIAN MECHANICAL SERVICES C | 255.00 | | |
| 7. ADRIAN PUBLIC SCHOOLS | 156.45 | | |
| 8. ADVANCED WIRELESS TELECOM | 162.00 | | |
| 9. AIRGAS GREAT LAKES | 401.81 | | |
| 10. ARCH WIRELESS | 31.48 | | |
| 11. COLBY AVERILL | 105.99 | | |
| 12. BAKER & TAYLOR BOOKS | 784.78 | | |
| 13. GREG BELL CHEVROLET, INC | 67.60 | | |
| 14. BILL'S SERVICE, INC. | 215.60 | | |
| 15. BLACK SWAMP EQUIPMENT | 326.22 | | |
| 16. BLOOMFIELD TOWNSHIP POLICE | 300.00 | | |
| 17. BOOK OF THE MONTH CLUB | 39.42 | | |
| 18. BRAKES-N-MORE | 979.67 | | |
| 19. BRAZEE SAFETY & SECURITY INC | 1,236.90 | | |
| 20. BRODBECKS LLC | 1,550.00 | | |
| 21. BUCK & KNOBBY EQUIP CO INC | 1,720.14 | | |
| 22. CALIFORNIA CONTRACTORS SUPPL | 329.60 | | |
| 23. CDW-G COMPUTER SUPPLIES | 975.32 | | |
| 24. CENTURY EQUIPMENT | 10,194.04 | | |
| 25. CHAMBERS CONTROL COMPANY | 3,942.50 | | |
| 26. CHAMPION PRINTING AND MAILIN | 852.77 | | |
| 27. CIVICPLUS | 1,004.25 | | |
| 28. CLEGG ELECTRIC INC. | 1,007.00 | | |
| 29. CLIFT BUICK-PONTIAC-GMC | 522.54 | | |
| 30. COAST TO COAST DELI | 60.03 | | |
| 31. COIN-OP SPECIALISTS INC. | 158.45 | | |
| 32. COLDWELL BANKERS | 33.17 | | |
| 33. COMCAST | 58.47 | | |
| 34. COMFORT ENTERPRISES INC. | 196.65 | | |
| 35. COMPUTER CARE COMPANY, INC. | 129.95 | | |
| 36. CONTINENTAL CARBONIC PRODUCT | 697.82 | | |
| 37. CONTINENTAL SERVICE | 4,535.09 | | |
| 38. LYNN COURINGTON | 70.77 | | |
| 39. CUTTING EDGE ENGRAVING | 514.60 | | |
| 40. DICK'S AMOCO INC | 264.00 | | |
| 41. DIXON ENGINEERING, INC. | 2,475.00 | | |
| 42. DOAN CONSTRUCTION CO | 1,320.00 | | |
| 43. MARY KAY DURKIN | 5.72 | | |
| 44. DONALD EMMONS | 137.50 | | |
| 45. FASTENAL COMPANY | 246.43 | | |
| 46. FEDERAL EXPRESS | 194.84 | | |
| 47. FISHER SCIENTIFIC COMPANY LL | 1,121.30 | | |
| 48. FLORIDA MICRO LLC | 4,838.18 | | |
| 49. FLOYD'S RIGGING & MACHINERY | 1,420.00 | | |
| 50. FRY MECHANICAL INC | 117.50 | | |
| 51. GALE | 46.09 | | |
| 52. GALL'S INC | 452.07 | | |
| 53. GALLANT & SON | 22.98 | | |
| 54. GLOBAL GOVT/ED SOLUTIONS INC | 169.99 | | |
| 55. GORDON FOOD SERVICE | 1,251.55 | | |
| 56. HACH COMPANY | 767.85 | | |
| 57. HAFELI STARAN HALLAHAN | 53.55 | | |
| 58. HENDERSON GLASS CO | 160.00 | | |
| 59. HEWLETT GRAPHICS | 506.00 | | |
| 60. HUBBARDS AUTO CENTER | 2,170.44 | | |
| 61. HURON LIME INC. | 3,069.04 | | |
| 62. ICMA RETIREMENT CORPORATION | 217.51 | | |
| 63. IDEXX LABORATORIES, INC. | 1,733.68 | | |
| 64. INTERNATIONAL CODE COUNCIL | 1,496.56 | | |
| 65. JACKSON TRUCK SERVICE INC. | 49.88 | | |
| 66. JAMES DELIVERY SERVICE | 190.00 | | |
| 67. JANE M REIST | 17.62 | | |
| 68. JFNEW | 3,162.36 | | |
| 69. JGM VALVE CORP | 2,016.11 | | |
| 70. JIM PREVICH | 11.35 | | |
| 71. JONES & HENRY, ENGINEERS | 1,141.91 | | |
| 72. KAPNICK INSURANCE GROUP | 521.00 | | |
| 73. KAR LABORATORIES INC | 765.00 | | |
| 74. KELLER THOMA, P.C. | 3,040.00 | | |
| 75. KEMIRA WATER SOLUTIONS INC | 7,820.73 | | |

| CLAIMANT | AMOUNT CLAIMED | AMOUNT ALLOWED | AMOUNT REJECTED |
|-----------------------------------|----------------|----------------|-----------------|
| 76. ADOLPH KIEFER & ASSOCIATES | 502.70 | | |
| 77. KONICA MINOLTA- ALBIN | 19.69 | | |
| 78. KRIEGHOFF-LENAWEE COMPANY | 686.00 | | |
| 79. BRENT KUBALEK | 23.66 | | |
| 80. LANSING SANITARY SUPPLY INC | 357.21 | | |
| 81. LARRY'S CUSTOM CYCLES | 38.45 | | |
| 82. LEISURE PURSUITS INC. | 1,229.45 | | |
| 83. LENAWEE COUNTY REGISTER OF D | 48.00 | | |
| 84. LENAWEE INTEMEDIATE SCHOOLS | 180.00 | | |
| 85. LEWIS AUTO TRIM | 80.00 | | |
| 86. LLOYD'S REPAIR SERVICE | 99.98 | | |
| 87. MAC TOOLS DISTRIBUTOR | 783.98 | | |
| 88. MC&E/ELECTION SOURCE | 48.77 | | |
| 89. MCGOWAN ELECTRIC SUPPLY INC | 29.04 | | |
| 90. MEIJER, INC | 89.41 | | |
| 91. MICHIGAN DEPARTMENT OF | 42,565.85 | | |
| 92. MICHIGAN MUNICIPAL LEAGUE | 5,706.50 | | |
| 93. STATE OF MICHIGAN | 770.00 | | |
| 94. MICHIGAN STATE POLICE | 676.10 | | |
| 95. MIDWEST TAPE | 354.21 | | |
| 96. H T MORIARTY CO INC | 4,756.24 | | |
| 97. MOTION INDUSTRIES, INC. | 909.34 | | |
| 98. MUGS N' MORE IMAGING | 72.00 | | |
| 99. MUNICIPAL CODE CORPORATION | 1,094.41 | | |
| 100. MUNICIPAL EMPLOYEES' RETIRE | 64,786.01 | | |
| 101. NATIONAL FIRE PROTECTION ASS | 55.00 | | |
| 102. NEXTEL COMMUNICATIONS | 1,022.50 | | |
| 103. NORLAB INC. | 199.60 | | |
| 104. NORTHWEST POOLS, INC. | 4,447.18 | | |
| 105. OCCUHEALTH - WOLF CREEK | 37.00 | | |
| 106. OLIVER OF ADRIAN, INC. | 3,108.60 | | |
| 107. PEERLESS SUPPLY INC | 3,114.94 | | |
| 108. PLATINUM PLUS | 7,058.40 | | |
| 109. POE'S TOWING | 85.00 | | |
| 110. PREFERRED TONER SOLUTIONS | 3,426.40 | | |
| 111. PREIN & NEWHOF ENGINEERS | 272.00 | | |
| 112. PROFESSIONAL PUMP INC | 275.40 | | |
| 113. PROTECH ENVIRONMENTAL SERVIC | 200.00 | | |
| 114. PVS TECHNOLOGIES INC | 5,837.26 | | |
| 115. QUICK SERVICE TRANSPORTATION | 1,862.97 | | |
| 116. QUILL CORPORATION | 1,073.69 | | |
| 117. SUSAN RAPER | 57.35 | | |
| 118. READER'S DIGEST | 29.98 | | |
| 119. READERS DIGEST LARGE EDITION | 29.96 | | |
| 120. RED PAINT PRINTING LLC | 1,200.24 | | |
| 121. ROWE INC | 6,036.00 | | |
| 122. S N S CLEANING SERVICE | 1,623.00 | | |
| 123. S.L.C. METER SERVICE INC | 13,476.24 | | |
| 124. SAFETY SYSTEMS INC. | 2,030.00 | | |
| 125. ED SCHMIDT GMC | 204.91 | | |
| 126. SCIENTIFIC METHODS INC | 475.00 | | |
| 127. SERVICE ELECTRIC CO OF ADRIA | 3,983.00 | | |
| 128. SERVICE MASTER OF LENAWEE | 1,228.00 | | |
| 129. SHERWIN-WILLIAMS CO | 651.44 | | |
| 130. SIRCHIE FINGER PRINT LABORAT | 120.00 | | |
| 131. SJS INVESTMENT CONSULTING IN | 750.00 | | |
| 132. SLUSARSKI EXCAVATING & PAVIN | 19,366.88 | | |
| 133. SMOKEY'S GRILLE | 475.00 | | |
| 134. SNYDER WIRELESS & SATELLITE | 15.99 | | |
| 135. STANDARD ELECTRIC COMPANY | 1,080.00 | | |
| 136. STAPLES | 330.23 | | |
| 137. SUPER LAUNDROMAT & | 30.50 | | |
| 138. T-MOBILE | 29.99 | | |
| 139. TETRA TECH MPS | 374.12 | | |
| 140. TIME EMERGENCY EQUIPMENT INC | 171.41 | | |
| 141. TOLEDO PHYSICAL EDUCATION SU | 32.70 | | |
| 142. TRACTOR SUPPLY COMPANY | 335.71 | | |
| 143. TURFGRASS INC. | 2,250.00 | | |
| 144. U S POSTMASTER | 1,800.00 | | |
| 145. UNUM LIFE INSURANCE COMPANY | 2,238.95 | | |
| 146. UTILITIES INSTRUMENTATION | 884.00 | | |
| 147. VAN BRUNT TRANSPORT INC | 2,994.59 | | |
| 148. VISION PERFORMANCE GROUP | 150.00 | | |
| 149. WALDENBOOKS | 50.00 | | |
| 150. WARREN HOLDING CO LLC | 1,300.00 | | |

| CLAIMANT | AMOUNT CLAIMED | AMOUNT ALLOWED | AMOUNT REJECTED |
|-----------------------------------|-------------------|-------------------|--------------------|
| 151. WEED MAN | 45.00 | | |
| 152. WEISKOPF INDUSTRIES CORP | 1,560.16 | | |
| 153. HOYT E. WHELAN CO. | 64.75 | | |
| 154. WOODLANDS LIBRARY COOPERATIV | 140.00 | | |
| 155. WRIGHT SIGNS INC. | 1,146.48 | | |
| 156. ZEMLO, INC | 100.00 | | |
| **TOTAL ALL CLAIMS** | 309,399.70 | | |

COMMUNICATIONS

C-1



MEMO

Date: July 22, 2008

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

From: Jeffrey C. Pardee, Finance Director

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

Re: Amendments to the Brownfield Redevelopment Financing Act

On December 27, 2007, Michigan Public Acts 201, 202, 203 and 204 (The Acts) were signed into law to amend PA381 of 1996, The Brownfield Redevelopment Financing Act, which will enhance the scope and impact of Michigan's brownfield redevelopment program. In terms of acreage redeveloped, buildings returned to productive reuse, private capital following public incentives, job creation and appreciation of taxable value, Michigan has led the nation's \$6 billion Brownfield market during the past decade. The passage of these Acts will likely improve the state's competitive advantage, in this regard.

The Acts extend the school tax capture provision to 2013, increase the amount of credits available from the state from \$30 million \$40 million a year and reduces a city's public notice period from 20 days to 10 days, all of which will invite more capital into the brownfield market. In addition, "Eligible Activities" for reimbursement has been broadened to now include reasonable costs of developing brownfield plans and environmental insurance costs.

The Michigan Department of Environmental Quality (MDEQ) now has 60 days to provide a written response to a request for approval of a work plan and can only deny a work plan if the property is not eligible property under the Act; if the work plan contemplated the use of taxes levied for school operating purposes for response activities that would benefit a party liable under Part 201 (i.e. Environmental Remediation) of the Natural Resources and Environmental Protection Act (NREPA); or for an eligible activity conducted before approval of the brownfield plan. The Acts also provide for an applicant and MDEQ, by mutual written agreement, to extend the time period for any work plan review.

