



**CITY COMMISSION
MEETING
July 16, 2012**



PRE-MEETING AGENDA

**ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
MONDAY,
JULY 16, 2012**

The City Commission will meet for a pre-meeting study session on Monday, July 16, 2012 at 5:30 p.m. in the City Chambers Building, 159 E. Maumee St., to discuss the following:

1. Presentation by Tetra-Tech on Rain Garden Study.
2. Mayor's discussion regarding new revenue.
3. Other items as time permits.



COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
JULY 16, 2012
7:00PM**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE JULY 2, 2012 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. PUBLIC COMMENT ON AGENDA ITEMS
- VI. COMMUNICATIONS
 1. **C-1. Finance.** State Revenue Sharing Update.
- VII. CONSENT AGENDA
 1. **CR12-042. Department of Public Works.** Resolution to award a bid for the City's Annual Sidewalk Rehabilitation Program for FY2012-13.
 2. **CR12-043. Administration.** Resolution to authorize the re-election of trustees to the MML Worker's Compensation Board of Trustees.
 3. **CR12-044. City Clerk.** Resolution to approve the reappointment of Waneta Raloff, Jane Castle and Margaret Noe to the Election Commission for one year terms that will expire in 2013.
 4. **CR12-045. Administration.** Resolution to appoint delegates to attend the annual Municipal Employees Retirement System (MERS) meeting.
 5. **CR12-046. Department of Public Works.** Resolution to approve a bid for the purchase of Cold Patch.
- VIII. REGULAR AGENDA
 - A. ORDINANCE
 1. **Ord. 12-002. City Attorney.** Introduction of a new ordinance entitled "Parental Responsibility", regarding the responsibility of a parent or guardian to require their minor child to attend regular school sessions.
 - B. SPECIAL ORDERS
 1. **SO-1.** Public hearing to hear and consider comments to the establishment of a Special Assessment District (SAD # 385) for improvements on Elm Street from Oakwood to Siena Heights.

2. **SO-2.** Public hearing to hear and consider comments to the establishment of a Special Assessment District (SAD # 386) for improvements on Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End.

C. RESOLUTIONS

1. **R12-081. Engineering.** Resolution to establish Special Assessment District # 385 and direct that the improvements to Elm Street from Oakwood to Siena Heights be made.
2. **R12-082. Engineering.** Resolution to establish a Special Assessment District # 386 and direct that the improvements to Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End be made.
3. **R12-083. Finance.** Resolution to waive the bid process and authorize the renewal of Property Damage, Liability and Vehicle Fleet Insurance with the Michigan Municipal League Liability and Property Pool, including the additional Endorsement for Sewer and Storm Drain Liability exposure, as well as Treasurer/Clerk Bond.
4. **R12-084. City Commission.** Resolution to change the maximum of hours of accumulated vacation time that may be included as part of a non-union employee's final average compensation from 320 to 240 hours.
5. **R12-085. Engineering.** Resolution to approve a Change Order to the Cross Lake Construction Company of Horton, MI contract in the amount of \$14,378 for additional bridge work.
6. **R12-086. Administration.** Resolution to accept a proposal to review and draft a new sign ordinance for the City of Adrian.
7. **R12-087. Parks & Recreation.** Resolution to waive the bid process and authorize the engagement of ROWE Professional Services Co. of Flint, MI to perform construction engineering oversight services for the Comstock Park Retaining Wall Replacement Project.
8. **R12-088. Engineering.** Resolution to approve a bid for the purchase of elevator maintenance services for the period of July 1, 2012 through June 30, 2014.
9. **R12-089. Library.** Resolution to consider the establishment of a district library.
 - **Option I:** Resolution to direct the Mayor and Library Director to notify the District Library Planning Committee that the City Commission no longer wishes to proceed with the establishment of a District Library.
 - **Option II:** Resolution to authorize the Mayor and Library Director to continue with the development of a District Library Agreement.

10. **R12-090. Attorney.** Resolution to authorize the Mayor to enter into an agreement to provide legal services of the Adrian City Attorney to the Lenawee Intermediate School District (LISD).

IX. MISCELLANEOUS

1. Adrian Fire Department Report
2. Departmental Report
3. D.A.R.T. Passenger Ridership Report
4. Planning Commission Minutes

X. PUBLIC COMMENT

XI. COMMISSIONERS COMMENTS



MINUTES

**MINUTES
ADRIAN CITY COMMISSION
JULY 2, 2012
7:00 P.M.**

Prior to the opening of the regular meeting, Commissioner Gallatin motioned to go into closed session to discuss current labor negotiations, seconded by Commissioner Warren, motion carried by a unanimous vote. The Commission came out of closed session at 6:58 p.m. and went into the regularly scheduled meeting.

Official proceedings of the July 2, 2012 regular meeting of the City Commission, Adrian, Michigan.

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

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

Mayor DuMars in the Chair.

Commissioner Carrico moved to approve the minutes of the June 18, 2012 regular meeting of the Adrian City Commission, seconded by Commissioner Jacobson, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher #3635 through #3642	\$105,063.98
General Fund Vouchers #20991 through #21011	\$362,715.82
Clearing Account Vouchers amounting to	<u>\$404,063.92</u>
TOTAL EXPENDITURES	<u>\$871,842.72</u>

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

PUBLIC COMMENT

1. Harold Frederick – 1340 Oregon Rd – was against the District Library idea; does not want an added millage.

COMMUNICATIONS

C-1. FINANCE – Report on Government Finance Officers Association (GFOA) 106th Annual Conference.

C-2. FINANCE. – FY2012-13 Finance Calendar

C-3. LIBRARY. – Adrian Public Library – Stubnitz & KKE Donations.

CONSENT AGENDA

RESOLUTIONS

CR12-030

RE: UTILITIES DEPARTMENT –Annual Bids for Treatment Chemicals at Water and Wastewater Plants

WHEREAS, the City Commission, by Resolution #R12-045 dated May 7, 2012, adopted the FY2012-13 Budget and General Appropriations Act, which included appropriations for treatment chemicals at the Water (\$225,000) and Wastewater (\$67,000) Plants; and

WHEREAS, the Purchasing Office, in conjunction with the Utilities Department, solicited and received a total of twelve (12) bids on Thursday, June 21, 2012 for the six (6) chemicals used in the various treatment processes; and

WHEREAS, the Utilities Director recommends acceptance of the low bid in every case; and

WHEREAS, a summary of the recommended vendors follows:

<u>Chemical</u>	<u>Recommended Supplier</u>	<u>Bid Price</u>	<u>% Change</u>
Ferric Chloride	Kemira Water Solutions-Lawrence, KS	\$0.192	+1.6%
Ferric Sulfate	General Chemical-Parsippany, NJ	\$0.1245	+7.6%
Pebble Lime	Western Lime-West Bend, WI	\$132/ton	+4.5%
Sodium Hypochlorite	JCI Jones – Riverview, MI	\$0.070	-2.7%
Phosphate	Carus Corp. – Peru, IL	\$0.51	13.6%
Carbon Dioxide	Continental Carbonic – Decatur, IL	\$0.032	+3.1%

WHEREAS, the City Administrator recommends approval of this resolution.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the bid recommendations detailed above for the FY2012-13 Fiscal Year.

CR12-031

RE: UTILITIES DEPARTMENT – Street Castings-Annual Bid

WHEREAS, two (2) sealed bids were received June 21, 2012 for the annual purchase of street castings; and

WHEREAS, based on anticipated volumes and adherence to bid specifications, said bids have been tabulated and recommendations made by the Utilities Director, Asst. Finance Director and the City Administrator to select qualified bidder EJ USA, Inc., East Jordan, MI, having adhered to bid specifications in each case (Ref: attached bid tabulation), and based on the fact that the majority of the City's system is currently East Jordan Iron Works and products and service have been satisfactory for many years; and

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

NOW THEREFORE BE IT RESOLVED that the bids for street castings be awarded to the qualified bidder, EJ USA, Inc., East Jordan, MI, under the terms and conditions as submitted and as proposed in their sealed bids dated June 21, 2012.

CR12-032

RE: UTILITIES DEPARTMENT - Ductile Iron Pipe and Fittings-Annual Bid

WHEREAS, three (3) sealed bids were received June 19, 2012 for the annual purchase of ductile iron pipe and fittings; and

WHEREAS, based on anticipated volumes and adherence to bid specifications, said bids have been tabulated and recommendations made by the Utilities Director, Asst. Finance Director and the City Administrator to select the lowest qualified bidder adhering to bid specifications in each case (Ref: attached bid tabulation), with the following results:

- All Class 52 Ductile Iron Pipe be awarded to low bidder, Etna Supply, Grand Rapids, MI
- Ductile Iron Mechanical Joint Fittings, Gate Valves with accessories, Tapping Valves, Tapping Sleeves, Retaining Glands, Gaskets and Accessory Kits be awarded to low bidder, Etna Supply, Grand Rapids, MI;and

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

NOW, THEREFORE, BE IT RESOLVED that the bids for ductile iron pipe and fittings be awarded to the low bidder, Etna Supply, Grand Rapids, MI under the terms and conditions as submitted and as proposed in their sealed bids dated June 19, 2012.

CR12-033

RE: DEPARTMENT OF PUBLIC WORKS – Backfill Material Annual Bid

WHEREAS the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Thursday, June 21 for the 2012 construction season for purchase of backfill material, with the following results:

	Van Brunt Transport Onsted, MI	G.S. Materials Sylvania, OH
Sand – cu.yd	N/B	\$9.03
Sand - ton	\$ 6.95	\$ 6.95
Top Soil – per ton	\$ 17.00	\$ 15.00

; and

WHEREAS, the City Engineer and City Administrator recommend the selection of the low bidder G.S. Materials, Sylvania, OH for engagement in the City’s Standard Professional Services Contract for purchase of backfill material; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the low bidder G.S. Materials, Sylvania, OH for engagement in the City's Standard Professional Services Contract for purchase of backfill material under the terms and conditions as submitted and as proposed in their sealed bids dated June 21, 2012.