The Acts level the playing field for all tax collecting units of government in Michigan, as they may now reimburse for asbestos and lead abatement, as well as demolition, on all environmentally impacted “facilities” and functionally obsolete or blighted buildings, whereas 104 “Core Communities” previously enjoyed a competitive advantage. Also, “Blighted Property” has been redefined to include substantial subsurface demolition debris buried on site so that the property is unfit for its intended use. This has been a significant hurdle for many communities, as it previously required a case-by-case determination.

The Acts also increase the amount of captured tax revenue that may be used to cover a brownfield redevelopment authority’s administrative and operating expenses, baseline environmental assessments (BEAs), due care activities, additional response activities and the cost of preparing and reviewing a work plan, based on the number of an authority’s active projects; as well as specify that the duration of a brownfield plan can not exceed 35 years following the date of the resolution approving the plan amendment related to a particular eligible property, to permit flexibility in the starting date for redevelopment while continuing to limit total capture to 30 years.

Finally, the Acts require the Auditor General to conduct and report a performance post-audit on the effectiveness, efficiency and economy of the brownfield redevelopment program, at least every three years beginning no later than June 30, 2008; allows for the State Tax Commission to include in its annual financial report information regarding the amount of tax increment revenue from school operating taxes used for certain purposes to various standing committees of the state legislature, and other administrative requirements.

The end result should be to put Michigan at a competitive advantage to redevelop mature communities, with legacies of urban use. If you have any questions or need for further information, please contact my office.

CONSENT AGENDA

CR-1

CR08-062

August 4, 2008

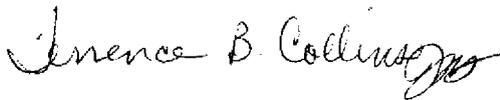
RESOLUTION
08-18

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:

Post "Two Hour Parking" signs in Lot #3 behind El Chapulin.

Respectfully,



TERRENCE B. COLLINS,
Chief of Police

TBC/skj

DATED: 7-24-08

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

CR-2

CR08-063

August 4, 2008

RE: CITY COMMISSION – Change in Meeting Date Due to Labor Day Holiday

RESOLUTION

WHEREAS, the Charter of the City of Adrian requires that regular meeting times be established by City Commission resolution; and

WHEREAS, the regular meeting scheduled for Monday, September 1, 2008, occurs on the Labor Day holiday.

NOW, THEREFORE BE IT RESOLVED that said regular meeting will be held on Tuesday, September 2, 2008 at 7:00 p.m. in the Commission Chambers on the 2nd floor of Adrian City Hall.

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

CR-3

DATE: July 30, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Purchase of a One-Ton 4x4 Dump Truck w/Snow Plow Package

I concur with the recommendation of the Public Works foreman to award the bid for a one-ton 4x4 dump truck, dump body and snow plow package to Varsity Ford of Ann Arbor, MI, in the amount of \$32,740.00. Although there was one local bidder, their bid did not meet the requirements of the Local Preference Policy.

Four firms responded to the offer to bid. There are sufficient funds in the Capital Equipment budget for this expense.



Dane C. Nelson
City Administrator

DCN:bjw

Memo

To: Dane C. Nelson, City Administrator

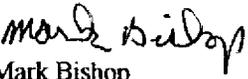
From: Mark Bishop, Public Works Foreman

Date: 7/25/2008

Re: Bid Recommendation – One 1 Ton 4 wheel drive Truck, Dump Body and Snow Plow Package

Sealed bids were received and opened on Thursday, July 24th, 2008 for 1 1 Ton 4 wheel drive dump Truck, Dump body and Snow plow package for the Departments of Public Works. See Attached sheet for bidders.

After review with staff, it is my recommendation that the bid be awarded the bid to Varsity Ford of Ann Arbor. Funds for this purchase are budgeted in the Capital Equipment Budget 101-443.00.977.000. The price for one vehicle is \$32,740.00.


Mark Bishop
Public Works Foreman

CITY OF ADRIAN, MICHIGAN
 SMALL DUMP TRUCK – 4WD
 DUE DATE: JULY 24, 2008

| | Varsity Ford Ann Arbor, MI | Ed Schmidt Auto Group Maumee, OH | Adrian Dodge Adrian, MI | Red Holman Westland, MI |
|---------------------------|----------------------------------|--|------------------------------|-----------------------------|
| New Small Dump Chassis | \$20,975.00 Ford F350 4X4 | \$ 23,887.00 Chev TK31003 | \$ 22,012.00 Dodge 3500ST | \$ 25,102.00 GMC TK31003 |
| Dump Body & Box | \$7,385.00 Henderson Mark III | \$ 6,339.00 Iroquis | \$ 8,700.00 Galion | \$ 7,385.00 Henderson |
| Western Snow Plow | \$ 4,452.00 Western Mud-Plus | \$ 4,633.00 Western MVP-Plus | \$ 5,470.00 Western | \$ 4,452.00 Western |
| Delivery | 90-120 days | 90 – 120 days | 90 days | 90 – 120 days |
| TOTAL | \$ 32,740.00 | \$ 34,859.00 | \$ 36,182.00 | \$36,939.00 |

* Local Preference 3 ½%

CR08-064

August 4, 2008

RE: DEPARTMENT OF PUBLIC WORKS – Authorization to Purchase One (1) 4X4 One-Ton Dump Truck w/Snow Plow Package

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution #08-066 dated May 5, 2008, adopted the FY2008-09 Budget and General Appropriations Act, which included funding to purchase a 4X4 one-ton dump truck w/snow plow package; and

WHEREAS, bids were solicited by the Purchasing Office and four (4) bid proposals were submitted on July 24, 2008, as follows:

| <u>Dealer</u> | <u>Location</u> | <u>Vehicle</u> | <u>Amount</u> |
|--------------------|--------------------|------------------------|---------------|
| Varsity Ford | Ann Arbor, MI 2008 | Ford F-350 4X4 | \$32,740.00 |
| Ed Schmidt Auto | Maumee, OH | 2008 Chevrolet TK31003 | \$34,859.00 |
| Adrian Dodge | Adrian, MI | 2008 Dodge 3500ST | \$36,182.00 |
| Red Holman Pontiac | Westland, MI | 2008 GMC TK31003 | \$36,939.00 |

WHEREAS, the City Engineer recommends acceptance of the low bid to purchase one (1) 4X4 one-ton dump truck w/ snow plow package from Varsity Ford, Ann Arbor, MI at a cost not to exceed \$32,740.00; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2008-09 General Fund Motor Pool Budget (Account #101-443.00-977.000 - Capital Equipment) for this purpose; and

WHEREAS, the City Engineer and City Administrator recommend acceptance of the low bid from Varsity Ford, Ann Arbor, MI and acquisition of one (1) 4X4 2008 Ford F-350 Dump Truck w/snow plow package at a cost not to exceed \$32,740.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the low bid from Varsity Ford, Ann Arbor, MI, and acquisition of one (1) 4X4 2008 Ford F-350 Dump Truck w/snow plow package at a cost not to exceed \$32,740.00.

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

CR-4
DATE: July 29, 2008
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Replacement of the Salt Dome Roof

The Public Works foreman received bids on July 29 for the replacement of the salt dome roof, which includes tear-off of the existing roof and disposal of the shingles. He has recommended that Enders Construction of Adrian, MI be retained for this work at a cost of \$8,960.00. Since there was such a wide margin in the prices submitted by the bidders, Mr. Bishop followed up with Enders Construction to confirm that the price quoted met the requirements of the bid specifications. Mr. Enders confirmed that they met all requirements.

I urge your favorable consideration to retain Enders Construction of Adrian, MI, for roof replacement on the salt dome, including tear-off and disposal of old shingles, at a cost of \$8,960.00. Funds are budgeted in the Capital Facilities account for this work.



Dane C. Nelson
City Administrator

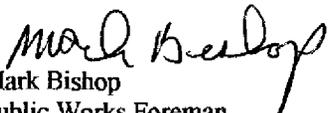
DCN:bjw

Memo

To: Dane C. Nelson, City Administrator
From: Mark Bishop, Public Works Foreman
Date: 7/30/2008
Re: Bid Recommendation – Roof replacement for Salt Dome

Sealed bids were received and opened on Tuesday, July 29th, 2008 for Removal, Replacement and Disposal of Shingles on the Salt Dome for the Departments of Public Works. See Attached sheet for bidders.

After review with staff, it is my recommendation that the bid be awarded the bid to Enders Construction of Adrian Mi. Funds for this purchase are budgeted in the Capital Facilities Budget 101-443.00.975.000. The price for Removal, Replacement and Disposal of Shingles from Salt dome roof is \$8,960.00


Mark Bishop
Public Works Foreman

CITY OF ADRIAN, MICHIGAN
SALT DOME ROOF REPLACEMENT
DUE DATE: JULY 29, 2008

| BIDDER | AMOUNT | DELIVERY |
|---------------------------------------|--------------|-------------------------------------|
| Enders Construction Adrian, MI | \$ 8,960.00 | Begin: 30 days Complete: 10 days |
| The House Fixers Adrian, MI 49221 | \$ 9,820.00 | Begin: 30 days Complete: 7 days |
| Rasmussen LLC Grandville, MI | \$ 15,769.00 | Begin: 30 days Complete: 3 days |
| Sheriff-Goslin Adrian, MI | \$ 21,899.00 | Begin: 21 days Complete: 14 days |
| Superior Services RSH Lansing, MI | \$ 23,155.00 | Begin: 30 days Complete: 7 days |
| Temp Guard Construction Onsted, MI | \$ 23,800.00 | Begin: 45 days Complete: 90 days |
| Sheriff-Goslin Adrian, MI | \$ 28,299.00 | Begin: 21 days Complete: 14 days |
| TSC Inc Toledo, OH | \$ 38,500.00 | Begin: 30 days Complete: 30 days |
| Tichenor Inc Battle Creek, MI | \$ 42,635.00 | Begin: 45 days Complete: 55 days |
| Baseline Constructors Chelsea, MI | \$ 44,849.00 | Begin: 30 days Complete: 90 days |
| | | |

CR08-065

August 4, 2008

RE: DEPARTMENT OF PUBLIC WORKS- Salt Dome Roof Replacement

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution #08-066 dated May 5, 2008, adopted the FY2008-09 Budget and General Appropriations Act, which included funding to replace the Salt Dome roof; and

WHEREAS, the Purchasing Office solicited and obtained price quotes from the following ten (10) vendors to replace the Salt Dome roof:

| <u>Company</u> | <u>Location</u> | <u>Amount</u> |
|-------------------------------|------------------|---------------|
| Enders Construction Company | Adrian, MI | \$ 8,960.00 |
| The House Fixers | Adrian, MI | 9,820.00 |
| Rasmussen, LLC | Grandville, MI | 15,769.00 |
| Sheriff-Goslin (Recover Only) | Adrian, MI | 21,899.00 |
| Superior Services RSH | Lansing, MI | 23,155.00 |
| Temp Guard Construction | Onsted, MI | 23,800.00 |
| Sheriff-Goslin | Adrian, MI | 28,299.00 |
| TSC, Inc. | Toledo, OH | 38,500.00 |
| Tichenor, Inc. | Battle Creek, MI | 42,635.00 |
| Baseline Constructors | Chelsea, MI | 44,849.00 |

WHEREAS, the Finance Director indicates that funding for purpose is available in the FY2008-09 Budget - Department of Public Works Capital Facilities Account (101-441.00-975.000); and

WHEREAS, the City Engineer and City Administrator recommend selection and engagement of the low bidder, Enders Construction Company, Adrian, MI in the City's Standard Professional Services Contract for purposes of replacing the Salt Dome roof at a cost not to exceed \$8,960.00.

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

CR-5

SUBJECT: Annual Rock Salt Bid July 30, 2008
TO: Dane C. Nelson City Administrator
FROM: Cindy L Prue Assistant Finance Director

I concur with the recommendation of the Assistant Finance Director to award the annual bid for rock salt to North American Salt of Overland Park, KS in the amount of \$49.88 per ton. North American Salt has guaranteed a maximum supply of 2,600 tons and, in return, the city has guaranteed them a minimum purchase of 1,400 tons. This amount is below our usage for the past two years, as indicated below.

I recommend that the annual bid for rock salt be awarded to North American Salt of Overland Park, KS, at a cost of \$49.88 per ton.



Dane C. Nelson
City Administrator

DCN:bjw

Sealed bids were received on May 20, 2008, at the Purchasing Office for this year's annual Rock Salt Requirements. A tabulation of the bids received is attached.

After discussions with both vendors, I recommend the bid be awarded to the low bidder, North American Salt. Because of the hard winter last year, rock salt was difficult to obtain and vendors were trying to restrict the quantities we could receive. With this year's bid, we have guaranteed quantities, both minimums and maximums we will receive. North American Salt has guaranteed us a maximum of 2,600 tons of product and, in exchange, we have guaranteed them a purchase of 1,400 tons. In the past two years we have used 1,665 and 2,593 tons respectfully.

Respectfully submitted,

Cindy L Prue
Assistant Finance Director

CR08-066

August 4, 2008

RE: PUBLIC WORKS – Annual Rock Salt Bid

RESOLUTION

WHEREAS, sealed bids were received May 20, 2008, for the annual purchase of rock salt; and

WHEREAS, said bids have been tabulated and recommendations made by the Assistant Finance Director; and

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

NOW, THEREFORE, BE IT RESOLVED, that the annual bid for rock salt be awarded to North American Salt of Overland Park, KS in the amount of \$49.88 per ton under the terms and conditions as submitted and as proposed in their sealed bid dated May 20, 2008.

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

REGULAR

AGENDA

0-1
July 8, 2008

Honorable Mayor
and City Commission:

On July 1, 2008, the Adrian City Planning Commission voted unanimously to recommend to the City Commission the approval of rezoning 440 East Church Street (Parcel No. XAO-515-0158-00) from R-4 Single Family Residential and B-1 Local Business to R-O Residential Office.

The proposed use would house various non-profit organizations that would provide food, shelter, and lifestyle assistance. The 2006 Comprehensive Plan shows this property being quasi-public, which means private, non-profit or religious entities that provide public services. The proposed use would meet this definition.

The property and buildings, formerly St. John's Lutheran School, have been vacant for several years now and would be considered functionally obsolete. The Planning Commission considered the proposed rezoning being spot zoning, however, this is a large piece of property (1.12 acres). There is a variety of zoning districts in this area already (i.e. R-4 Single Family Residential, RM-1 Multiple Family Residential; B-1 Local Business District, OS-1 Office Service and I-1 Light Industrial).

There are existing human service facilities in this area along South Tecumseh Street and South Center Street. The Planning Commission did not feel that the buildings would be demolished in the near future so single-family houses could be constructed. There doesn't seem to be a resurgence of business uses in this area.

Respectfully submitted,

Denise Cook, Secretary



STAFF ANALYSIS

**CITY OF ADRIAN
PLANNING COMMISSION
COMMUNITY DEVELOPMENT DEPARTMENT**

CASE FILE: 07-0066
DATE: June 23, 2008
APPLICANT: City of Adrian Community Development Department
SUBJECT PARCEL(S): 440 East Church Street – Parcel # XAO-515-0158-00
REQUEST: Rezoning of Subject Parcel

DESCRIPTION OF REQUEST

Applicant requests rezoning of the subject parcels to conform zoning designation to the City of Adrian Comprehensive Plan future Land Use Map. The specific parcel data is as follows:

| <u>Address</u> | <u>Parcel No.</u> | <u>Property Owner</u> | <u>Use of Property</u> | <u>Current Zoning</u> |
|------------------------|-------------------|-----------------------|------------------------|-----------------------|
| 440 East Church Street | XAO-515-0158-00 | St. Johns Church | Vacant | R-4/B-1 |

FUTURE LAND USE/ZONING

According to the City of Adrian Comprehensive Plan, future land use designation for the subject parcel is Quasi-Public.

REVIEW STANDARD(S)

The standards for rezoning requests as found in Section 28.05 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?
2. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?
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?

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

DEPARTMENT REVIEWS

Community Development has reviewed the request in response to the above standards and makes the following findings:

1. The City of Adrian Comprehensive Plan designates the subject parcel as "Quasi-Public" in the Future Land Use Map. The term "Quasi-Public" is further defined in the Comprehensive Plan text as including uses "owned by private, non-profit, or religious entities that provide public services." The proposed use of the subject parcel as a non-profit human services center meets this definition. Rezoning of the subject parcels as proposed, therefore, is in direct conformance with the Comprehensive Plan recommendation.
2. Beyond conforming zoning designations to the City of Adrian Comprehensive Plan, no precedents are known nor anticipated as a result of favorable action on this request.
3. No known impact on municipal public services or facilities would result from favorable action on this request.
4. There are no known environmental conditions which may be affected by the request. The proposed change shall have no known impact on surrounding property values.
5. Use of the subject parcel under current designations is difficult because the parcel is divided between two use designations – R-4 Single-Family Residential and B-1 Local Commercial. The proposed change to R-O Residential-Office, in addition to conforming with the Comprehensive Plan recommendations, incorporates residential and commercial uses consistent with the current split-zone designations.

RECOMMENDATION

Community Development recommends that the Adrian City Planning Commission (1) make a finding that the request for rezoning of the Parcel # XA0-515-0158-00 satisfactorily meets the review criteria found in Section 28.05 of the City of Adrian Zoning Regulations, and (2) approves the request for rezoning of the subject parcel as shown and forwards the application to the Adrian City Commission with a recommendation for preparation and approval of an ordinance to amend the City of Adrian Official Zoning Map to show such change in use designation.

RESOLUTION ADRIAN CITY PLANNING COMMISSION CASE #07-066

WHEREAS, City of Adrian Community Development has submitted a request for rezoning of Parcel # XA0-515-0158-00; and

WHEREAS, the existing use of the parcel is vacant structures; and

WHEREAS, the City of Adrian Comprehensive Plan calls for designation of such parcels as Quasi-Public for future use; and

WHEREAS, the Community Development Department has conducted a review in accordance with the review standards found in the City Code of Ordinances, 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 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.

 6-23-08
James Tischler, AICP, PCP
Community Development Director

E Maumee St

354

77

S Locust St

| | | |
|-----|-----|-----|
| 121 | 418 | 424 |
| | 116 | |
| 125 | 419 | 423 |

Park Pl E

| |
|---|
| 0 |
|---|

Park Pl E

| |
|-----|
| 516 |
| 109 |
| 517 |

E Church St

| | | | |
|-----|---------------------|-----|-----|
| 205 | 414 | 418 | 440 |
| 209 | | | |
| 215 | <i>R-4 District</i> | | 216 |
| 219 | | | 439 |

XAO-SUSP 0158-00
B-1 District

S Center St

| | | | |
|-----|-----|-----|-----|
| 504 | 510 | 514 | 518 |
| 221 | | 513 | 51 |

Frank St

374

| | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|
| 404 | 414 | 420 | 424 | 428 | 436 | 304 | |
| 317 | 407 | 411 | 417 | 423 | 427 | 433 | 437 |

| | | | |
|-----|-----|-----|----|
| 301 | 508 | 512 | 51 |
| 503 | 507 | 511 | 51 |

Erie St

316

| | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|
| 404 | 408 | 414 | 420 | 424 | 430 | 434 |
|-----|-----|-----|-----|-----|-----|-----|

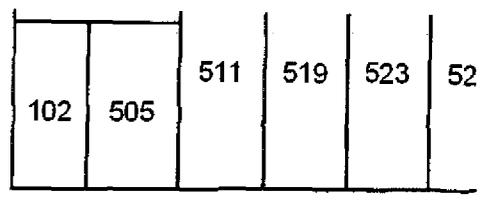
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| 504 | 512 | 51 |
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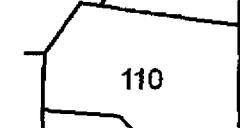
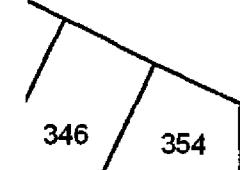
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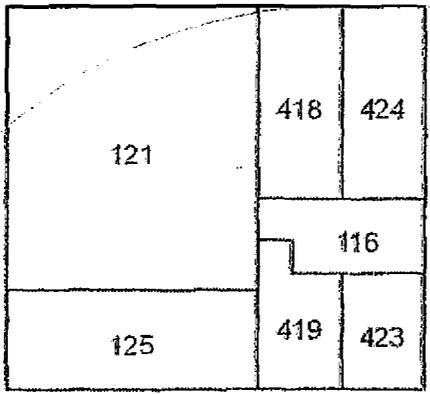
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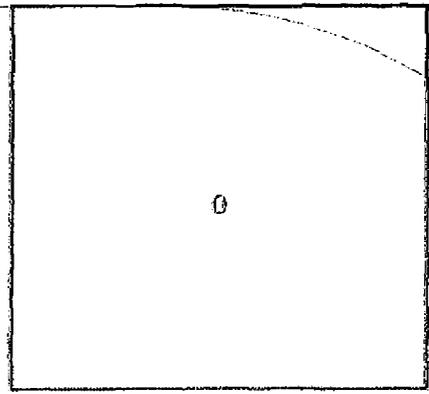
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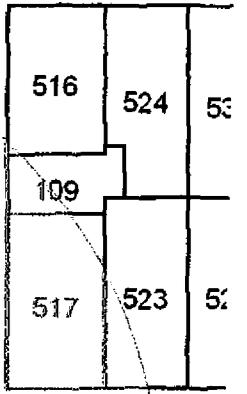
S Locust St



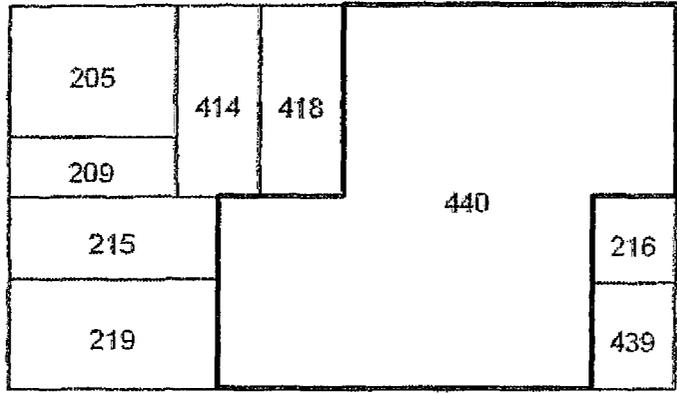
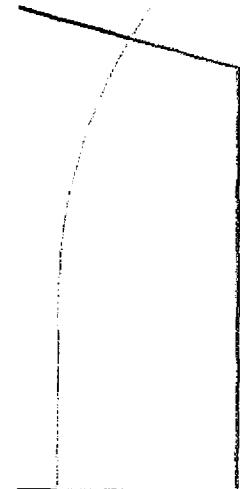
Park Pl E