CR12-034

RE: CITY ENGINEER – Electrical Services Annual Bid

WHEREAS the City of Adrian Purchasing Office, in collaboration with the City Engineer, has solicited and received bids on Tuesday, June 19 for the 2012 purchase of electrical services, with the following results:

BIDDER	AMOUNT	CONDITIONS
Clegg Electric Adrian, MI	\$ 44.00	25% Response: 48 hours
Masson's Electric Adrian, MI	\$ 45.00	8% Response: 1 hour
Saunders & Son Adrian, MI	\$ 85.00	20% 1hr to 48 hrs

; and

WHEREAS, the City Engineer and City Administrator recommend the selection of the low bidder Clegg Electric, Adrian, MI for engagement in the City's Standard Professional Services Contract for purchase of electrical services; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the low bidder Clegg Electric, Adrian, MI for engagement in the City's Standard Professional Services Contract for purchase of electrical services under the terms and conditions as submitted and as proposed in their sealed bids dated June 19, 2012.

CR12-035

RE: DEPARTMENT OF PUBLIC WORKS – Limestone Annual Bid

WHEREAS the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Tuesday, June 19 for the 2012 construction season for purchase of limestone, with the following results:

	Van Brunt Transport Onsted, MI	Stoneco of Michigan Monroe, MI
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#1 - City storage	\$ 12.10	\$ 12.75
#1 - Construction site	\$ 12.10	\$ 12.75
#2 - City storage	\$ 12.10	\$ 12.75
#2 - Construction site	\$ 12.10	\$ 12.75
#6 - City storage	\$ 13.65	\$ 16.25
#6 - Construction site	\$ 13.65	\$ 16.25
#411 - City storage	\$ 10.85	\$ 11.85
#411 - Construction site	\$ 10.85	\$ 11.85
#304 - City storage	\$ 10.85	\$ 11.60
#304 - Constuction site	\$ 10.85	\$ 11.60
Delivery	1 - 2 days	As needed
Size of truckload	45 ton	50 ton
Payment Terms	Net 20 days	
Discount to city	\$0.20/ton	\$0.25/ton

; and

WHEREAS, the City Engineer and City Administrator recommend the selection of the low bidder Van Brunt Transport, Onsted, MI for engagement in the City's Standard Professional Services Contract for purchase of limestone; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the low bidder Van Brunt Transport, Onsted, MI for engagement in the City's Standard Professional Services Contract for purchase of limestone under the terms and conditions as submitted and as proposed in their sealed bids dated June 19, 2012.

CR12-036

RE: **DEPARTMENT OF PUBLIC WORKS – Motor Oil and Grease Annual Bid**

WHEREAS, the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Thursday, June 21 for the 2012 Motor Vehicle Pool contract for purchase of motor oil & grease, with the following results:

ITEM	Eastern Oil Pontiac MI	Lyden Oil Lansing, MI
Motor Oil 15w40	\$ 9.26 gal	\$ 8.09 gal
Motor Oil 5w20	\$ 9.05 gal	\$ 7.34 gal
Motor Oil 5w30	\$ 10.57 gal	\$ 9.49 gal
Transmission Oil	\$ 8.40 gal	\$ 7.00 gal
Multi-Purpose Gear Oil	\$ 1.84 lb.	\$ 1.57 lb.
#2 Lithium Grease	\$ 4.16 lb.	\$ 2.40 lb.
Anti-Freeze	\$ 8.03 gal	\$ 5.19 gal
Hydraulic Oil	\$ 18.40 gal	\$ 7.67 gal
EBL Grease	\$ 50.60 gal	\$18.13 gal
Tractor Hydraulic Fluid	\$ 8.85 gal	\$ 6.84 gal

Delivery	2 - 3 days	2 days
Discount	None	None
Terms	Net 30	Net 30

; and

WHEREAS, the City Engineer and City Administrator recommend the acceptance of the low bid of Lyden Oil, Lansing, MI. and engagement in the City's Standard Professional Services Contract for the 2012 Motor Vehicle Pool contract for purchase of motor oil & grease; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Motor Pool Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the low bid of Lyden Oil, Lansing, MI. and engagement in the City's Standard Professional Services Contract for the 2012 Motor Vehicle Pool contract for purchase of motor oil & grease, under the terms and conditions as submitted and as proposed in their sealed bids dated June 21, 2012.

CR12-037

RE: **DEPARTMENT OF PUBLIC WORKS – Precast Concrete Products Annual Bid**

WHEREAS the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Thursday, June 21 for the 2012 construction season for purchase of precast concrete products, with the following results:

ITEM	Grand Valley Concrete Products Grand Rapids, MI
Manhole Accessories:	
2' base 8" x 48"	\$ 56.70
4' base 8" x 72"	\$ 86.40
4" base 8" x 58"	\$ 144.00
Adjusting Rings:	
2" x 24"	\$ 18.00
3" x 24"	\$ 22.00
6" x 24"	\$ 48.00
Manhole Sumps:	
24" x 24". 6" walls	\$ 143.00
48" x 24"	\$ 211.00
Barrel block:	
24" x 6"	\$ 1.80
48" x 6"	\$ 1.80
Load charge	\$300 less than full truck
Minimum order	
Conditions	Net 30

; and

WHEREAS, the City Engineer and City Administrator recommend the selection of the sole bidder Grand Valley Concrete Products, Grand Rapids, MI for engagement in the City's Standard Professional Services Contract for purchase of precast concrete products; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the sole bidder Grand Valley Concrete Products, Grand Rapids, MI for engagement in the City's Standard Professional Services Contract for purchase of precast concrete products under the terms and conditions as submitted and as proposed in their sealed bids dated June 21, 2012.

CR12-038

RE: **DEPARTMENT OF PUBLIC WORKS – Ready Mix Concrete Annual Bid**

WHEREAS the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Thursday, June 21 for the 2012 construction season for purchase of ready mix concrete, with the following results:

ITEM	Darby Ready Mix Addison MI	Doan Companies Adrian MI	Kuhlman Corp Adrian MI
Class P1 6 bag	\$ 77.50	\$ 77.50	\$ 80.00
Class HE	\$ 82.50	\$ 83.25	\$ 84.00
Chloride	\$1.50 per 1%	\$1.50 per 1%	\$.75 per 1%
Heat in Winter	\$ 5.00	\$4.25	\$5.00
Extra for Fiber	\$ 5.00	\$ 5.00	\$ 6.00
Minimum Load	None	None	\$75 less 2 yds
Flowable Fill	\$60.00	\$63.50	\$62.00
Delivery	2 hours	3 hrs	2 hrs
Price to city work	Will extend	Will extend	Will extend
Payment terms	Net 30	Net 30	2% 10th

; and

WHEREAS, the City Engineer and City Administrator recommend execution of the Local Preference Policy and the selection of Doan Companies, Adrian, MI for engagement in the City's Standard Professional Services Contract for purchase of ready mix concrete; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the execution of the Local Preference Policy and the selection of Doan Companies, Adrian, MI for engagement in the City's Standard Professional Services Contract for purchase of ready mix concrete under the terms and conditions as submitted and as proposed in their sealed bids dated June 21, 2012.

CR12-039

RE: DEPARTMENT OF PUBLIC WORKS – Equipment Rental Annual Bid

WHEREAS the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Tuesday, June 19 for the 2012 construction season for equipment rental, with the following results:

ITEM	Slusarski Excavating Adrian MI	Pricing 2011-12
Motor Grader	\$99.00	\$99.00
Earth Mover	\$99.00	\$99.00
Small Backhoe	\$79.00	\$79.00
Large Backhoe – 1/2 cy	\$85.00	\$85.00
Large Backhoe – 3/4 cy	\$105.00	\$105.00
Large Backhoe – 1 cy	\$125.00	\$125.00
Drum Compactor	CAT \$92.00 Champion \$82.00	\$92.00 \$82.00
Bulldozer-Small	\$82.00	\$82.00
Bulldozer-Large	\$89.50	\$89.50
Tri-Axle Dump Truck	\$82.00	\$82.00
Quad-axle Dump Truck	\$89.00	\$89.00
Low Boy	\$98.00	\$98.00
Notice	2 days	

and;

WHEREAS the City Engineer and City Administrator recommend the selection of the sole bidder Slusarski Excavating, Adrian, MI for engagement in the City’s Standard Professional Services Contract for equipment rental; and

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the sole bidder Slusarski Excavating, Adrian, MI for engagement in the City’s Standard Professional Services Contract for equipment rental under the terms and conditions as submitted and as proposed in their sealed bids dated June 19, 2012.

CR12-040

RE: ENGINEERING DEPT. – Establish Special Assessment District for Improvements on Elm Street from Oakwood to Siena Heights (SAD #385)

WHEREAS, the City Administrator has recommended that Elm Street from Oakwood to Siena Heights, be improved by the construction of curb and gutter, driveway approaches, road base, asphalt surfaces and other appurtenances on a special assessment basis, has

prepared and filed plans and specifications for the proposed construction, and has prepared and filed a report and recommendation relating thereto pursuant to the provisions of Section 1.205 of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Commission deems and declares its intention to improve Elm Street from Oakwood to Siena Heights.
2. That the estimated cost thereof is \$140,000.
3. That \$40,000 of the said estimated cost shall be defrayed by special assessment and \$100,000 shall be paid by local street funds.
4. That the proposed special assessment district shall include the following land and premises:

Special Assessment Properties

Elm Street from Oakwood to Siena Heights

5. That special assessments to defray the cost of the proposed improvements shall be levied on the lands and premises within the proposed special assessment district according to frontage.
6. That the report of the city Administrator be filed with the City Clerk forthwith for public examination.
7. That the City Commission will meet in the City Chambers Building at 155 E. Maumee Street, Adrian MI, at 7:00pm on Tuesday, July 16, 2012 for the purpose of hearing and considering comments to the proposed improvements or to the inclusion of any property within the proposed special assessment district.
8. That the City Clerk will mail notice of the intention to make the said improvements to all interested parties pursuant to the provisions of Section 1.260 of the Adrian City Code.

CR12-041

RE: ENGINEERING DEPT. – Establish Special Assessment District for Improvements on Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End (SAD #386)

WHEREAS, the City Administrator has recommended that Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End, be improved by the construction of curb and gutter, driveway approaches, road base, asphalt surfaces and other appurtenances on a special assessment basis, has prepared and filed plans and specifications for the proposed construction, and has prepared and filed a report and recommendation relating thereto pursuant to the provisions of Section 1.205 of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

9. That the City Commission deems and declares its intention to improve Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End.
10. That the estimated cost thereof is \$160,000.
11. That \$41,000 of the said estimated cost shall be defrayed by special assessment and \$119,000 shall be paid by local street funds.
12. That the proposed special assessment district shall include the following land and premises:

Special Assessment Properties

Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End

13. That special assessments to defray the cost of the proposed improvements shall be levied on the lands and premises within the proposed special assessment district according to frontage.
14. That the report of the city Administrator be filed with the City Clerk forthwith for public examination.
15. That the City Commission will meet in the City Chambers Building at 159 E. Maumee Street, Adrian MI, at 7:00pm on Tuesday, July 16, 2012 for the purpose of hearing and considering comments to the proposed improvements or to the inclusion of any property within the proposed special assessment district.
16. That the City Clerk will mail notice of the intention to make the said improvements to all interested parties pursuant to the provisions of Section 1.260 of the Adrian City Code.

On motion by Commissioner Jacobson, seconded by Commissioner Warren, Consent Agenda resolutions CR12-030 thru CR12-041 are approved by unanimous vote.

REGULAR AGENDA

SPECIAL ORDERS

S0-1 Public Hearing to receive comments on the Industrial Facilities Exemption Certificate from Inergy Automotive systems, LLC.

Chris Miller introduced Ross Johnson from Inergy, who then proceeded to explain to the Commission the nature of the equipment that was purchased. They would also be hiring additional staff as a result of the introduction of this new equipment.

RESOLUTIONS

R12-070

RE: COMMUNITY DEVELOPMENT - INERGY - ACT 198 INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551 et. Seq., after a duly notice Public Hearing held on the 5th day of June, 1995, this Commission, by resolution, established Adrian Industrial Development District No. 33; and

WHEREAS, an application has been filed by Inergy for an Industrial Facilities Exemption Certificate for the facility located in the Adrian Industrial Development District #33, and was received by the Adrian City Clerk on the 31st day of May, 2012; and

WHEREAS, the Adrian City Clerk, pursuant to 1974 PA 198, Section 5 (2) did notify the Adrian City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on the property located within said Adrian Industrial Development District #33 that the application for an Industrial Facilities Exemption Certificate by Inergy would be considered at a meeting of the Adrian City Commission on Monday, July 2nd, 2012 and that an opportunity to be heard would be provided to the Assessor and to a representative of each of the bodies so notified.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Adrian City Commission finds:
 - (a) That the purchase and installation of the equipment had not occurred earlier than twelve (12) months before May 31st, 2012, the date of acceptance of the application of the Industrial Facilities Exemption Certificate;
 - (b) That the application relates to a purchase and equipment installation program which, when completed, will be situated within Adrian Industrial Development District #33, established June 5th 1995 by resolution of the Adrian City Commission.
 - (c) That completion of the equipment installation is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create and retain employment in the City of Adrian.
 - (d) That the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Adrian, after granting this certificate, will not exceed five (5) percent of an amount equal to the sum of SEV of the City plus the SEV of personal real property thus exempted. The Adrian City Commission specifically finds that the granting of the exemption applied for will not substantially impede the operation of or impair the financial soundness of any local government.
2. That the application of Inergy for an Industrial Facilities Exemption Certificate with regard to the facility located in Adrian Industrial Development District No. 33, be and is hereby approved for a period of twelve (12) years.

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

RESOLUTION R12-071

OPTION 1

RE: LIBRARY – Authorize the Mayor and Library Director to continue with the development of a District Library Agreement

WHEREAS, in a resolution adopted January 3, 2012 the City Commission resolved to appoint the Mayor and Library Director as representatives to a District Library Planning Committee, which was created to explore the benefits of a District Library, and which committee was charged with preparing a proposed district library agreement; and

WHEREAS, the planning committee has met several times with legal council to study a proposed district library agreement; and

WHEREAS, the City Commission has considered the verbal report of its representatives as to the outcome of said meetings.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Library Director are authorized to continue with the development of a District Library Agreement, which would allow the board of directors of said district library to determine the operations and management of the new library.

OPTION II

RE: LIBRARY – Abandonment of plans to proceed with the establishment of a District Library

WHEREAS, in a resolution adopted January 3, 2012 the City Commission resolved to appoint the Mayor and Library Director as representatives to a District Library Planning Committee, which was created to explore the benefits of a District Library, and which committee was charged with preparing a proposed district library agreement; and

WHEREAS, the planning committee has met several times with legal council to study a proposed district library agreement; and

WHEREAS, the City Commission has considered the verbal report of its representatives as to the outcome of said meetings.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Library Director are directed to notify the District Library Planning Committee that the City Commission no longer wishes to proceed with the establishment of a District Library.

Commissioner Jacobson motioned to adopt Option I and this was seconded by Commissioner Warren, opening the floor for discussion. There was considerable discussion between the Commissioners as to what they would hope that the District Library would accomplish. There was hope of seeing a real savings in supporting the District Library but it was clear that the County representatives' position was not to close any buildings, but rather seek additional funding in the form of bonds or a millage. The Commissioners also did not want to lose control over the City Library.

On motion by Commissioner Jacobson, seconded by Commissioner Warren, Option I of this resolution was adopted by a 4-3-0 vote.

Yays: Commissioners Berryman Adams, Warren, Jacobson, and Faulhaber

Nays: Mayor DuMars and Commissioners Gallatin and Carrico

Abstained: None

RESOLUTION R12-072

RE: UTILITIES DEPARTMENT –Beecher Street Elevated Tank Painting Project

WHEREAS, the Adrian City Commission, as a part of the City’s preventive maintenance program for the Water Utility, included in the Capital Budget \$275,000 (\$125,000 in FY2011-12 and \$150,000 in FY2012-13) for painting and additional safety modifications and improvements to the exterior and interior of the Beecher Street elevated storage tank; and

WHEREAS, the Purchasing Office, in conjunction with the Utilities Department, solicited and received competitive bids from five (5) firms on Tuesday, June 19, 2012, with the following results:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Fedewa, Inc.	Nashville, MI	\$190,000
LC United Painting	Sterling Heights, MI	\$224,000
Industrial Painting	Taylor, MI	\$278,500
Horizon Brothers	Howell, MI	\$353,000
Pittsburg Tank	Henderson, KY	\$388,500; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the FY2011-12 (\$125,000) and FY2012-13 (\$65,000) Water Capital Projects Fund (Account #496-549.00-977.567); and

WHEREAS, the Utilities Director and City Administrator recommend selection of the low bidder and engagement of Fedewa Inc., Nashville, MI to perform the specified painting, repairs and safety improvements to the interior and exterior of the Beecher Street elevated water storage tank at a cost not to exceed \$190,000.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Fedewa Inc., Nashville, MI to perform the specified painting, repairs and safety improvements to the interior and exterior of the Beecher Street elevated water storage tank at a cost not to exceed \$190,000.

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

RESOLUTION R12-073

RE: UTILITIES DEPARTMENT –Consulting Services for Beecher Street Tank Painting Project

WHEREAS, the Adrian City Commission, at its meeting of July 2, 2012, considered a companion resolution authorizing exterior and interior painting and other safety improvements to the Beecher Street elevated storage tank at a cost of \$190,000; and

WHEREAS, the Utilities Director is requesting authorization to waive the bid process and engage Dixon Engineering, Lake Odessa, MI at a cost of \$15,194 to oversee the Beecher Street Tank Painting Contract; and

WHEREAS, due to the fact that Dixon Engineering has unique expertise and familiarity with the City of Adrian’s water storage tanks, the City Administrator recommends waiving the bid process, as provided in Chapter 9 of the Codified City Ordinances, and engagement of Dixon Engineering to perform the specified oversight services related to of the Beecher Street elevated water storage tank, and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the Water Capital Projects Fund (Account #496-549.00-977.567).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Dixon Engineering, Lake Odessa, MI to perform the specified oversight services related to the painting of the Beecher Street elevated water storage tanks at a cost not to exceed \$15,194.

BE IT FURTHER RESOLVED that the bid process be waived, in accordance with the City’s Purchasing Policy as specified in Chapter 12 of the City Charter and Chapter 9 of the Codified City Ordinances.

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

RESOLUTION R12-074

RE: DEPARTMENT OF PUBLIC WORKS – Pavement Patching Program

WHEREAS, the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Thursday, June 21 for the 2012 construction season for execution of the citywide pavement patching program, with the following results:

<u>Vendor</u>	<u>Location</u>	<u>Amt./SqFt</u>
Belson Asphalt	Reading, MI	\$4.00
Slusarski Excavating	Adrian, MI	\$4.25
American Asphalt	Lansing, MI	\$4.85
Michigan Paving	Jackson, MI	\$6.00; and

WHEREAS, the City Engineer and City Administrator recommend the acceptance of the low bid of Belson Asphalt, Reading, MI. and engagement in the City’s Standard Professional Services Contract for execution of the citywide pavement patching program, at a cost not to exceed \$4.00 per square foot of surface patched; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the low bid of Belson Asphalt, Reading, MI. and engagement in the City's Standard Professional Services Contract for execution of the citywide pavement patching program, at a cost not to exceed \$4.00 per square foot of surface patched.