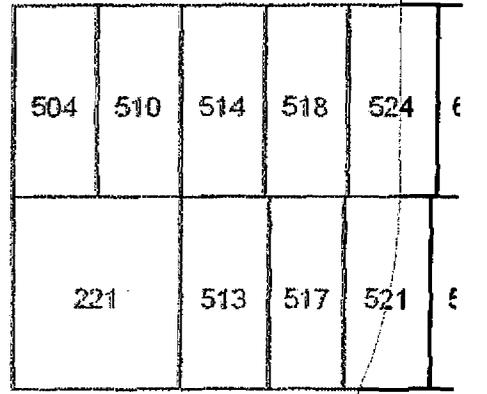
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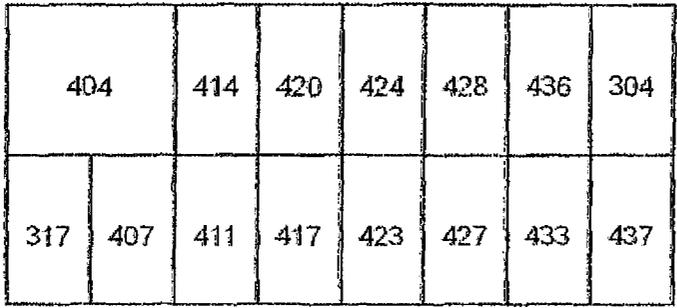
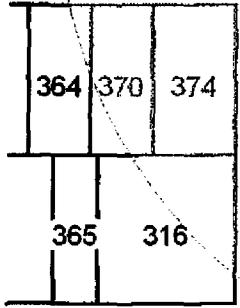
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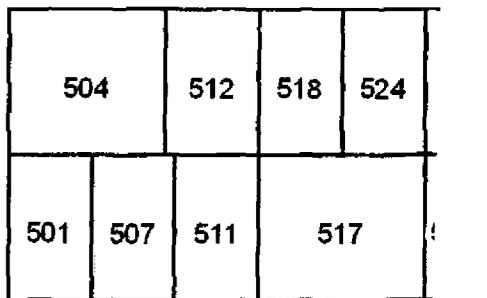
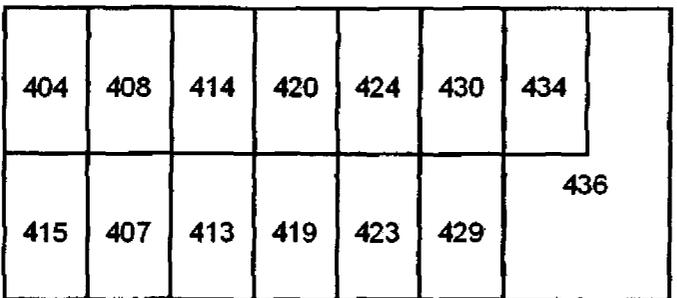
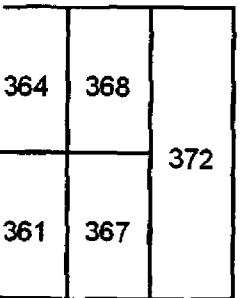
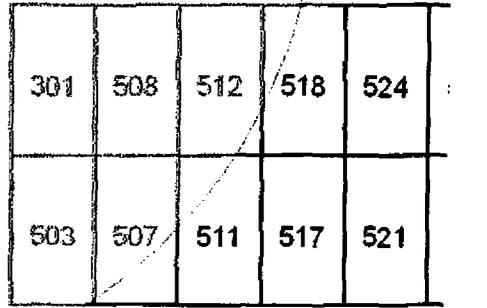
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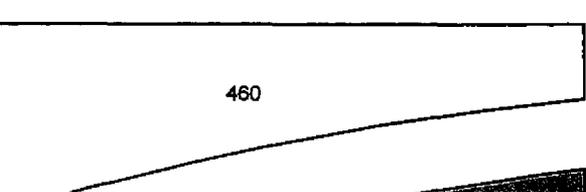
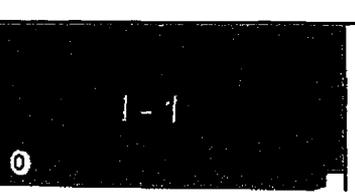
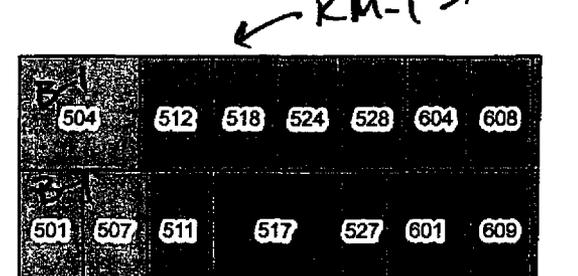
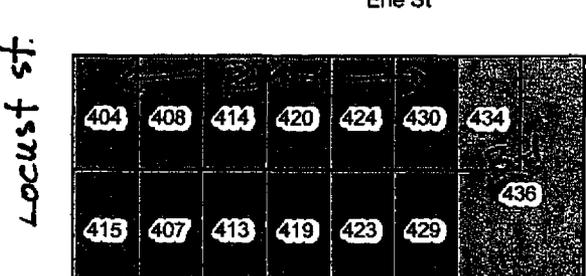
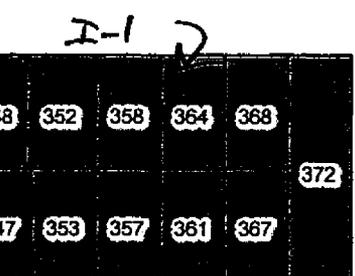
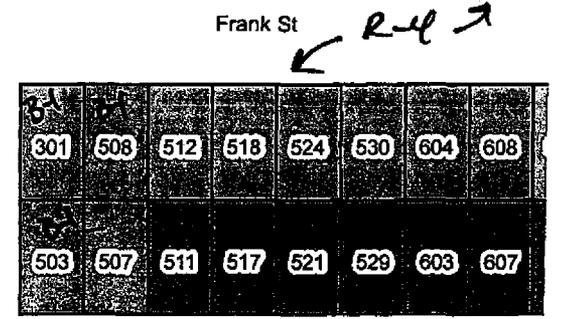
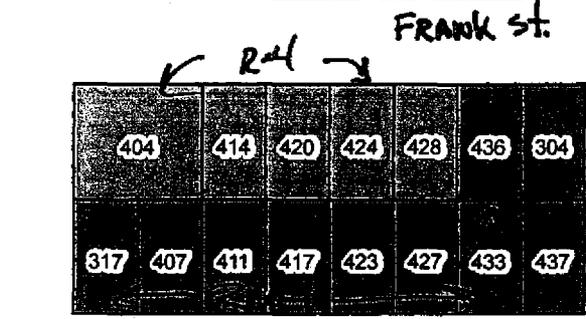
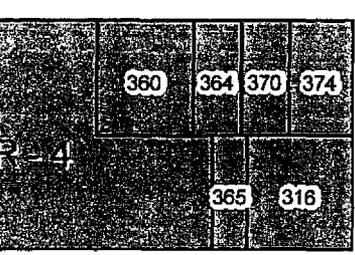
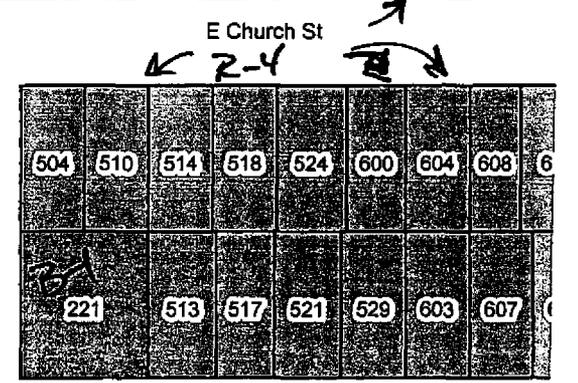
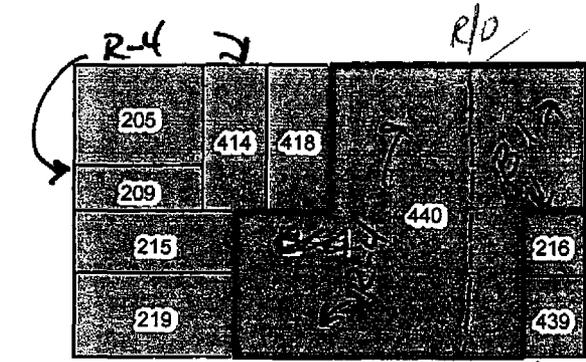
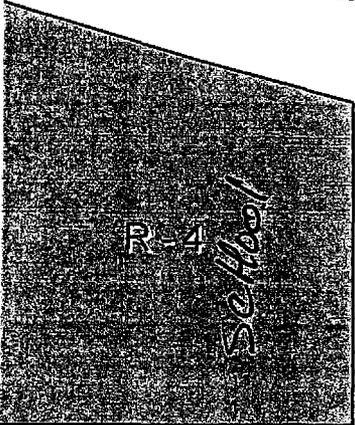
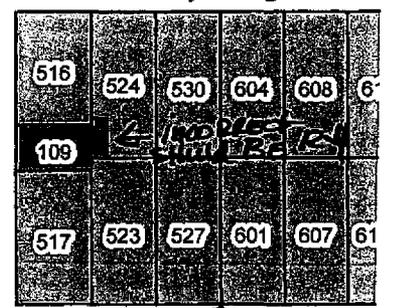
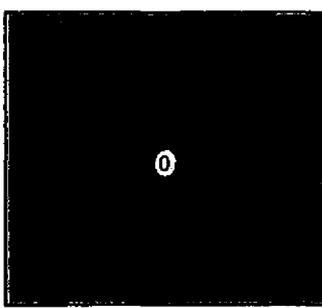
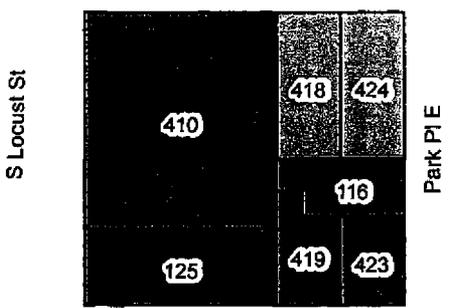
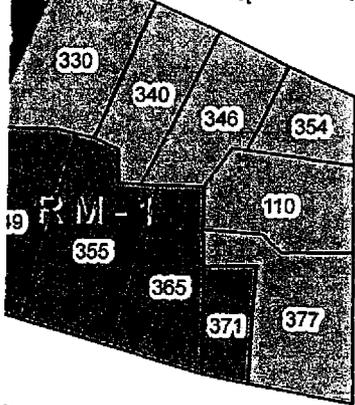
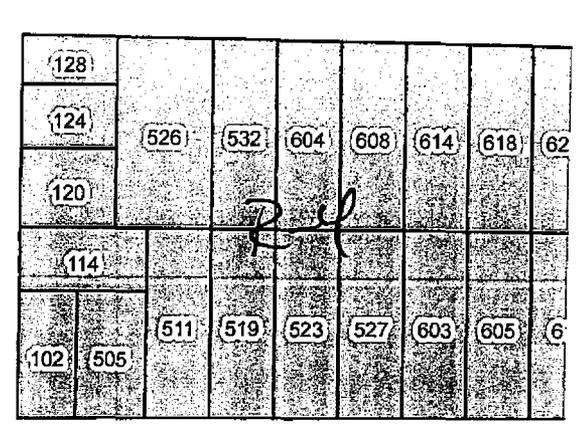
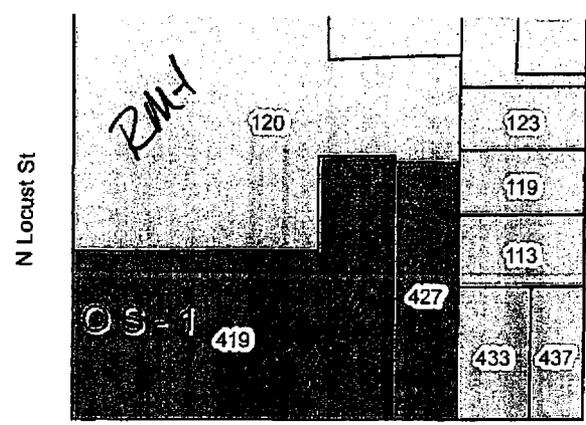
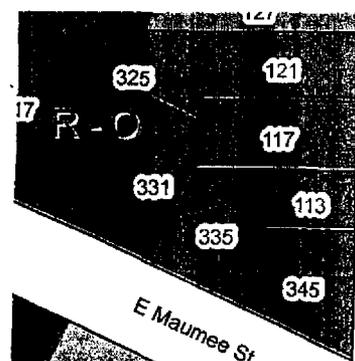


Frank St



Erie St





ORDINANCE 08-13

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 Parcel No. XAO-515-0158-00 (440 East Church Street) hereinafter described from the R-4 Single Family Residential District and the B-1 Local Business District and including the same in the R-O Residential Office District.

2. Parcel described as follows:

LOTS 158, 159, 160, 161, 185, 184, 183, 182 AND E 25 FT LOT 181 EASTERN ADDITION

INTRODUCTION July 21, 2008

SUMMARY PUBLISHED July 28, 2008

ADOPTION.....

COMPLETED PUBLICATION

EFFECTIVE DATE

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



MEMO

Date: July 27, 2008

To: Hon. Gary McDowell, Mayor
City Commission

From: Dane C. Nelson, City Administrator

Re: Community Development Director Position

The current Community Development Director, James Tischler, has submitted his resignation, effective August 15, 2008. Although the City of Adrian is losing a valued employee, this event opens a cost saving opportunity, as well as a promotional opportunity for a currently qualified City employee, Chris Atkin, GIS Coordinator, who has a Masters Degree in Urban Planning.

As indicated on the attached schedule, an \$85,348 annual savings (\$68,647 for the Balance of FY2008-09) can be achieved through the following recommended actions:

- 1) Combine duties of GIS Coordinator with Community Development Director, eliminating GIS Coordinator position and increasing GIS Consulting Services by \$15,000.
- 2) Promote Chris Atkin from GIS Coordinator (Grade 10/Step 5) to Community Development Director (Grade 14/Step 2).
- 3) Eliminate Car Allowance in favor of Mileage Reimbursement.

The attached resolution authorizing the foregoing recommended actions has been prepared for consideration at the regularly scheduled City Commission meeting of August 4, 2008. If you have any questions or need for additional information, please contact my office.