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

RESOLUTION R12-075

RE: CITY ENGINEER – Janitorial Services Contract Renewal for Adrian Public Library City Hall, City Chambers, Adrian Police Department and Piotter Center

WHEREAS, the Adrian City Commission has previously approved engagement of Clean Care, Inc., Toledo, OH in the City's Standard Professional Services Contract for Janitorial Services to clean Adrian City Hall, Adrian Public Library and the City Chambers; and

WHEREAS, the Adrian City Commission has also previously approved engagement of Top to Bottom Cleaning, Tipton, MI in the City's Standard Professional Services Contract for Janitorial Services to clean the Adrian Police Department and Piotter Center;

WHEREAS, the contract period expires June 30, 2012 for both vendors and both are will to extend their contracts for an additional one-year period, through June 30, 2013, with no price increase, detailed as follows:

Clean Care, Inc. of Toledo, OH services the following buildings:

Adrian City Hall -- \$24,192 annually
Adrian Library -- \$26,969 annually
City Chambers -- \$1,980 annually

Top to Bottom Cleaning of Tipton, MI services the following buildings:

Adrian Police Department -- \$14,400 annually
Piotter Center -- \$22,800 annually

; and

WHEREAS, the Finance Director indicates that sufficient funds for this purpose are included in the FY2012-13 Building Cost Allocation Fund (663) Budget; and

WHEREAS, the City Engineer and City Administrator recommend that the Janitorial Services Contract with Clean Care of Toledo, OH for the cleaning of Adrian Public Library, City Hall and the Chambers Building in the amounts of \$26,969 annually, \$24,192 annually,

and \$1980 annually, respectively, be renewed for the one-year period July 1, 2012 through June 30, 2013; and

WHEREAS, the City Engineer and City Administrator recommend that the Janitorial Services Contract with Top to Bottom Cleaning, Tipton, MI for cleaning of the Adrian Police Department and Piotter Center in the amounts of \$14,400 annually and \$22,800 annually, respectively.

NOW, THEREFORE, BE IT RESOLVED that the City Commission, by this resolution, hereby authorizes that the Janitorial Services Contract with Clean Care of Toledo, OH for the cleaning of Adrian Public Library, City Hall and the Chambers Building in the amounts of \$26,969 annually, \$24,192 annually, and \$1980 annually, respectively, be renewed for the one-year period July 1, 2012 through June 30, 2013.

BE IT FURTHER RESOLVED that the City Commission, by this resolution, hereby authorizes that the Janitorial Services Contract with Top to Bottom Cleaning, Tipton, MI for cleaning of the Adrian Police Department and Piotter Center in the amounts of \$14,400 annually and \$22,800 annually, respectively, be renewed for the one-year period July 1, 2012 through June 30, 2013.

Several Commissioners were concerned that this was not put out for bid and felt that there were local companies that should have the opportunity to bid on this.

On motion by Commissioner Carrico, seconded by Commissioner Gallatin, this resolution was adopted by a 5-2-0 vote.

Yays: Mayor DuMars and Commissioners Gallatin, Warren, Jacobson and Carrico

Nays: Commissioners Faulhaber and Berryman Adams

Abstained: None

RESOLUTION R12-076

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

WHEREAS, the FY2012-18 Capital Improvement Program, approved by the City Commission on February 20, 2012 (Resolution #R11-014), and the FY2012-13 Motor Vehicle Pool Budget provides for the replacement of two (2) Chevrolet Impala fully marked and equipped patrol vehicles at an estimated cost of \$50,000, including ancillary equipment; and

WHEREAS, based on approval of the CIP and in anticipation of the FY2012-13 Adopted Budget, the Police Chief ordered the patrol vehicles in February through the State of Michigan Cooperative Purchasing Program from Berger Chevrolet, Inc., Grand Rapids, MI, with a requested delivery date in July,

WHEREAS, the State of Michigan Department of Management & Budget Cooperative Purchasing Program, using vehicle specifications identical to those of the City of Adrian, conducts a competitive bid process each year to purchase police vehicles statewide; and

WHEREAS, the results of the bid process for the two (2) Chevrolet Impalas, including transfer and installation of ancillary equipment, are as follows:

(2) Chevrolet Impalas Berger Chevrolet, Grand Rapids, MI \$51,698.58; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the Motor Vehicle Pool Retained Earnings account (662-000.00-390.000); and

WHEREAS, due to the competitive bid process conducted by the State of Michigan and the economies of volume purchasing, the Police Chief and City Administrator recommend that the City's bid process be waved as provided by Chapter Twelve of the Adrian City Charter, that the bid of \$51, 698.58 be accepted and that the City purchase two (2) Chevrolet Impala fully marked and equipped patrol vehicles from Berger Chevrolet, Grand Rapids, MI.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the purchase of two (2) Chevrolet Impala fully marked and equipped patrol vehicles from Berger Chevrolet, Grand Rapids, MI. at a cost not to exceed \$51,698.58.

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

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

RESOLUTION R12-077

RE: Confirmation of Appointment of Vincent Emrick as Chief of Police

WHEREAS, the retirement of Terrence Collins as Chief of Police has created a vacancy in this office as of July 1, 2012; and

WHEREAS, the Adrian City Charter requires the City Administrator to make such appointment, subject to the confirmation of the Adrian City Commission; and

WHEREAS, the City Administrator has advised the City Commission that he has appointed Vincent Emrick of Adrian, Michigan to serve for an indefinite period as Chief of Police for the City of Adrian.

NOW, THEREFORE, IT IS HEREBY RESOLVED that after due consideration of the appointment of Sergeant Vincent Emrick of Adrian, Michigan by the City Administrator to serve as the next City of Adrian Chief of Police, said appointment is hereby confirmed by the Adrian City Commission.

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

RESOLUTION R12-078

RE: HUMAN RESOURCES DEPARTMENT – Police Officers Association of Michigan (POAM) Union Contract Settlement

WHEREAS, the City of Adrian has recognized and engaged in collective bargaining with the Police Officers Association of Michigan (POAM); and

WHEREAS, through good faith bargaining on the part of both parties, an agreement has been reached covering the period from July 1, 2011 and including June 30, 2014, and is recommended for approval by the City Administrator; and

WHEREAS, the terms of said agreement have been reviewed by the City Commission.

NOW, THEREFORE, BE IT RESOLVED that the Collective Bargaining Agreement between the City of Adrian and the Police Officers Association of Michigan (POAM) is hereby approved, and the Mayor and City Clerk are authorized to execute said agreement on behalf of the City of Adrian.

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

RESOLUTION R12-079

RE: City Commission – authorization of a one-time payment equal to 1.5% of their base pay to employees represented by the Police Officers Association of Michigan (POAM)

WHEREAS the Adrian City Commission, by Resolution #R12-____ dated July 2, 2012, approved the collective bargaining agreement between the City of Adrian and the Police Officers Association of Michigan (POAM), which included a “me too” clause wherein said represented employees would be provided with any pay increases made to City non-union employees during the duration of their respective union agreement; and

WHEREAS the Adrian City Commission, by Resolution #R12-068 dated June 18, 2012, approved a one-time payment in the amount of 1.5% of their base pay to non-union City employees; and

WHEREAS, the City Administrator recommends that the City Commission honor the approved collective bargaining agreement by making a one-time payment in the amount of 1.5% to POAM-represented employees that are designated active on the City’s payroll records as of July 1, 2012, and that the FY2012-13 Budget be amended accordingly; and

WHEREAS the Finance Director indicates that the total cost associated with the subject bonus payment amounts to \$19,297 (\$15,710 for Salaries and \$3,587 for Fringe

Benefits), and that funds for this purpose are available in the General Fund Contingency Account (101-990.00-990.000).

NOW, THEREFORE, BE IT HEREBY RESOLVED that based on the recommendation of the City Administrator, a one-time payment is hereby authorized in the amount of 1.5% of their base pay to Police Officers Association of Michigan (POAM)-represented employees that are designated active on the City's payroll records as of July 1, 2012.

BE IT FURTHER RESOLVED that \$19,297 be appropriated from the General Fund Contingency Account (101-990.00-990.000 and that the FY2011-12 Budget be amended as follows:

General Fund (101)

Expenditures:

Police Department

(101-301.00-702.000)	Salaries & Wages	\$15,710
(101-301.00-715.000)	Medicaid Contribution	228
(101-301.00-718.000)	Retirement Contribution	2,709
(101-301.00-719.000)	Unemployment Compensation	163
(101-301.00-914.000)	Workers' Compensation	<u>487</u>
	Sub-Total	\$19,297

(101-990.00-990.000) Contingency		(19,297)
	Total	<u>\$ -0-</u>

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

RESOLUTION 12-080

RE: HUMAN RESOURCES DEPARTMENT – Technical, Professional and Office Workers Association of Michigan (TPOAM)

WHEREAS, the City of Adrian has recognized and engaged in collective bargaining with the Technical, Professional, and Office Workers Association of Michigan (TPOAM); and

WHEREAS, through good faith bargaining on the part of both parties, an agreement has been reached covering the period from July 1, 2012 and including June 30, 2015, and is recommended for approval by the City Administrator; and

WHEREAS, the terms of said agreement have been reviewed by the City Commission.

NOW, THEREFORE, BE IT RESOLVED that the Collective Bargaining Agreement between the City of Adrian and the Technical, Professional, and Office Workers Association of Michigan (TPOAM) is hereby approved, and the Mayor and City Clerk are authorized to execute said agreement on behalf of the City of Adrian.

On motion by Commissioner Carrico, seconded by Commissioner Berryman Adams, the resolution is adopted by a unanimous vote.

PUBLIC COMMENTS

1. Jere Righter, Emory and Kris Schmidt thanked the City, the Commission and the people of Adrian for their assistance with the Croswell fundraiser; it was the most successful one to date.
2. Darryl Kidd was upset about the tax increase on his mother's property.

COMMISSIONER COMMENTS

1. Commissioner Faulhaber suggested re-naming Erie Street Park, the Thomas Edison Park as Mr. Edison also lived in Adrian at one time. Also questioned why the Dura Plant on W Beecher was being demolished.
2. Commissioner Berryman Adams congratulated those involved with the Croswell; it is wonderful to have this avenue of art and culture in our community.
3. Commissioner Carrico congratulated the staff, union members in working out the union contracts. Commissioner Warren echoed that.
4. Commissioner Warren also wished to adopt a resolution to rename Erie Street Park the Robert Parrish Memorial Park; Mayor DuMars requested that we wait until the playground renovation is completed.
5. Commissioner Gallatin said that he had received an e-mail from a resident asking for an unlimited pick-up once or twice a year to get rid of extra items; Administrator Nelson said that the cost is prohibitive.
6. Everyone congratulated Vince Emrick as our new Police chief.

Commissioner Berryman Adams motioned to into closed session to discuss possible real estate sales, seconded by Commissioner Jacobson and approved by unanimous vote.

The next regular meeting of the Adrian City Commission will be held on Monday, July 16, 2012 at 7:00 p.m. in the City Chambers Building, 159 E. Maumee St, Adrian, MI 49221.

Greg DuMars
Mayor

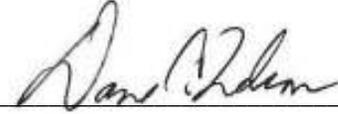
Pat Baker
City Clerk



CHECK REGISTER

July 16, 2012

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



Dane C. Nelson
City Administrator

DCN:mlb

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 # 3643 through # 3650	\$82,375.75
General Fund	
Vouchers # 21012 through # 21033	\$435,059.11
Clearing Account Vouchers	
amounting to.....	<u>\$679,868.29</u>
TOTAL EXPENDITURES	<u>\$1,197,303.15</u>

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

16-Jul-12

UTILITIES FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
3643	\$62,633.82	City of Adrian: Clearing Acct	June 30 CK Register
3644	\$856.27	City of Adrian: Clearing Acct	July 2 CK Register
3645	\$63,772.56	City of Adrian: Payroll	Payroll for July 6
3646	\$17,990.04	Consumers Energy	Water Electric Bills
3647	\$168.31	City of Adrian: Utilities	Various Water Bills
3648	\$36.11	Frontier	Wastewater Phone Bill
3649	\$228.50	City of Adrian: Utilities	Wastewater Water Bill
3650	\$180.22	Consumers Energy	Various Electric Bills
	\$145,865.83		
	-\$63,490.09	CK 3643 & 3644	
	\$82,375.74	TOTAL	

WW= \$68,096.63
Wat= \$ 77,769.20

16-Jul-12

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
21012	\$ 30.60	Russ Bashaw	Recycling Refund
21013	\$ 45.00	Sylvia Stoner	Recreation Refund
21014	\$ 200.00	James Austin	Recreation Refund
21015	\$ 65,431.36	City of Adrian: Clearing Acct	June 30 Check Register
21016	\$ 30,016.09	Lenawee Fuels Inc	MVP Fuel
21017	\$ 1,712.08	US Postmaster	Tax Bills Mailing
21018	\$ 83,872.57	Blue Cross Blue Shield of MI	July Hospitalization Ins
21019	\$ 9,051.15	City of Adrian: Clearing Acct	July 2 Check Register
21020	\$ 257.96	Frontier	Various Phone Bills
21021	\$ 3,754.18	Quick Service Transportation	Payroll W/E June 30
21022	\$ 267,843.99	City of Adrian: Payroll	July 6 Payroll
21023	\$ 17,536.37	First Federal Bank	Soc Security July 6 Payroll
21024	\$ 2,038.31	Consumers Energy	Various Electric Bills
21025	\$ 986.84	Lenawee Fuels Inc	Cemetery Fuel
21026	\$ 4,211.19	City of Adrian: Utilities	Various Water Bills
21027	\$ 374.51	Frontier	Various Phone Bills
21028	\$ 10.00	Peggy Best	Recreation Refund
21029	\$ 38.00	Diana Scappaticci	Recreation Refund
21030	\$ 68.06	Thomas Ray	Blue Cross Refund
21031	\$ 4,380.04	Citizens Gas Fuel Co	Various Heat Bills
21032	\$ 13,303.71	Consumers Energy	Various Electric Bills
21033	\$ 4,379.61	Quick Service Transportation	Payroll W/E July 7

\$ 509,541.62

\$ (74,482.51) Less: CKs 21015 & 21019

\$ 435,059.11

User: KMOORE

DB: ADRIAN

EXP CHECK RUN DATES 07/16/2012 - 07/16/2012
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
1. ABSOPURE WATER COMPANY	21.50		
2. ADRIAN AREA CHAMBER OF COMMERCE	12.00		
3. ADRIAN CHARTER TOWNSHIP	198.00		
4. CITY OF ADRIAN	619.53		
5. ADRIAN FABRICARE CENTER INC.	670.00		
6. ADRIAN LOCKSMITH & CYCLERY	313.00		
7. ADRIAN MECHANICAL SERVICES CO	4,080.31		
8. ADRIAN WATER CONDITIONING INC	19.50		
9. ALLIED WASTE SERVICES #259	1,392.42		
10. AMERICAN ASPHALT INC	180,767.16		
11. AMERICAN LIBRARY ASSOC	375.00		
12. AMERICAN OFFICE SOLUTIONS, INC.	56.88		
13. APPLE MAT RENTAL	288.70		
14. APPLIED INDUSTRIAL TECHNOLOGIES	1,532.78		
15. ARCH WIRELESS	34.73		
16. AUTO ZONE COMMERCIAL	4.99		
17. BARCO PRODUCTS COMPANY	198.04		
18. BARRETT'S GARDEN CENTER, INC	99.98		
19. BATTERY WHOLESALE	62.28		
20. KRISTIN BAUER	20.00		
21. WILLIAM BAUGHEY	291.00		
22. BEACON FORMS & LABELS INC.	220.76		
23. MICHELLE BEDDINGFIELD	20.00		
24. FREDERICK BEEKEL	30.80		
25. GREG BELL CHEVROLET CADILLAC INC	19.95		
26. BELSON ASPHALT PAVING INC	1,513.40		
27. BERGER CHEVROLET INC	51,698.58		
28. BEST AIRE COMPRESSOR SERVICES, INC.	67.50		
29. ROBERT BISHOP	240.67		
30. BLACK SWAMP EQUIPMENT	238.93		
31. BRAKES-N-MORE	2,365.77		
32. BROADCAST MUSIC INC	640.00		
33. BUCK & KNOBBY EQUIP CO INC	703.39		
34. BWI	73.11		
35. CALIFORNIA CONTRACTORS SUPPLIES INC	844.50		
36. CDW-G COMPUTER SUPPLIES	30.00		
37. CELUCH CREATIVE IMAGING	425.00		
38. CHALLENGER SPORTS	807.00		
39. STEVEN CHESHER	100.06		
40. CLEAN CARE INC	4,429.00		
41. C-N CONSTRUCTION SUPPLIES INC	331.72		
42. COAST TO COAST DELI	66.23		
43. COIN-OP SPECIALISTS INC.	80.52		
44. COMCAST	4.83		
45. COMFORT ENTERPRISES INC.	465.41		
46. CONTINENTAL CARBONIC PRODUCTS INC	620.00		
47. CONTINENTAL SERVICE	371.14		
48. CROSS LAKE CONSTRUCTION	28,070.70		
49. CUTLER DICKERSON CO	773.23		

User: KMOORE

DB: ADRIAN

EXP CHECK RUN DATES 07/16/2012 - 07/16/2012
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
50. D&P COMMUNICATIONS, INC.	1,708.04		
51. THE DAILY TELEGRAM	1,846.22		
52. JERRY DAVIS	20.00		
53. JACK DOHENY SUPPLIES INC	3,211.97		
54. JOE DUBINA	35.95		
55. DUPERON CORPORATION	1,500.00		
56. STEVE EBERLE	20.00		
57. EJ	1,108.29		
58. ELECTRIC EQUIPMENT COMPANY	6,951.84		
59. ENGLEWOOD ELECTRICAL SUPPLY	1,538.32		
60. ENVIRONMENTAL SYSTEMS	6,250.00		
61. FASTENAL COMPANY	941.96		
62. FISHER SCIENTIFIC COMPANY LLC	228.53		
63. FOREMOST EQUIPMENT SUPPLY	7,191.00		
64. MICHAEL FREDERICK	32.00		
65. GALE	1,189.62		
66. GALLANT & SON	29.98		
67. J.O. GALLOUP COMPANY	1,592.65		
68. GALL'S INC	188.39		
69. GENERAL CHEMICAL PRODUCTS LLC	5,053.10		
70. MARK GIGAX	125.93		
71. GOODREMONT'S INC	131.35		
72. GORDON FOOD SERVICE	1,143.40		
73. GREAT LAKES BOOK DISTRIB	20.90		
74. GREY HOUSE PUBLISHING, INC.	540.50		
75. DENISE GRITZMAKER	20.00		
76. GROSS ELECTRIC	150.33		
77. HABITEC SECURITY INC	358.24		
78. HADDEN TIRE COMPANY	1,051.00		
79. HOBBY LOBBY	32.36		
80. SHANE HORN	20.00		
81. HUBBARD'S AUTO CENTER INC	1,067.19		
82. I C M A VANTAGE POINT	5,324.63		
83. I.T. RIGHT	33.75		
84. ICMA RETIREMENT CORPORATION	158.68		
85. JACKSON TRUCK SERVICE INC.	566.35		
86. JOHN DEERE LANDSCAPES	626.40		
87. TIM JUDKINS	100.47		
88. ERIC KELLY	80.00		
89. KEMIRA WATER SOLUTIONS INC	3,310.63		
90. KEY GOVERNMENT FINANCE, INC.	25,845.33		
91. KONICA MINOLTA BUSINESS SOLUTIONS	173.20		
92. BRENT KUBALEK	365.90		
93. KUHLMAN CORP.	350.00		
94. WALTER GREG LANFORD	79.50		
95. LANSING SANITARY SUPPLY INC	2,275.20		
96. LEGACY PRINTING	56.92		
97. LENAWEЕ COUNTY PRINTER	571.21		