**CITY OF ADRIAN
COMMUNITY DEVELOPMENT DIRECTOR/GIS COORDINATOR STAFFING CHANGES**

**Comparison Statement
Cost Savings Analysis**

| Pos. No. | Job Class | Salary Grade/ Step | Salary (702.000) | Social Security (715.000) | Hospital-ization (716.000) | Life Ins/ AD&D (717.000) | Retiremnt Contrb. (718.000) | Unemploy Comp. (719.000) | Worker's Compr. (914.000) | Total Fringe Benefits | Total Salary & Fringes |
|--|---------------------------------|--------------------|------------------|---------------------------|----------------------------|--------------------------|-----------------------------|--------------------------|---------------------------|-----------------------|------------------------|
| CURRENT STAFFING | | | | | | | | | | | |
| 50% Economic Development Fund (276)/50% LDFA Funf (282) | | | | | | | | | | | |
| 826-001 | Community Development Direrctor | 14/7 | \$80,522 | \$6,389 | \$13,728 | \$238 | \$8,335 | \$390 | \$1,966 | \$31,046 | \$111,568 |
| | Auto Allowance | | 3,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3,000 |
| | Sub-total | | \$83,522 | \$6,389 | \$13,728 | \$238 | \$8,335 | \$390 | \$1,966 | \$31,046 | \$114,568 |
| INFORMATION Technology Fund (661) | | | | | | | | | | | |
| 220-001 | GIS Coordinator | 10-5 | \$55,969 | \$4,282 | \$1,831 | \$149 | \$5,586 | \$261 | \$339 | \$12,448 | \$68,417 |
| 812.000 | GIS Consulting Services | | 10,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10,000 |
| | Sub-total | | \$65,969 | \$4,282 | \$1,831 | \$149 | \$5,586 | \$261 | \$339 | \$12,448 | \$78,417 |
| Total | | | \$149,491 | \$10,671 | \$15,559 | \$387 | \$13,921 | \$651 | \$2,305 | \$43,494 | \$192,985 |
| PROPOSED STAFFING | | | | | | | | | | | |
| 50% Economic Development Fund (276)/50% LDFA Funf (282) | | | | | | | | | | | |
| 826-001 | Community Development Direrctor | 14/2 | \$66,659 | \$5,099 | \$1,831 | \$197 | \$6,900 | \$323 | \$1,628 | \$15,978 | \$82,637 |
| 812.000 | Auto Allowance | Delete | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | Sub-total | | \$66,659 | \$5,099 | \$1,831 | \$197 | \$6,900 | \$323 | \$1,628 | \$15,978 | \$82,637 |
| INFORMATION Technology Fund (661) | | | | | | | | | | | |
| 220-001 | GIS Coordinator | Delete | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 812.000 | GIS Consulting Services | Increase | 25,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25,000 |
| | Sub-total | | \$25,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$25,000 |
| Total | | | \$91,659 | \$5,099 | \$1,831 | \$197 | \$6,900 | \$323 | \$1,628 | \$15,978 | \$107,637 |
| COST SAVINGS | | | | | | | | | | | |
| 50% Economic Development Fund (276)/50% LDFA Funf (282) | | | | | | | | | | | |
| 826-001 | Community Development Direrctor | | \$13,863 | \$1,290 | \$11,897 | \$41 | \$1,435 | \$67 | \$338 | \$15,068 | \$28,931 |
| 812.000 | Auto Allowance | | 3,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3,000 |
| | Sub-total | | \$16,863 | \$1,290 | \$11,897 | \$41 | \$1,435 | \$67 | \$338 | \$15,068 | \$31,931 |
| INFORMATION Technology Fund (661) | | | | | | | | | | | |
| 220-001 | GIS Coordinator | | \$55,969 | \$4,282 | \$1,831 | \$149 | \$5,586 | \$261 | \$339 | \$12,448 | \$68,417 |
| 812.000 | GIS Consulting Services | | (15,000) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | (15,000) |
| | Sub-total | | \$40,969 | \$4,282 | \$1,831 | \$149 | \$5,586 | \$261 | \$339 | \$12,448 | \$53,417 |
| Total | | | \$57,832 | \$5,572 | \$13,728 | \$190 | \$7,021 | \$328 | \$677 | \$27,516 | \$85,348 |

RE: COMMUNITY DEVELOPMENT DEPARTMENT – Combine Community Development Director and GIS Coordinator Positions and Appoint New Community Development Director

RESOLUTION

WHEREAS, in an environment of difficult economic times, when taxpayers are experiencing harsh realities of adjustments to the global marketplace, the City of Adrian is endeavoring to be a good steward of the financial resources provided by its citizens; and

WHEREAS, due to the voluntary resignation of the current Community Development Director, James Tischler, effective August 15, 2008, a cost saving opportunity can be achieved, as well as a promotional opportunity for a currently qualified City employee, Chris Atkin, GIS Coordinator, who has a Masters Degree in Urban Planning; and

WHEREAS an \$85,348 annual savings can be achieved through the following recommended actions:

- 1) Combine duties of GIS Coordinator with Community Development Director, eliminating GIS Coordinator position and increasing GIS Consulting Services by \$15,000.
- 2) Promote Chris Atkin from GIS Coordinator (Grade 10/Step 5) to Community Development Director (Grade 14/Step 2).
- 3) Eliminate Car Allowance in favor of Mileage Reimbursement; and

WHEREAS the City Administrator recommends that appointment of Chris Atkin as Community Development Director, elimination of the GIS Coordinator position in favor of increasing GIS Consulting Services by \$15,000 annually, and elimination of the Auto Allowance for the Community Development Director, as well as amending the current year budget to reflect the net annual savings of \$85,348 (\$68,647 for the balance of FY2008-09).

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the appointment of Chris Atkin as Community Development Director, elimination of the GIS Coordinator position in favor of increasing GIS Consulting Services by \$15,000 annually, and elimination of the Auto Allowance for the Community Development Director.

BE IT, FURTHER, RESOLVED that the FY2008-09 Budget be amended as follows, reflecting \$71,123 net savings for the balance of the fiscal year:

**Economic Development Fund (276)
Economic Development Dept:**

| | | |
|----------------------|------------------|-----------|
| (276-895.00-702.000) | Salaries & Wages | \$(5,776) |
| (276-895.00-715.000) | Social Security | (537) |
| (276-895.00-716.000) | Hospitalization | (4,957) |
| (276-895.00-717.000) | Life Ins/AD&D | (17) |

| | | |
|----------------------|-------------------------|---------------|
| (276-895.00-718.000) | Retirement Contribution | (598) |
| (276-895.00-719.000) | Unemployment | (40) |
| | Compensation | |
| (276-895.00-914.000) | Workers' Compensation | (141) |
| (276-895.00-702.000) | Car Allowance | (1,250) |
| (276-990.00-990.000) | Contingency | \$ 13,316 |
| | Total | <u>\$ -0-</u> |

**Local Development Finance Authority
Fund (282)**

Administration:

| | | |
|----------------------|-------------------------|---------------|
| (282-290.00-702.000) | Salaries & Wages | \$(5,776) |
| (282-290.00-715.000) | Social Security | (537) |
| (282-290.00-716.000) | Hospitalization | (4,957) |
| (282-290.00-717.000) | Life Ins/AD&D | (17) |
| (282-290.00-718.000) | Retirement Contribution | (598) |
| (282-290.00-719.000) | Unemployment | (40) |
| | Compensation | |
| (282-290.00-914.000) | Workers' Compensation | (141) |
| (282-290.00-702.000) | Car Allowance | (1,250) |
| (282-990.00-990.000) | Contingency | 13,316 |
| | Total | <u>\$ -0-</u> |

Information Technology Fund (661)

GIS Services:

| | | |
|----------------------|-----------------------------|-------------------|
| (661-220.00-702.000) | Salaries & Wages | \$(46,641) |
| (661-220.00-715.000) | Social Security | (3,568) |
| (661-220.00-716.000) | Hospitalization | (1,526) |
| (661-220.00-717.000) | Life Ins/AD&D | (124) |
| (661-220.00-718.000) | Retirement Contribution | (4,655) |
| (661-220.00-719.000) | Unemployment | (218) |
| | Compensation | |
| (661-220.00-914.000) | Workers' Compensation | (283) |
| (661-220.00-812.000) | Consulting Fees | 15,000 |
| (661-990.00-990.000) | Contingency | 42,005 |
| | Total | <u>\$ -0-</u> |
| | Total Net Savings FY2008-09 | <u>\$(68,647)</u> |

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

R-2
DATE: July 29, 2008
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Telephone System to Ancillary Buildings

The City of Adrian previously entered into contracts with D & P Communications and Executone for the installation of a new telephone system at City Hall, the Police and Fire Departments and Oakwood Cemetery. The IT Director has recommended that the city's ancillary buildings be changed over to the same phone system. Executone has submitted a quote in the amount of \$22,151.64, which will provide this service to the following facilities: Adrian Public Library, Wastewater Treatment Plant, Water Treatment Plant, Water O & M and the Parks & Forestry building.

I urge your favorable consideration authorizing Executone to provide telephones, wiring, programming and other miscellaneous materials for the above facilities at a cost of \$22,151.64.



Dane C. Nelson
City Administrator

DCN:bjw



Adrian Fire Department

Memorandum

To: Mayor Gary McDowell, Adrian City Commission
From: Paul G. Trinka
CC: City Administrator Dane Nelson, Finance Director Jeff Pardee
Date: July 28, 2008
Re: Telephones

In January of 2007 City Hall, Police, Fire and Cemetery converted their telephones to an IP/Digital Inter-Tel telephone system installed by Executone of Troy, Michigan. It was our intent at the time to switch all of the small Toshiba systems that existed in each facility to the same system to take advantage of the processor, voice mail as well centralize administration of the system.

The change-over will also allow the remaining voice lines still on Verizon's system to be ported to Deerfield and Petersburg Telephones service, routing the phone lines though the fiber optic connection at City Hall.

Jim Walling, V.P. of Sales at Executone has provided pricing to complete the system:

| | Phones | Rack | Facility Paging | Total |
|---|---------------|-------------|----------------------------|--------------------|
| Library | \$5,050.10 | | | \$5,050.10 |
| Wastewater | \$2,609.22 | | | \$2,609.22 |
| Parks and Forestry | \$5,109.69 | \$200.00 | | \$5,309.69 |
| Water Treatment | \$4,092.88 | | \$344.00 | \$4,436.88 |
| Utilities Operations and Maintenance | \$4,048.03 | | \$697.72 | \$4,745.75 |
| | | | | \$22,151.64 |

I would recommend waiving the bid process and awarding the project to Executone for telephones, wiring, programming and miscellaneous materials in the amount of \$22,151.64.

Schedule A

**City of Adrian
Library
IP Phone 2008 Budgetary Quote
July 25, 2008**

10-8622 IP EndPoint
10-Inter-tel 5000 Category A IP endpoint license
10-Telephone installation/labeling and programming
1-Power Dsine mid-span power injector 12 port
1-Mounting Bracket for Power Dsine
1-Premise Visit
2-Duplex plate office white
2-Mod 8 Pin cat5e insert Blue
2-Cat5e plenum cable Blue first run
*-All Quotes good for 30 Days

| | |
|----------|------------|
| Material | \$3,809.10 |
| Labor | \$1,241.00 |
| Total | \$5,050.10 |

Options

| | |
|------------------------|-----------------|
| Battery Back-up | \$187.50 |
|------------------------|-----------------|

BY _____ BY _____
PURCHASER ACCEPTANCE EXECUTONE ACCEPTANCE

PRINT NAME _____

ITS (TITLE) _____ ITS (TITLE) _____

DATE _____ DATE _____

Schedule A

**City of Adrian
Parks and Forestry Maintenance Building
July 25, 2008**

8-Duplex Plate OFC WHT
8-Mod 8 Pin CAT5E 568B Blue
9-1st CAT5E 200MHz Plenum Blue Cable Kit *
1-16 port patch panel wall mount
8-Patch Panel Termination
16-8 pin patch cord 3 foot
8-Model 8622 Two line IP Phone
8-telephone installation & programming
8-Category A IP Endpoint license
1- Power Dsine 12 port mid span power injector
1- Power Dsine rack mount brackets
1- Premise visit

| | |
|----------|------------|
| Material | \$3,607.49 |
| Labor | \$1,502.20 |
| Total | \$5,109.69 |

*This quote assumes all IP phones will be installed within 300 cable ft. of the switch
*Scissor lift if required will be at additional cost, placement of warehouse phone will determine

Options:

| | |
|--------------------------------|----------|
| Wall rack | \$200.00 |
| Battery Back-up for the switch | \$187.50 |

BY _____ BY _____
PURCHASER ACCEPTANCE EXECUTONE ACCEPTANCE

PRINT NAME _____

ITS (TITLE) _____ ITS (TITLE) _____

DATE _____ DATE _____

Schedule A

City of Adrian
Utilities, Operations, and Maintenance
IP Phone Quote
July 25, 2008

8-8622 IP EndPoint
8-Inter-tel 5000 Category A IP endpoint license
8-Telephone installation/labeling and programming
1-premise Visit
1-Power Dsine 12 port mid span power injector
1-Mounting bracket for power injector

| | |
|----------|------------|
| Material | \$3,125.03 |
| Labor | \$ 889.00 |
| Total | \$4,048.03 |

Options:

| | |
|-----------------|-----------|
| Battery back-up | \$187.50 |
| Page connection | \$697.72* |

*Includes a model 8600 IP phone, Category A license, 15 watt page amplifier and labor

* This is only required if you wish to connect the existing page horn in the garage

BY _____ BY _____
PURCHASER ACCEPTANCE EXECUTONE ACCEPTANCE

PRINT NAME _____

ITS (TITLE) _____ ITS (TITLE) _____

DATE _____ DATE _____

Schedule A

**City of Adrian
Waste Water Treatment
IP Phone Budgetary Quote
July 25, 2008**

4-8622 IP EndPoint
4-Inter-tel 5000 Category A IP endpoint license
4-Telephone installation/labeling and programming
1-Power Dsine 6 port mid-span power injector
1-Mounting brackets for Power Dsine
1-Premise Visit
2-Surface Mount Duplex Plate office white
2-Mod 8 pin cat5e insert Blue
2-Cat5e cable first run Plenum Blue
1- connect Zetron radio to existing IP SLA
*-All Quotes good for 30 Days

| | |
|----------|------------|
| Material | \$1,819.02 |
| Labor | \$ 790.20 |
| Total | \$2,609.22 |