User: KMOORE

DB: ADRIAN

EXP CHECK RUN DATES 07/16/2012 - 07/16/2012
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
98. LENAWE COUNTY TREASURER	239.54		
99. LENAWE TIRE & SUPPLY CO, INC.	22.16		
100. DUSTIN LENT	298.50		
101. LEXIS NEXIS RM INC	150.00		
102. LLOYD'S REPAIR SERVICE	17.00		
103. LONG'S OUTDOOR POWER	2,003.20		
104. LOWE'S CREDIT SERVICES	5,757.90		
105. LYDEN OIL COMPANY	2,472.17		
106. M H PUMP & SUPPLY INC	113.90		
107. MADISON TOWNSHIP FIRE DEPT.	1,650.00		
108. MANPOWER OF LANSING MI INC.	1,228.50		
109. MARSHALL MUSIC CO.	350.00		
110. MICHAEL MARVIN	82.09		
111. MASSON'S ELECTRIC, INC	957.52		
112. MC SPORTS	1,709.46		
113. MCGOWAN ELECTRIC SUPPLY INC	81.72		
114. MCMASTER- CARR SUPPLY CO.	56.40		
115. MD SOLUTIONS, INC	3,787.00		
116. MENIAL TASKS LLC	440.00		
117. MICHIGAN DEPARTMENT OF	28,798.03		
118. MICHIGAN METER TECHNOLOGY GROUP INC	8,089.00		
119. MICHIGAN MUNICIPAL LEAGUE	6,801.00		
120. MICHIGAN POLICE EQUIP. CO	4,802.00		
121. MICROMARKETING LLC	20.30		
122. MIDWEST COLLABORATIVE FOR	2,062.50		
123. MIDWEST GOLF & TURF	731.13		
124. MOBILE MONUMENT SERVICES	315.00		
125. MUGS N' MORE IMAGING	320.00		
126. BILL MULLALY	250.00		
127. MUNICIPAL EMPLOYEES' RETIRE	79,573.14		
128. MUNICIPAL UNEMPLOYMENT COMP	10,185.09		
129. MUNICIPAL WEB SERVICES	400.00		
130. N.A.D.A. APPRAISAL GUIDES	72.00		
131. NATIONAL ASSOC OF PROFESSIONAL	25.00		
132. NELSON TREE SERVICE INC	9,973.47		
133. NORTH EASTERN UNIFORMS & EQUIPMENT	483.45		
134. OCV CONTROL VALVES, LLC	127.45		
135. MIKE OSBORN	20.00		
136. DAVID PATE	20.00		
137. PEERLESS SUPPLY INC	86.07		
138. PETE'S RADIATOR SERVICE INC	35.00		
139. PIONEER MANUFACTURING CO.	1,550.00		
140. GLENN PRESTON	20.00		
141. PROMEDICA PHYSICIANS GROUP	720.00		
142. ELLEN PUERZER	29.45		
143. PURCHASE POWER	6,030.00		
144. QUICK SERVICE TRANSPORTATION	618.34		
145. QUILL CORPORATION	1,572.16		
146. RED PAINT PRINTING LLC	323.00		

EXP CHECK RUN DATES 07/16/2012 - 07/16/2012
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Claimant	Amount Claimed	Amount Owed	Amount Rejected
147. REEVES INC.	1,722.51		
148. TIM RITCHIE	20.00		
149. ROWE PROFESSIONAL SERVICES CO	2,723.75		
150. SAFETY SYSTEMS INC.	1,900.00		
151. SCHUG CONCRETE CONSTRUCTION INC	9,483.00		
152. SHERWIN-WILLIAMS CO	0.00		
153. SLUSARSKI EXCAVATING & PAVING INC	36,477.52		
154. ED SOTO	85.39		
155. SPHERE PROJECT MANAGEMENT	439.51		
156. STAPLES CREDIT PLAN	82.30		
157. STEVENS DISPOSAL	2,950.70		
158. STEVENSON LUMBER, INC.	29.58		
159. JEFFREY A. STICKNEY, DO,PC	95.00		
160. STITCH WIZARD EMBROIDERY INC	778.00		
161. TDS SECURITY, INC	409.50		
162. TETRA TECH INC	5,655.00		
163. THERMO FISHER SCIENTIFIC LLC	293.33		
164. MATT TOMASZEWSKI	20.00		
165. TRACTOR SUPPLY COMPANY	99.99		
166. PAUL TRINKA	20.00		
167. TTB CLEANING LLC	3,260.00		
168. U S POSTMASTER	1,800.00		
169. UNIQUE TRUCK EQUIPMENT INC	121.92		
170. UTILITIES INSTRUMENTATION SERVICE I	8,570.00		
171. VALUE LINE PUBLISHING, INC.	898.00		
172. VAN BRUNT TRANSPORT INC	29,475.38		
173. VANCE OUTDOORS INC	267.98		
174. VERIZON WIRELESS	634.98		
175. VWR INTERNATIONAL INC	996.20		
176. GREG WALSH	92.71		
177. WEPHOTO LLC	875.00		
178. WEST GROUP PAYMENT CENTER	262.00		
179. WEST SHORE FIRE REPAIR INC	265.00		
180. WESTERN LIME CORPORATION	10,073.70		
181. RYAN WHITE	20.00		
182. DANIEL WRIGHT	143.00		
183. XYLEM WATER SOLUTIONS INC	1,830.47		
TOTAL ALL CLAIMS	679,868.29		



COMMUNICATIONS



MEMO

Date: July 2, 2012

To: Dane C. Nelson, City Administrator
Hon. Greg DuMars, Mayor
City Commission

From: Jeffrey C. Pardee, Finance Director

Re: **State Revenue Sharing – Update**

The State of Michigan Department of Treasury has issued the fifth of six Revenue Sharing payments in the State's FY2011-12 Fiscal Year. There are two components to the payments:

- I. Constitutional Revenue Sharing, which is a continuation of six (6) installments received at the end of October, December, February, April, June and August. The amount of the payments is dependent upon the amount of Sales Tax collected and distributed proportionately to municipalities based on population.

- II. Economic Vitality Incentive Program (EVIP) – formerly Statutory Revenue Sharing which was reduced by one-third (33%) and reconstituted as EVIP, which also is distributed in six (6) installments based on population. However, the EVIP Program has certain prerequisites to determine eligibility, including the following:
 - A. Accountability and Transparency (Required by October 1, 2011) – using dashboards and citizen's guides as specified by the State Department of Treasury, including public reporting of long-term liabilities for pension and other post-employment benefits (health care);
 - B. Creating a cooperation, collaboration, and consolidation plan (Required by January 1, 2012) – Collaborative efforts must be new initiatives.
 - C. Developing a compensation plan that the municipality intends to implement with any new, modified, or extended contract (Required by May 1, 2012). The compensation plan would be required to indicate intent to:
 1. Limit retirement plan costs to 10% (or 16.2% if not eligible for social security); of wages and salaries of employees in the plan.
 2. Require that any pensions be paid based on a final average compensation calculated using at least 3 consecutive years of salary.

3. Limit the amount of paid leave time, vacation time, and overtime hours used to calculated final average compensation to no more than 240 hours.
4. Limit retirement plan multipliers for defined benefit plans for employees eligible for social security to 1.5% (or 2.25% if no retirement health care is provided). Limits the multiple for employees not eligible for social security to 2.25% (or 3.0% if no retiree health care is provided).
5. If a health care plan is offered, state intent that employees pay at least 20% of the cost or adhere to a maximum employer cost of \$5,500 for a single employee, \$11,000 for a two-person contract, and \$15,000 for a family plan, or municipalities may opt out of this requirement with a two-thirds vote of the legislative body.

The City of Adrian has qualified for all three prerequisites and received the first five installments (\$67,968 for each or a total of \$339,840, equal to the FY2011-12 Amended Budget) on November 1, 2011, January 5, 2012, February 29, 2012, April 30, 2012, and June 29, 2012. The sixth and final payment falls in the City's FY2012-13 Fiscal Year.

The first Revenue Sharing payment for FY2011-12 (August) was received and recorded. The following schedule compares state Department of Treasury estimated payments for both Constitutional and Statutory Revenue Sharing with actual payments for the month of August:

<u>August</u>	<u>State</u>		<u>Variance</u>	
	<u>Estimated</u>	<u>Actual</u>	<u>Amount</u>	<u>Percent</u>
Constitutional	\$231,525	\$258,085	\$26,560	11.5 %
Statutory	<u>184,759</u>	<u>158,198</u>	<u>(26,561)</u>	(14.4) %
Total	<u>\$416,284</u>	<u>\$416,283</u>	<u>\$ (1)</u>	(0.0) %

The August payment reflects the 2010 census, with a population of 21,029 (which excludes an estimated 104 prisoners incarcerated in the Lenawee County jail).

Five Constitutional only Revenue Sharing payments have been received (October 31, 2011, December 29, 2011, February 29, 2012, April 30, 2012, and June 29, 2012) and recorded. The following schedule compares state Department of Treasury estimated payments for only Constitutional Revenue Sharing with actual payments for the months of October and December 2011 and February, April, and June 2012:

<u>Constitutional Only</u>	<u>State</u>		<u>Variance</u>	
	<u>Estimated</u>	<u>Actual</u>	<u>Amount</u>	<u>Percent</u>
October, 2011	\$261,937	\$261,937	\$ 0	0 %
December, 2011	256,871	256,871	0	0 %
February, 2012	254,583	254,853	0	0 %
April, 2012	236,902	241,770	4,868	2.1%
June, 2012	241,091	244,874	3,783	1.6%

Total Revenue Sharing receipts for FY2011-12, excluding EVIP, amounted to \$1,676,588 compared to the FY2011-12 Amended Budget \$1,538,751, resulting in a favorable variance of \$137,837. If you have any questions or need for further information, please contact my office.

 **State Budget Office**
 Department of Technology, Management & Budget

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Fri Jun 29, 2012



View Payment Details

Review your payment details for the deposit date indicated.