Options

| | |
|--------------------------------|----------|
| Battery back-up for the switch | \$187.50 |
|--------------------------------|----------|

BY _____
PURCHASER ACCEPTANCE

BY _____
EXECUTONE ACCEPTANCE

PRINT NAME _____

ITS (TITLE) _____

ITS (TITLE) _____

DATE _____

DATE _____

Schedule A

**City of Adrian
Water Department
IP Phone Quote
July 25, 2008**

- 7-8622 IP EndPoint
- 7-Inter-tel 5000 Category A IP endpoint license
- 7-Telephone installation/labeling and programming
- 1-Power Dsine mid span power injector 12 port
- 1-Mounting Bracket for Power injector
- 1-Premise Visit
- 1- Re-use of existing IP SLA (1 port) to connect analog single line phone
- 2- Cat5e cable runs for maintenance phones
- *-All Quotes good for 30 Days

| | |
|----------|------------|
| Material | \$2,964.48 |
| Labor | \$1128.40 |
| Total | \$4,092.88 |

Options:

| | |
|---|-----------|
| Battery back-up | \$187.50 |
| Page Connection | \$344.00* |
| Page connection assumes the page amplifier is in the same room as the Adtran switch | |

BY _____ BY _____
PURCHASER ACCEPTANCE EXECUTONE ACCEPTANCE

PRINT NAME _____

ITS (TITLE) _____ ITS (TITLE) _____

DATE _____ DATE _____

R08-111

August 4, 2008

**RE: INFORMATION TECHNOLOGY DEPARTMENT –Telephone
Recommendation for Ancillary City Buildings**

RESOLUTION

WHEREAS, the Adrian City Commission, on November 6, 2006, approved Resolution No.R06-164, authorizing acquisition and installation of a new VOIP telephone network with digital phone capabilities from Executone of Troy, MI for City Hall, Police Department, Fire Department and Cemetery at a cost of \$70,789; and

WHEREAS, Director of Information Technology recommends waiving the competitive bid process and engaging Executone of Troy, MI to expand the IP/Digital Inter-Tel telephone system to all ancillary City buildings, including the Adrian Public Library, Wastewater Treatment Plant, Water Treatment Plant, Utilities Operations & Maintenance, as well as the Parks & Forestry building at a cost not to exceed \$22,151.64; and

WHEREAS, the change-over will allow the remaining voice lines still on Verizon's system to be ported to Deerfield and Petersburg Telephone service, routing the phone lines through the fiber optic connection at City Hall; and

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

WHEREAS, the City Administrator recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the engaging Executone of Troy, MI to expand the IP/Digital Inter-Tel telephone system to all ancillary City buildings, including the Adrian Public Library, Wastewater Treatment Plant, Water Treatment Plant, Utilities Operations & Maintenance, as well as the Parks & Forestry building, at a cost not to exceed \$22,151.64.

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

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

R-3



MEMO

Date: July 27, 2008

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

From: Jeffrey C. Pardee, Finance Director

A handwritten signature in black ink that reads 'Jeffrey C. Pardee'.

Re: **Thelma H. Swigert Estate Endowment Trust Revised Policy Statement and Requested authorization to Transfer Funds to Lenawee Community Foundation**

The City of Adrian is the beneficiary of a bequest in excess of \$500,000 (\$556,587.42 as of July 3, 2008) from the Thelma H. Swigert Estate (Probate Case #11-0149-010). Pursuant to Mrs. Swigert's final will and testament, the aforementioned funds were bequeathed to the City of Adrian to be used for "an adult community center...for the improvement or refurbishing of said center, or...in an endowment so that the income may be used for operating expenses".

Consistent with the intent of Mrs. Swigert's wishes as expressed in her last will and testament, the City of Adrian has established the Thelma H. Swigert Endowment Trust (Account # 702-000.00-329.000). To ensure sustainability of the newly established endowment trust and appropriate investment, distribution and use of funds consistent with the benefactor's wishes as expressed in her last will and testament, the City Administration recommended and the City Commission, by Resolution #07-154 dated September 17, 2007, adopted the Thelma H. Swigert Estate Endowment Trust Policy Statement.

However, execution of the aforementioned policy is encumbered by Opinion No. 6395 of the Office of the Attorney General of the State of Michigan, wherein municipalities are prohibited from investing funds received from private donation in common stocks, consistent with general investment provisions of Public Act 20 of 1943, as amended by Public Act 196 of 1997 – Investment of Public Funds Act [MCL 129.91; MSA 3.843(1)]. Nevertheless, the intended policy of attaining full potential growth of this valuable resource can be fully achieved by transferring the Swigert bequest to the Lenawee Community Foundation, as provided for in Public Act 380 of 1913, as amended (MCL 123.874; MSA 5.3421(3)).

Pertinent sections of the Act follow:

123.874 Transfer of gift to community foundation. [M.S.A. 5.3421(3)]

Sec. 4. (1) A city, village, township, or county may transfer any gift of intangible personal property received pursuant to section 1 or the proceeds of any gift received pursuant to section 1 to a community foundation. If a gift received by a city, village, township, or county pursuant to section 1 was subject to conditions, limitations, or requirements, the transfer must be to a component fund within the community foundation that incorporates conditions, limitations, or requirements that are substantially similar to those the gift was subject to.

(4) Except as otherwise provided in subsection (5), a community foundation shall establish a donor advisory board before a gift is transferred to that community foundation under this section. The donor advisory board shall include not less than 1 representative of the city, village, township, or county transferring the gift. The donor advisory board shall do all of the following:

(a) Determine that any condition, limitation, or requirement on the use of the transferred gift is complied with.

(b) Make recommendations for the use of the transferred gift.

As Finance Director, I respectfully recommend that the Thelma H. Swigert Estate Endowment Trust Policy be revised to reflect the above noted legal constraints; that the City of Adrian transfer the Swigert bequest to the Lenawee Community Foundation and that, consistent with Public Act 380, a donor advisory board be established, composed of the City Administrator, Finance Director and Director of Parks & Recreation, to ensure satisfactory execution of the aforementioned revised Policy.

The attached resolution has been prepared for consideration by the City Commission. If you have any questions or need further information, please contact my office.

**CITY OF ADRIAN
THELMA H. SWIGERT ESTATE**

**Endowment Trust Policy Statement
Revision #1
August 4, 2008**

Prepared by Jeffrey C. Pardee, Finance Director

Source and Amount of Funds

The City of Adrian is the beneficiary of a bequest from the Thelma H. Swigert Estate (Probate Court Case #11-0149-010), which has been distributed in the following amounts:

| <u>Date</u> | <u>Amount</u> |
|--------------------------------|---------------------|
| October 19, 2006 | \$201,289.72 |
| November 16, 2006 | 234,738.00 |
| April 9, 2007 | 25,000.00 |
| July 3, 2008 | 63,451.57 |
| Interest Earnings thru 6/30/08 | <u>32,108.13</u> |
| Total-to-Date | <u>\$556,587.42</u> |

Covenant of the Swigert Will

Pursuant to Mrs. Swigert's final will and testament, the aforementioned funds were bequeathed to the City of Adrian to be used for "*an adult community center...for the improvement or refurbishing of said center, or...in an endowment so that the income may be used for operating expenses.*"

City of Adrian - Swigert Endowment Trust Policy

Consistent with the intent of Mrs. Swigert's wishes as expressed in her last will and testament, the City of Adrian has established the Thelma H. Swigert Endowment Trust (Account # 702-000.00-329.000). As provided for in Public Act 380 of 1913, as amended – Gifts of Property to Local Units of Government Act - Funds shall be transferred to the Lenawee Community Foundation and will be allocated sixty-five (65%) percent to investment grade common stock, with the balance of thirty-five (35%) percent allocated to fixed income investments and cash equivalents consistent with the City's Investment Policy, adopted September 16, 1998 and Revised September 2, 2003 (copy attached).

In addition, prior to the transfer of funds, a Donor Advisory Board shall be established by the Lenawee Community Foundation with the following members representing the City and charged with the below noted responsibilities:

City of Adrian Representatives:

City Administrator City Finance Director City Parks & Recreation Director

Responsibilities:

- 1) Determine that any condition, limitation or requirement on the use of the transferred gift is complied with.
- 2) Make recommendations for the use of the transferred gift.

Distribution of Funds

Investment earnings from the Thelma H. Swigert Endowment Trust shall be distributed to the City of Adrian on an annual basis in accordance with the “Total Return” distribution approach to trust management. Specifically, an amount not to exceed four and one-half (4.5%) percent of the total value of the trust portfolio shall be distributed to the City of Adrian at the beginning of each fiscal year, July 1, with the limitation that at no time shall the corpus of the trust be allowed to decrease in value below \$400,000 due to fund distributions.

Use of Funds

Funds derived from the Thelma H. Swigert Endowment Trust investment earnings that are ultimately distributed to the City of Adrian shall be used consistent with the benefactor’s last will and testament. Specifically, funds shall be used for the improvement or refurbishing of an adult community center or to defray expenses incurred in the operation of the adult community center, including debt service resulting from capital improvements to the adult community center.

Amendments to the Thelma H. Swigert Estate Endowment Trust Policy Statement

Once adopted by a majority vote of the Adrian City Commission, any amendments to the Thelma H. Swigert Estate Endowment Trust Policy Statement shall be consistent with the benefactor’s last will and testament and require a majority vote of the Adrian City Commission.

CITY OF ADRIAN, MICHIGAN
INVESTMENT POLICY
TO COMPLY WITH PUBLIC ACT 20 OF 1943, AS AMENDED

Adopted November 16, 1998
Revision No. 1 – September 2, 2003

PURPOSE

It is the policy of the City of Adrian to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the City of Adrian and comply with all state statutes governing the investment of public funds.

SCOPE

The investment policy applies to all financial assets of the City of Adrian. These assets are accounted for in the various funds of the City of Adrian and include all Governmental Funds (i.e., the general fund, special revenue funds, capital project funds, and debt service funds) Proprietary Funds (i.e. enterprise funds and internal service funds), and Fiduciary Funds (i.e., trust & agency funds and the Perpetual Care-Cemetery Fund), and any new fund established by the City of Adrian.

OBJECTIVES

The primary objectives, in priority order, of the City of Adrian's investment activities shall be:

Safety – Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

Diversification – The investments will be diversified by security type and institution in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity – The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment – The portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

DELEGATION OF AUTHORITY TO MAKE INVESTMENTS

Authority to manage the investment program is derived from the following: Section 8.6 of Chapter 8 of the Adrian City Charter requires the Adrian City Commission to designate depositories for City funds. The Adrian City Commission has selected the following entities as depositories by resolution to-wit: Key Bank, Key Capital Markets – McDonald Investments, Sky Bank, Smith Barney (Citigroup), Bank of Lenawee, Standard Federal Bank, American Express Brokerage, IDS Life Insurance Company, United Bank & Trust, Multi-Bank Securities, and Michigan Class Pool. Management responsibility for the investment program is hereby delegated to the Finance Director (Chief Fiscal Officer) of the City of Adrian, who shall establish written procedures and internal control for the operation of the investment program consistent with investment policy. Procedures shall include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director of Finance. The Finance Director shall be responsible for all transactions undertaken and shall establish a system of control to regulate the activities of subordinate officials. In the Finance Director's absence, the Assistant Finance Director shall assume authority and responsibility for the investment program.

AUTHORIZED INVESTMENTS

The City of Adrian is limited to investments authorized by Public Act 20 of 1943, as amended, and may invest in the following:

1. Bonds, securities and other obligations of the United States or an agency or instrumentality of the United States.
2. Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a financial institution, but only if the institution complies with subsection (2).

3. Commercial paper rated at the time of purchase within the two (2) highest classifications established by not less than two (2) standard rating services (e.g., Standard & Poors A1 and A2; Moody's Investor Services P1 and P2) and that matures not more than 270 days after the date of purchase.
4. Repurchase agreements consisting of instruments listed in subdivision (a).
5. Banker's acceptance of United States banks.
6. Mutual funds registered under the Investment Company Act of 1940, Title I of Chapter 685.54, Stat. 789, 15 U.U.C. 80a-1 to 80a-4 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. This authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share.
7. Obligations described in subdivision (1) through (5) if purchased through an inter-local agreement under the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

SAFEKEEPING AND CUSTODY

All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the City of Adrian, MI, shall be on a cash basis. Securities may be held by a third party custodian designated by the Finance Director and evidenced by safekeeping receipts as determined by the Finance Director.

PRUDENCE

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.



Lenawee
community foundation
For good. For ever.

Lenawee Community Foundation
603 North Evans Street
P.O. Box 142
Tecumseh, MI 49286
Phone: 517.423.1729
Fax: 517.424.6579
E-mail: shammersmith@ubat.com

AGREEMENT TO ESTABLISH A DESIGNATED FUND WITHIN THE LENAWEE COMMUNITY FOUNDATION

This **AGREEMENT** is made the ____ day of _____, 2008 by the City of Adrian (the Founder) to establish a designated fund to be known as the **City of Adrian - Thelma H. Swigert Memorial Fund** (the Fund) within the Lenawee Community Foundation (the Foundation).

WHEREAS, the Founder desires to establish a designated fund within the Foundation with respect to which the Founder can recommend distributions; and

WHEREAS, the mission of the Foundation is to enhance the quality of life of the citizens of Lenawee County, Michigan; and

WHEREAS, the Foundation is a nonprofit Michigan corporation exempt from taxation under the Federal Revenue Code section 501(c)(3), an appropriate institution within which to establish the Fund, and willing and able to create the Fund;

NOW THEREFORE, the parties agree as follows:

1. Purpose of the Fund

The Fund shall be utilized consistent with Mrs. Swigert's last will and testament "for an adult community center . . . for the improvement or refurbishing of said center, or . . . in an endowment so that the income may be used for operating expenses."

2. Creation of the Fund

- a. The Fund is created by the Founder through a gift to the Foundation. Subject to the right of the Foundation to reject any particular gift, the Foundation may receive additional gifts from the Founder and any other sources to be added to the Fund.
- b. The Fund, created for the purposes set forth in paragraph 1, will operate as a component fund of the Lenawee Community Foundation and will not be deemed a separate trust.
- c. All assets held in the Fund will be subject to the governing instruments and control of the Foundation through its Board of Trustees.
- d. The Fund will be identified by the Foundation in all relevant literature, reports, promotional material, and other public documents, including the Foundation Annual Report.

3. Powers, Duties and Responsibilities of the Foundation

- a. The Foundation shall have full authority and discretion to carry out the purposes of the Fund; to retain, invest, and reinvest the assets of the Fund; and commingle the assets of the Fund with those of other component funds.
- b. The Foundation shall consult with the Founder relative to the investment objectives of the Fund, and establish a separate accounting control of the contributions for all receipts and disbursements relative to the Fund. The Foundation will provide quarterly reports for the Fund to the Founder.
- c. The Foundation shall furnish all routine accounting and receipting, as well as reporting to the Michigan Attorney General and Internal Revenue Service regarding the aggregated funds, and shall keep all records of the Fund that are required to be kept under the laws governing community foundations.
- d. The Foundation retains the power to modify any restrictions or considerations of the distribution of the Fund for any specified charitable purposes or any specified organizations if in the sole judgment of the Board of Trustees of the Foundation, such restriction or condition becomes unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community or area served by the Foundation.

4. Distributions From Funds

- a. Distributions shall be made consistent with the charitable purpose for which the Fund has been established and consistent with the exempt purposes of the Foundation as specified in its Articles of Incorporation and Bylaws.
- b. The Foundation may pay out according to the advisory body recommendations, any part or all of the proceeds of the Fund, as approved by the Foundation Board of Trustees.
- c. The Founder shall establish an advisory body consisting of the City Administrator, Finance Director, and the Parks and Recreation Director. The advisory body shall make recommendations for distributions from the Fund. In the event that the advisory body ceases to provide advisory functions, the Foundation shall continue to hold the assets constituting the fund, and shall make distributions that in the opinion of the governing Board of Directors most clearly meet the purpose of the Fund.

5. Fees and Expenses

- a. The Fund will share a portion of the costs of the Foundation. The fees charged to the Fund will at all times be reasonable and in accordance with the current fee schedule applicable to funds of this type, and will not exceed usual and customary rates.
- b. Costs assessed to the Fund may include management and investment fees, and other expenses associated with fund development or management.

6. Dissolution

- a. In the event of the dissolution of the Foundation, the assets of the Fund will be distributed to one or more organizations eligible to receive funds under the Articles and Bylaws of the Foundation to be administered by such organization(s) in accordance with this Agreement.
- b. In the event of dissolution of the Founder, the Foundation shall continue to hold the assets constituting the Fund, and shall make distributions that in the opinion of the governing board most clearly meet the purposes of the Founder.

IN WITNESS WHEREOF, each party hereto has executed this Agreement by its duly authorized representative as of this day and year of the signing of this Agreement.

**Lenawee
Community Foundation**

**City of Adrian –Thelma H. Swigert
Memorial Fund**

Suann D. Hammersmith
President & CEO

Dane C. Nelson
City Administrator

R08-112

August 4, 2008

RE: DEPARTMENT OF FINANCE – Authorization to Revise the Thelma H. Swigert Estate Endowment Trust Policy and Transfer Funds to the Lenawee Community Foundation

Resolution

WHEREAS, the City of Adrian is the beneficiary of a bequest in excess of \$500,000 (\$556,587.42 as of July 3, 2008) from the Thelma H. Swigert Estate (Probate Case #11-0149-010); and

WHEREAS, pursuant to Mrs. Swigert's Last Will and Testament, the aforementioned funds were bequeathed to the City of Adrian to be used for "an adult community center...for the improvement or refurbishing of said center, or...in an endowment so that the income may be used for operating expenses"; and

WHEREAS, consistent with the intent of Mrs. Swigert's wishes as expressed in her Last Will and Testament, the City of Adrian has established the Thelma H. Swigert Endowment Trust (Account # 702-000.00-329.000); and

WHEREAS, to ensure sustainability of the newly established endowment trust and appropriate investment, distribution and use of funds consistent with the benefactor's wishes as expressed in her Last Will and Testament, the City Administration recommended and the City Commission, by Resolution #07-154 dated September 17, 2007, adopted the Thelma H. Swigert Estate Endowment Trust Policy Statement; and

WHEREAS, execution of the aforementioned policy is encumbered by Opinion No. 6395 of the Office of the Attorney General of the State of Michigan, wherein municipalities are prohibited from investing funds received from private donation in common stocks, consistent with general investment provisions of Public Act 20 of 1943, as amended by Public Act 196 of 1997 – Investment of Public Funds Act [MCL 129.91; MSA 3.843(1)]; and

WHEREAS, the intended policy of attaining full potential growth of this valuable resource can be fully achieved by transferring the Swigert bequest to the Lenawee Community Foundation, as provided for in Public Act 380 of 1913, as amended (MCL 123.874; MSA 5.3421(3)); and

WHEREAS, pertinent sections of the Act follow:

123.874 Transfer of gift to community foundation. [M.S.A. 5.3421(3)]
Sec. 4. (1) A city, village, township, or county may transfer any gift of intangible personal property received pursuant to section 1 or the proceeds of any gift received pursuant to section 1 to a community foundation. If a gift received by a city, village, township, or county pursuant to section 1 was subject to conditions, limitations, or requirements, the transfer must be to a component fund within the community foundation that incorporates conditions, limitations, or requirements that are substantially similar to those the gift was subject to.

(4) Except as otherwise provided in subsection (5), a community foundation shall establish a donor advisory board before a gift is transferred to that community foundation under this section. The donor advisory board shall include not less than 1 representative of the city, village, township, or county transferring the gift. The donor advisory board shall do all of the following:

- (a) Determine that any condition, limitation, or requirement on the use of the transferred gift is complied with.*
- (b) Make recommendations for the use of the transferred gif*

WHEREAS, the Finance Director and City Administrator recommend that the Thelma H. Swigert Estate Endowment Trust Policy be revised to reflect the above noted legal constraints; that the City of Adrian transfer the Swigert bequest to the Lenawee Community Foundation and that, consistent with Public Act 380, a donor advisory board be established, composed of the City Administrator, Finance Director and Director of Parks & Recreation, to ensure satisfactory execution of the aforementioned revised Policy.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, approves the Thelma H. Swigert Estate Endowment Trust Policy Statement Revision (copy attached) and authorizes the City Administrator to sign the agreement to establish a designated fund within the Lenawee (copy attached) Community Foundation transferring the Swigert bequest to the Lenawee Community Foundation, consistent with the provisions of Public Act 380 of 1913 – Gifts of Property to Local Units of Government Act.

BE IT, FURTHER, RESOLVED that incumbents in the following positions be appointed to the City of Adrian - Thelma H. Swigert Estate Endowment Trust Donor Advisory Board: City Administrator, Finance Director and Director of Parks & Recreation.

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

R-4

MEMO

TO: Dane C. Nelson, City Administrator
FROM: Mark K. Gasche, Parks & Recreation Director
DATE: July 30, 2008
SUBJECT: Bid Recommendation – Island Park Bridge replacement and slope restoration

I concur with the recommendation of the Parks & Recreation Director to award the bid for replacement of the Island Park bridge and restoration of the slope at Island Park to Cross Lake Construction, Horton, MI, in the amount of \$158,500. Cross Lake Construction's references were checked and all comments were positive.

Two firms responded to the offer to bid. There are sufficient funds in the Parks General & Fee Estate Capital Improvement accounts for this work.



Dane C. Nelson
City Administrator

DCN:bjw

Sealed bids were received on Thursday, July 24, 2008, for the replacement of the bridge and restoration of the slope at Island Park. Sixteen contractors were invited to bid, with two responding as shown below.

| | |
|---|-----------|
| Cross Lake Construction, Horton, MI | \$158,500 |
| Slusarski Excavating & Paving, Adrian, MI | \$163,940 |

Even though only two bidders responded, they are close in price, (\$5,440 or 3.4%), and they are both within our engineer's cost estimate for the project (\$165,000).

Cross Lake Construction is the low bidder, even with the local bidder preference policy applied (1.5%). We have not worked with Cross Lake Construction in the past so we checked two references, including the Lenawee County Drain Commission and the Village of Chelsea, where they are currently working on a pedestrian bridge project in a park. Both references were very positive.

After review with staff, it is my recommendation the bid be awarded to the low bidder, Cross Lake Construction, of Horton, MI in the amount of \$158,500. Funds for this project are budgeted in the Parks General and Fee Estate Capital Improvement accounts. This project will begin after Labor Day and be completed by winter. The bridge to the island will be closed during construction; however two pedestrian bridges will be open.

RE: DEPARTMENT OF PARKS & RECREATION – Authorization to Engage Contractor for Island Park Entry Bridge Replacement and Slope Restoration

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution #R08-075 dated May 5, 2008, authorized the City Parks & Recreation Department proceed with the basic design option proposed by the design engineers, Rowe, Inc. for the replacement of the Island Park entry bridge, at a total cost of \$170,000, including the removal of the gabion baskets around the retention area west of the bridge, and regrading of the banks in that area; and

WHEREAS, based on the specifications developed by Rowe, Inc. sixteen (16) bid proposals were solicited by the Purchasing Office, with two (2) bids submitted on July 24, 2008, as shown below:

| | |
|--|-----------|
| Cross Lake Construction Company, Horton, MI | \$158,500 |
| Slusarski Excavating & Paving, Inc. Adrian, MI | \$163,940 |

WHEREAS, after reviewing the bids in regards to the City’s Local Preference Purchasing Policy (the differential of 3.4% is greater than the required 1.5%) and checking references, the Parks & Recreation Director recommends selection of the low bid and awarding the contract to Cross Lake Construction Company, Horton, MI at a cost not to exceed \$158,500; and

WHEREAS, the Finance Director indicates that \$170,000 funding for construction of this project is included in the FY2008-09 Budget (\$75,000 in the General Fund – Parks & Forestry Capital Account #101-697.00-975.000 and \$95,000 in the Fee Estate Fund – Capital Facilities Account #205-699.00-975.000); and

WHEREAS, the City Administrator recommends approval of this resolution and engagement of Cross Lake Construction Company, Horton, MI in the City’s Standard Professional Services Contract.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Cross Lake Construction Company, Horton, MI in the City’s Standard Professional Services Contract for the replacement of the Island Park entry bridge, at a cost not to exceed \$158,500, including the removal of the gabion baskets around the retention area west of the bridge and regrading of the banks in that area.

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

R-5

DATE: July 30, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Change Order – Phase II Electrical - Adrian Public Library

On June 16, 2008, the City Commission approved a contract with Clegg Electric for Phase II electrical work at the Adrian Public Library. Not included in their bid was placement of fiber conduit for the new police station and installation of a contactor for two additional circuits to tie the rear lobby lights into the contactors and a lighted pathway for safe egress to and from the building. Clegg Electric has submitted a change order for this additional work at a cost of \$1,666, and the Library Director has recommended its approval.

I urge your favorable consideration to approve Clegg Electric's change order for additional electrical work at the library in the amount of \$1,666.



Dane C. Nelson
City Administrator

DCN:bjw



Adrian Public Library

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

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

July 29, 2008

To: Honorable Mayor Gary McDowell and City Commission

From: Carol Souchock, Adrian Public Library Director

CC: Dane Nelson, City Administrator and Jeff Pardee, Finance Director

Re: Adrian Public Library Electrical Upgrade – Phase Two Change Order Request

The City of Adrian recently completed the bid process for Phase Two of Adrian Public Library's electrical upgrade. Phase Two of the electrical upgrade involves implementation of the service designed in Phase One by Service Electric. The lowest bid received during the bid process for Phase Two was from Clegg Electric for \$110,575.00 and awarded at the June 16, 2008 commission meeting.