J.V. - June 2012
6/29/2012

Payee

Payee number: 2386004654
Payee name: CITY OF ADRIAN
Financial Institution: FIRST FED BANK OF THE MIDWEST
Payment Details Delivery Method: Web

Transaction type	Amount	Date	EFT event key	Reason
Deposit	<i>TOTAL</i> \$312,842.00	06/29/12	V 030 003490482 0001	

Invoice / Adjustment details

Payment Key : 000 061397958
Address : 100 E CHURCH ST ADRIAN MI 492210000 USA
Mail Code: 28F

Seq # / Invoice No.	Date	Amount	Agency	Description
1/01		\$244,874.00	271 REVENUE SHARING (TREASURY) (517)373-2864 TREASORTA@MICHIGAN.GOV	<i>101-990.00.575.000</i> CONSTITUTIONAL SALES TAX Ref #: 271 VZLRR178 001 2012

 STATE REVENUE SHARING DISTRIBUTION OF CONSTITUTIONAL SALES TAX
 CITY OF ADRIAN YOUR LOCAL UNIT CODE IS 46-2010

CONSTITUTIONAL:
 POPULATION X DISTRIBUTION RATE = PMT AMT
 21,029 X \$11.6446 = \$244,874

CREDIT YOUR ACCOUNT 101-000-574

FOR ADDITIONAL INFORMATION CALL 517/373-2697
 For estimates and actual payments, visit our web site at:
<https://treas-secure.state.mi.us/apps/findrevshareinfo.asp>
 This payment reflects sales tax receipts for the months of March and April 2012.

2/18		\$67,968.00	271 REVENUE SHARING (TREASURY) (517)373-2864 TREASORTA@MICHIGAN.GOV	<i>101-990.00.575.001</i> EMPLOYEE COMPENSATION Ref #: 271 VZLRR178 001 2012
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 ECONOMIC VITALITY INCENTIVE PROGRAM - COMBINED EVIP DISTRIBUTION
 CITY OF ADRIAN YOUR LOCAL UNIT CODE IS 46-2010

ACCOUNTABILITY AND TRANSPARENCY = \$22,656
 CONSOLIDATION OF SERVICES = \$22,656
 EMPLOYEE COMPENSATION = \$22,656

CREDIT YOUR ACCOUNT 101-000-574

FOR ADDITIONAL INFORMATION CALL 517/373-2697

Subtotal: \$312,842.00

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CONSENT AGENDA

July 9, 2012

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: 2012 Sidewalk Rehabilitation



I concur with the recommendation of the City Engineer to award the bid for sidewalk rehabilitation to Schug Construction of Adrian, MI in the amount of \$63,495.87. Schug Construction was the low bidder and they have provided satisfactory service to the City in the past.

Funds are available in the Major and Local Street funds for this project.

Dane C. Nelson
City Administrator

DCN:mlb

We received bids on July 9, 2012 for sidewalk rehabilitation in the area bounded by Michigan Avenue to Maumee Street, from Park Street to Scott Street. Below are the tabulations for the bids received:

CITY OF ADRIAN, MICHIGAN
SIDEWALK REHABILITATION
DUE DATE: JULY 3, 2012

ITEM	Schug Construction Adrian, MI	GM & Sons Whitmore Lake, MI
PART A:		
Curb & Gutter, Conc, Det F4 225 ft	\$ 5,906.25	\$ 4,500.00
Curb & Gutter, Rem 225 ft	472.50	3,375.00
Sidewalk, Rem 525 syd	4,961.25	16,800.00
Sidewalk, Conc, 4-inch 3,800 sft	17,936.00	15,200.00
Sidewalk, Conc. 6-inch	4,949.60	4,140.00

920 sft		
Sidewalk Ramp, Conc, 6-inch 800 sft	4,304.00	4,800.00
Detectable Warning Surface 90 ft	3,780.00	4,500.00
Shaping and Grading 1 lump	189.00	1,500.00
TOTAL PART A	\$42,498.60	\$54,815.00
PART B		
Curb & Gutter, Conc, Det F4 25 ft	\$ 645.75	\$ 750.00
Curb & Gutter, Rem 25 ft	52.50	500.00
Sidewalk, Rem 84 syd	793.80	2,100.00
Sidewalk, Conc, 4-inch 688 sft	3,247.36	3,440.00
Sidewlak Ramp, Conc, 6-inch 47 sft	252.86	470.00
Detectable Warning Surface 5 ft	210.00	250.00
Cast-In-Place Retaining Wall 135 ft	14,850.00	23,625.00
Shaping & Grading Lump sum	945.00	11,500.00
TOTAL PART B	\$ 20,997.27	\$ 42,635.00

It is recommended that both Part A and Part B of this bid be awarded to Schug Construction of Adrian, MI in the amount of \$63,495.87. Portions of Part A of this bid will be offset by the property owners as part of the Ordinance requirement (Sec. 74-97. Repair) for repair of unsafe sidewalk.

Funds for these projects are available in the following funds and have been bid as approved in the budget for FY2012-2013 and encumbrances from the FY2011-2012 budget:

Part A - Major Street Fund – 202-480.00-801.000 - \$ 9,844.62
Part A - Local Street Fund – 203-444.00-801.000) - \$ 2,461.16

Part B – Major Street fund – 202-480.00-801.000 - \$ 20,997.27

CR12-042

RE: DEPARTMENT OF PUBLIC WORKS – Annual Sidewalk Rehabilitation Program

RESOLUTION

WHEREAS the Adrian City Commission, by Resolution # 12-045 dated May 7, 2012, adopted the FY2010-11 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 12,466 SF of sidewalk improvements within the area bounded by Park Street, Scott Street, Michigan Avenue and W. Maumee Street; and

WHEREAS bids were solicited by the Purchasing Office and two (2) bid proposals were submitted on July 9, 2012, as follows:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Schug Construction Co.	Adrian, MI	Part A: \$42,498.60 Part B: <u>20,997.27</u> Total \$63,495.87
GM & Sons	Whitmore Lake, MI	Part A: \$54,815.00 Part B: <u>42,635.00</u> Total \$97,450.00; and

WHEREAS the City Engineer and City Administrator recommend acceptance of the low bid and engagement of Schug Construction Company, Adrian, MI in the City’s Standard Professional Services Contract to implement the City’s Annual Sidewalk Rehabilitation Program for FY2012-13 at a cost not to exceed \$63,495.87; and

WHEREAS, in accordance with Chapter 48, Section 4.49 of the Adrian City Code, the City is responsible for a portion of the contract cost (\$33,303.05), and the balance (\$30,192.82) will be assessed to the homeowners of the condemned sidewalks; and

WHEREAS the City Engineer indicates that the City share (\$33,303.05) should be allocated to the Major Street Fund – Non-Motorized Transportation Budget (\$30,841.89) and the Local Street Fund – Sidewalk Budget (\$2,461.16); and

WHEREAS the Finance Director indicates that sufficient funds are available in the FY2012-13 Local Street Fund - Sidewalk Budget (Account # 203-444.00-801.000 Contract Services) for this purpose, however, a \$25,842 appropriation from Major Street Fund (202) Unreserved/Undesignated Fund Balance is necessary to fund identified sidewalk improvements.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the low bid and engagement of Schug Construction Company, Adrian, MI in the City’s Standard Professional Services Contract to implement the City’s Annual Sidewalk Rehabilitation Program for FY2012-13 at a cost not to exceed \$63,495.87.

BE IT FURTHER RESOLVED that \$25,842 be appropriated from Major Street Fund (202) Unreserved/Undesignated Fund Balance (202-000.00-390.000) and that the FY2012-13 Budget be amended as follows:

Major Street Fund (202)

Revenue:

(202-000.00-697.000)	Prior Years' Revenue	\$25,842
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Expenditures

(202-480.00-801.000)	Contract Services	<u>25,482</u>
----------------------	-------------------	---------------

	Total	<u>\$ -0-</u>
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On motion by Commissioner _____,
seconded by Commissioner _____,
this resolution was adopted by a _____ vote

THE CANDIDATES

Two-year terms beginning October 1, 2012



George Bosanic, City Manager, City of Greenville

George has more than 19 years of experience as a municipal official, serving as the city manager of Greenville for the last 14. He is a past president of the Greenville Rotary, winner of the Community Spirit Collaboration Award and a founding board member of the Montcalm County Big Brothers/Big Sisters Organization. He is a member of the Michigan Local Government Management Association and International City Management Association. George is seeking re-election to his fourth term as Trustee.



Christine Burns, Village Manager, Village of Spring Lake

Christine has more than 21 years of experience as a municipal official. Christine is the Village Manager of Spring Lake after serving the City of Cedar Springs for more than 5 years and the Village of Oxford for nearly 2 years. She also served the City of Clare for more than 14 years. Chris graduated from Central Michigan University with the BS in BA majoring in Management (1990) and earned her MSA in Public Administration from CMU in 2006. Fire Up Chips! Chris is a member of the Michigan Local Government Management Association (MLGMA), International City/County Management Association (ICMA) and holds a Certified Master Municipal Clerk designation; she also serves as the President for the West MI Local Government Management Association and is on the Board of Directors for MLGMA. Christine is seeking re-election to her second term as Trustee.



Ken Hibel, City Manager, City of Clare

Ken has more than nine years of Michigan municipal government experience, serving as the city manager of Clare. Prior to this appointment, he served as an officer in the U.S. Armed Forces for thirty years in leadership positions in armor, aviation, law enforcement, installation management, and the diplomatic service in Europe, the Far East, the Middle East, Africa, the Caribbean, and various locations within the U.S. He is a Rotarian and member of the Michigan Local Government Management Association and International City Management Association. Ken is seeking re-election to his fourth term as Trustee.



Elva Mills, Village President, Village of Lexington

Elva has more than 20 years experience as a municipal official, having served twelve years on the Madison Heights city council, and since 2000, on the Lexington Village council. Elva has also served on the boards of the Madison District Public Schools, the Sanilac County Community Mental Health Board and the Thumb Mental Health Alliance. In addition, she is currently active in a number of civic organizations, including the Greater Lexington Chamber of Commerce, the Lexington Business Association, the League of Women Voters, the American Association of University Women, and others. Elva is seeking re-election to her second term as Trustee.