I request permission from the City Commission for a change order of \$1,666 on this bid to Clegg Electric. The attached resolution has been prepared for consideration by the City Commission at their meeting of August 4, 2008.

Phase Two addressed the placement of the electrical conduit for the new police station but did not address the installation of fiber conduit for the new police station. The placement of this conduit took place early in July, with the approval of the City's IT Department Head Paul Trinkka, when the trenches were opened in Library Square to place the electrical conduit. At that time, Clegg placed the fiber conduit provided by D & P. Clegg is requesting an additional \$375.00 for the placement of the fiber conduit and the penetration required.

Two additional change order requests are related to the placement of contactors on the main floor of the library to facilitate safe and secure egress. The electrical panels that currently light the main floor of the building are being relocated to the lower level due to the renovation on the south side of the building. These panels house 14 circuits of lighting and the Phase One design only took into consideration 12 of these circuits. I am requesting a change order for \$425 to add a contactor for the two additional circuits and \$866 to tie the rear lobby lights into the contactors. This updated service will address the need for safe and secure egress by lighting a pathway in and out of the building for staff and patrons.

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

CLEGG ELECTRIC

121 NORTH TECUMSEH STREET P.O. BOX 58
ADRIAN, MICHIGAN 49221
PHONE (517) 263-4840
FAX (517) 263-7469

FAX COVER SHEET

DATE 7-28-08

TO ADRIAN PUBLIC LIBRARY

FAX# 265-8847
265-2265

ATTN: CAROL

FROM: MIKE CLEGG

NO. OF PAGES TO FOLLOW: 0

RESPOND: YES NO

REMARKS: _____

RE: PHASE II ELECTRICAL

SUBJECT: CHANGE ORDER REQUESTS

REMARKS:

1. 1 1/4" CONDUIT INSTALLATION FOR FUTURE DATA
FROM LIBRARY TO POLICE STATION.

TOTAL \$ 375⁰⁰

2. ADD CONTRACTOR FOR LIGHTING CIRCUITS #13 AND #14.

TOTAL \$ 425⁰⁰

3. ADD CONTRACTOR FOR 1ST FLOOR REAR LOBBY LIGHTS.

ADD WIRING FROM C-1 TO C-1 SWITCH LOCATION

TOTAL \$ 866⁰⁰

NOTE: THESE INSTALLATIONS WILL REQUIRE ONE
ADDITIONAL DAY TO THE COMPLETION DATE.

R08-114

August 4, 2008

RE: ADRIAN PUBLIC LIBRARY –Electrical Upgrade – Phase Two – Change Order #1

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution # R08-047 dated March 17, 2008, authorized the engagement of Service Electric Company, Adrian, MI in the City’s Standard Professional Services Contract for the purpose of designing electrical upgrades at the Adrian Public Library at a cost not to exceed \$5,960 (subsequently amended for Change Order #1, increasing the authorized expenditure level to \$7,460); and

WHEREAS, based on the aforementioned design specifications, the City of Adrian Purchasing Office solicited and received the following bids on June 10, 2008, and the City Commission approved Resolution #R08-094 selecting the low bidder, Clegg Electric, Adrian, MI to perform the Phase Two electrical work at the Library at a cost of \$110,575; and

WHEREAS, the Library Director is requesting approval of Change Order #1 to the Clegg Electrical contract, amounting to \$1,666, to perform the following services not contemplated in the original contract:

- | | |
|--|--------------------|
| 1) Installation of fiber conduit to the new Police Department facility | \$ 375.00 |
| 2) Increase connections on Library lighting panes from 12 to 14 | 425.00 |
| 3) Tie the rear lobby lights into the upgraded electrical panel | <u>866.00</u> |
| Total | <u>\$1,666.00;</u> |

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

WHEREAS, the Library Director and City Administrator recommend approval of this resolution authorizing acceptance of the proposed Change Order #1 to the Clegg Electrical contract.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves Change Order #1 to the Clegg Electrical contract to perform Adrian Public Library Electrical Upgrade – Phase Two at an additional cost not to exceed \$1,666.00 for services described above.

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

R-6

July 30, 2008



MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Sidewalk Rehabilitation Bids

I concur with the recommendation of the City Engineer to award the bid for sidewalk replacement to Frank's American Concrete of Adrian, MI, in the amount of \$55,331.60. As mentioned below, approximately 11,000 square feet of condemned sidewalk will be replaced, with two-thirds of the cost being billed to the homeowners and the balance coming from the city's Local Street Fund.

I urge your favorable consideration to award the bid for sidewalk replacement to Frank's American Concrete of Adrian, MI at a total cost of \$55,331.60.

Dane C. Nelson
City Administrator

DCN:bjw

We received bids for sidewalk rehabilitation within the City. We have condemned approximately 11,000 SF of sidewalk within the area loosely bounded by Main to Madison and Beecher to Michigan Ave, including South Main.

The bid tabulations are as follows:

| | Frank's Amer. Concrete Adrian, MI | Schug Construction Adrian, MI | Andrews Construction Manchester MI | Zemlo Inc Adrian, MI | Doan Construction Ypsilanti, MI |
|---------------------------------|-----------------------------------|-------------------------------|------------------------------------|-----------------------|---------------------------------|
| 4" concrete sidewalk 7571 SF | \$4.90 SF \$ 37,098.00 | \$4.85 SF \$ 36,719.35 | \$5.25 SF \$ 39,747.75 | \$5.57 \$42,170.47 | \$7.60 \$57,539.60 |
| 6" concrete sidewalk 3038 SF | \$5.20 SF \$15,797.60 | \$5.60 SF \$17,012.80 | \$6.00 SF \$18,228.00 | \$6.75 \$20,506.50 | \$8.10 \$24,607.80 |

| | | | | | |
|--------------------------------------|---------------------------|-------------------------|--------------------------|----------------------|------------------------|
| 6" ADA Ramps 435 SF | \$ 5.60 SF \$ 2,436.00 | \$9.50 SF \$4,132.50 | \$10.00 SF \$4,350.00 | \$7.75 \$3,371.25 | \$23.50 \$10,222.50 |
| Saw Cut Opens Handicap Ramp | \$ 0.00 | \$250.00 \$ 0.00 | \$250.00 \$ 0.00 | \$300.00 \$ 0.00 | N/A |
| Traffic Control | \$ 0.00 | \$ 1,500.00 | \$1,000.00 | \$1,500.00 | \$2,000.00 |
| | | | | | |
| TOTAL | \$ 55,331.60 | \$ 59,364.65 | \$ 63,325.75 | \$67,548.22 | \$94,369.90 |

I recommend award of this bid to Frank's American Concrete, Inc. as they are low bidder on this project as requirements for the "local preference policy" were not met.

The city pays 1/3 of this contract cost (\$18,443.87) and the remainder of the costs is assessed to the homeowners (\$36,887.73) of the condemned sidewalks. Funds for this project will be drawn from the Local Street Fund sidewalk account (203-444.000-801.000) and are available.

RE: DEPARTMENT OF PUBLIC WORKS – Annual Sidewalk Rehabilitation Program

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution #08-066 dated May 5, 2008, adopted the FY2008-09 Budget and General Appropriations Act, which included funding to continue the City’s annual Sidewalk Rehabilitation Program; and

WHEREAS, the City Engineer developed bid specifications for approximately 11,000 SF of sidewalk within the area bounded by Main to Madison and Beecher to Michigan Avenue, including South Main; and

WHEREAS, bids were solicited by the Purchasing Office and five (5) bid proposals were submitted on July 24, 2008, as follows:

| <u>Vendor</u> | <u>Location</u> | <u>Amount</u> |
|---------------------------|-----------------|---------------|
| Frank’s American Concrete | Adrian, MI | \$55,331.60 |
| Schug Construction | Adrian, MI | 59,364.65 |
| Andrews Construction | Manchester, MI | 63,325.75 |
| Zemlo, Inc. | Adrian, MI | 67,548.22 |
| Doan Construction Company | Ypsilanti, MI | 94,369.90 |

WHEREAS, the City is responsible for one-third of the contract cost (\$18,443.87) and the balance (\$36,887.73) will be assessed to the homeowners of the condemned sidewalks; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2008-09 Local Street Fund - Sidewalk Budget (Account #203-444.00-801.000 Contract Services) for this purpose; and.

WHEREAS, the City Engineer and City Administrator recommend acceptance of the low bid from Frank’s American Concrete, Inc., Adrian, MI at a cost not to exceed \$55,361.60.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the low bid from Frank’s American Concrete, Inc., Adrian, MI at a cost not to exceed \$55,361.60 to implement the City’s Annual Sidewalk Rehabilitation Program for FY2008-09.

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

R-7



City Commission Memorandum

To: Dane C. Nelson
City Administrator

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

Date: July 29, 2008

Subject: Lenawee Transportation Project -- Site Soils Management Change Order #2

Attached to this cover is a proposed Change Order for additional soils management work at the Lenawee Transportation Project at 349 Logan Street.

As you know, the City has currently engaged a contract with Soils & Materials Engineers, Inc. (SME) for this project, which is being funded by a State of Michigan – Clean Michigan Initiative grant award. The original contract was approved by the Adrian City Commission on November 5, 2007 for a total of \$8,700.00, and the first change order (#1) for \$2,800.00 was approved by the City Commission on April 7, 2008, bringing the total contract price to \$11,500.00.

As of June 30, 2008, all work under this contract was completed. Additional evaluation of proof-rolling in the proposed parking lot, however, is necessary. In response, Community Development has prepared the attached Change Order #2 for Administration and City Commission review. The proposed increase of \$2,200.00 will bring the total cost of this work to \$13,700.00, which is still within the MDEQ grant budget allowance and 100% reimbursable via the grant agreement.

Community Development believes that the proposed additional cost is reasonable and therefore respectfully recommends approval. Funds for this project are budgeted in the Economic Development Fund – MDEQ Silo Demolition Grant account (276.835.801.000). I will be pleased to answer any questions either prior to or during the City Commission meeting.

SOIL AND MATERIALS ENGINEERS, INC

43980 Plymouth Oaks Blvd.
Plymouth, Michigan 48170
Phone: 734-454-9900
Fax: 734-454-0629

CHANGE ORDER REQUEST

Client Name: City of Adrian

Client Representative: James Tischler

Fax Number: (517) 263-2161

Phone Number: (517) 265-8798

Project Name/Location: Lenawee Transportation Building / Adrian, MI

Client Project/P.O. #: 000038104

SME Project #: TQ57427

This will serve to confirm the modifications to the scope of work/services as outlined in our proposal dated 10/25/07 as follows:

Proofroll evaluations of pavement subgrade
(4 site visits)

The above modifications to the scope of work/services will result in additional fees in the amount of \$2,200.00. All previously agreed upon terms and conditions remain in effect.

SME PROJECT MANAGER

CLIENT REPRESENTATIVE
I authorize the above services to be performed and agree to the additional fees:

Date: _____

Date: _____

R08-116

August 4, 2008

RE: DEPARTMENT OF COMMUNITY DEVELOPMENT: Dial-A-Ride/Lenawee Transportation Facility – Site Soils Management Change Order #2

RESOLUTION

WHEREAS, the Adrian City Commission and Lenawee Transportation Corporation have approved a contract for construction of a bus dispatch/garage facility; and

WHEREAS, the City of Adrian received a Clean Michigan Initiative Grant from the Michigan Department of Environmental Quality in the amount of \$250,000 for demolition of the former Adrian Silos; and

WHEREAS, the City of Adrian was requested by Lenawee Transportation Corporation to provide assistance with engineering oversight and testing of additional fill placement and compaction; and

WHEREAS, MDEQ–Jackson District Office has authorized the use of unencumbered grant funds to pay for on-site soils management; and

WHEREAS, the Adrian City Commission, by Resolution #R08-190 dated April 4, 2008, authorized the engagement of Soils and Materials Engineers, Inc., Plymouth, MI to provide soil management monitoring services at a cost of \$11,500.00, including Change Order #1; and

WHEREAS, additional soils evaluation work has been determined as necessary for the project and, thus, Change Order #2 has been prepared by SME, Inc. for an amount of \$2,200.00, bringing the total contract amount to \$13,700.00; and

WHEREAS, the Finance Director confirms that the MDEQ CMI grant awarded to the City of Adrian retains an undesignated fund balance of \$13,700.00; and

WHEREAS, the Community Development Director and City Administrator recommend approval of this resolution and the appropriate amendments to the FY2008-09 Budget and General Appropriations Act.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the Lenawee Transportation Project – SME Change Order #2.

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

Economic Development Fund (276)

Revenue:

(276-000.00-503.000) MDEQ Silo Demolition Grant \$ 2,200

Expenditures:

(276-835.00-801.000) Contract Services 2,200
Total \$ -0-

On motion by Commissioner _____, seconded by

Commissioner _____, this resolution was adopted/denied by a

_____ vote.