James Rynberg, Mayor, City of Fremont

Jim has more than 26 years experience as a municipal official, serving as mayor of Fremont for the last 7 years. He has been a member of the Fremont City Commission since 1985 and previously served on the planning commission. Jim is a MML Region 3 officer, serving as chair in 2012. He also serves on various local and regional civic organizations. Jim is seeking election to his first term.

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

RESOLUTION

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

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

WHEREAS, five (5) incumbent Trustees are seeking re-election for two-year terms beginning October 1, 2012: George Bosanic, City of Greenville; Christine Burns, City of Spring Lake; Ken Hibl, City of Clare; Elva Mills, Village of Lexington; and James Rynberg, City of Fremont; and

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

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes re-election of the aforementioned MML Workers’ Compensation Fund Trustees for two-year terms beginning October 1, 2012.

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

RE: CLERKS OFFICE – Reappointments to Election Commission

RESOLUTION

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointment of Waneta Raloff, Jane Castle and Margaret Noe to the Election Commission for one year terms that will expire in 2013.

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

MEMORANDUM

July 12, 2012

TO: Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

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

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

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

Cindy Prue – Finance –	42 votes
Doug Lolley – DPW -	9 votes
Josh North – APD –	4 votes
John Birdwell - APD –	3 votes
Dan Wright – Utilities -	2 votes
Dave Birdsell – Utilities –	1 vote

Based on the results of the voting, I would recommend that Cindy Prue be named employee representative with Doug Lolley as the employee alternate. I further recommend that Heather Lasky be named the City's Representative this year with Paul Trinkka as her alternate. Attached hereto, you will find the necessary resolution drawn in accord with the above recommendations.

Dane Nelson, City Administrator

DCN/pmb

CR12-045

July 16, 2012

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

RESOLUTION

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

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

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

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

BE IT FURTHER RESOLVED that Heather Lasky be designated as the City Officer delegate and that Paul Trinko be designated as the alternate officer delegate to attend the meeting at the Amway Grand Plaza, Grand Rapids, Michigan on October 3-5, 2012 in accordance with the provisions of the Municipal Employees Retirement Act No. 135, Public Act of 1945, as amended.

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

July 11, 2012

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: 2012-13 Cold Patch



I concur with the recommendation of the City Engineer to award the bid for cold patch to Unique Paving Materials of Cleveland, Ohio. Their products have served the City well in the past and they have quoted us a lower price per ton than Barret Paving for the type of material the City needs.

Funds are available in the Major and Local Street funds for this project.

Dane C. Nelson
City Administrator

DCN:mlb

We received bids on June 19, 2012 for our annual purchase of Cold Patch. Below are the tabulations for the bid received:

CITY OF ADRIAN, MICHIGAN
ANNUAL COLD PATCH
DUE DATE: JUNE 19, 2012

ITEM	Barrett Paving Materials Ypsilanti, MI	Unique Paving Materials Cleveland, OH
Cold Patch – Delivered	\$ 97.00 per ton	\$ 104.00 per ton
Cold Patch - Pickup	\$ 90.00 per ton	\$ 100.00 per ton
Cold Patch – Delivered 2yr pricing	\$ 100.00 per ton	\$ 104.00 per ton
Cold Patch – Pickup 2yr pricing	\$ 93.00 per ton	\$ 100.00 per ton
Truckload	50 tons	50 tons

The material specified by Unique Paving Materials is a UPM mix that is higher in asphalt cement (AC) content and thus stickier than most cold patches. The City has used this type of cold patch for years very successfully. We contacted Barrett Paving to get the price for comparable material for their "UPM" mix and they quoted us \$108/ton.

The DPW prefers the "UPM" mixes because they are stickier and stay in the potholes during the winter much better than other materials. As such our recommendation is for Unique Paving Materials of Cleveland, OH. They stockpile their material at Round Lake Sand & Gravel in Addison, MI.

Funds for purchase of these products are available in the Major and Local Street Funds.

July 16, 2012

CR12-046

RE: DEPARTMENT OF PUBLIC WORKS – Cold Patch Annual Bid

RESOLUTION

WHEREAS, the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Tuesday, June 19 for the 2012 for purchase of Cold Patch, with the following results:

ITEM	Barrett Paving Materials Ypsilanti, MI	Unique Paving Materials Cleveland, OH
Cold Patch – Delivered	\$ 97.00 per ton	\$ 104.00 per ton
Cold Patch - Pickup	\$ 90.00 per ton	\$ 100.00 per ton
Cold Patch – Delivered 2yr pricing	\$ 100.00 per ton	\$ 104.00 per ton
Cold Patch – Pickup 2yr pricing	\$ 93.00 per ton	\$ 100.00 per ton
Truckload	50 tons	50 tons

WHEREAS, due to the stickier mix that performs better in cold weather, the City Engineer and City Administrator recommend the selection of the Unique Paving Materials, Cleveland, OH for engagement in the City’s Standard Professional Services Contract for purchase of Cold Patch; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of Unique Paving Materials, Cleveland, OH for engagement in the City’s Standard Professional Services Contract for purchase of Cold Patch under the terms and conditions as submitted and as proposed in their sealed bids dated June 19, 2012.

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



REGULAR AGENDA

MEMO



DATE: July 10, 2012

TO: Dane C. Nelson, City Administrator

FROM: Sarah K. Osburn, City Attorney

SUBJECT: Parental Responsibility Ordinance

Attached please find a letter from Adrian School Superintendent Christopher Timmis, regarding a proposed Parental Responsibility Ordinance. As the letter from Superintendent Timmis states, attendance at Adrian Public Schools has become a serious issue. In any given week, at any one of the APS elementary schools only 60% of the students are in attendance all five days of the week for an entire day. The purpose of the ordinance is to place responsibility for school attendance onto parents or guardians of the minor children. If a parent or guardian fails to follow school attendance policies, the parent or guardian could be charged with a misdemeanor.

Thank you,

Sarah K. Osburn

mld

ORDINANCE 12-002

AN ORDINANCE TO CREATE SECTION 58-287 OF CHAPTER 58 OF THE ADRIAN CODE, ENTITLED "THEFT FROM THE CITY LIBRARY"

Section 58-287. Parental Responsibility

- 1). A parent or guardian having physical custody of a minor child shall require the minor child to attend regular school sessions and to forbid the minor child to be absent from class without parental or school permission.

- 2). A parent or guardian having physical custody of a minor child shall ensure that the minor child arrives at school on time and does not have excessive tardies according to policies of the school where the minor child is attending.

- 3). A violation of this section is a misdemeanor punishable by not more than 90 days in jail or a fine of up to \$500.00, or both.

INTRODUCTION.....

SUMMARY PUBLISHED.....

ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

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

SO-1

July 16, 2012

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments regarding the establishment of Special Assessment District # 385.

Discussion

When the Mayor call for final objections _____

and he declared the hearing closed.

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments regarding the establishment of Special Assessment District # 386.

Discussion

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

July 16, 2012

R12-081

RE: CITY ENGINEER – Approve Establishment of Special Assessment District (SAD# 385) – for Improvements on Elm Street from Oakwood to Siena Heights

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution CR12-040 duly adopted at its July 2, 2012 regular meeting, deemed it necessary and declared its intention to construct improvements, including curb and gutter, driveway approaches, road base, asphalt surfaces and other appurtenances, on Elm Street from Oakwood to Siena Heights and did provide a public hearing as provided by Chapter 70, Section 70-6 of the Adrian City Code; and

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

NOW THEREFORE BE IT RESOLVED:

1. That said public improvements be made and the City Administrator be directed to proceed with the same.
2. That the plans, specifications and detailed estimates relating to said improvements, as filed with the City Clerk, be and are hereby approved and adopted and the City Administrator is directed to take action necessary to accomplish the said improvements.
3. That the estimated total cost of said improvements is determined to be \$140,000.
4. That \$40,000 of the said estimated cost shall be defrayed by special assessment and \$100,000 shall be paid by local street funds.
5. That the said special assessment may be paid in ten annual installments. The first installment shall be due and payable on or before sixty (60) days from the date said special assessment is confirmed, and one (1) installment shall be due annually thereafter. Interest shall be charged at the rate of six (6%) percent per annum on the balance of all unpaid installments.
6. That the premiums upon which special assessments shall be levied, and which shall be hereafter known and designated as Special assessment District # 385, are described as follows:

Special Assessment Properties
Elm Street from Oakwood to Siena Heights

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

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

R12-082

RE: CITY ENGINEER – Approve Establishment of Special Assessment District (SAD# 386) – for Improvements on Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End

RESOLUTION

WHEREAS, the Adrian City Commission, by Resolution CR12-041 duly adopted at its July 2, 2012 regular meeting, deemed it necessary and declared its intention to construct improvements, including curb and gutter, driveway approaches, road base, asphalt surfaces and other appurtenances, on Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End and did provide a public hearing as provided by Chapter 70, Section 70-6 of the Adrian City Code; and

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

NOW THEREFORE BE IT RESOLVED:

1. That said public improvements be made and the City Administrator be directed to proceed with the same.
2. That the plans, specifications and detailed estimates relating to said improvements, as filed with the City Clerk, be and are hereby approved and adopted and the City Administrator is directed to take action necessary to accomplish the said improvements.
3. That the estimated total cost of said improvements is determined to be \$160,000.
4. That \$41,000 of the said estimated cost shall be defrayed by special assessment and \$119,000 shall be paid by local street funds.
5. That the said special assessment may be paid in ten annual installments. The first installment shall be due and payable on or before sixty (60) days from the date said special assessment is confirmed, and one (1) installment shall be due annually thereafter. Interest shall be charged at the rate of six (6%) percent per annum on the balance of all unpaid installments.
6. That the premiums upon which special assessments shall be levied, and which shall be hereafter known and designated as Special Assessment District # 386, are described as follows:

Special Assessment Properties

Croswell Street from Bristol to Dead End and Martinez Street from Croswell to Dead End

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

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



MEMO

Date: July 3, 2012

To: Hon. Greg DuMars, Mayor
City Commission
Dane C. Nelson, City Administrator

From: Jeffrey C. Pardee, Finance Director

Re: Liability, Property and Vehicle Fleet Insurance Renewal

The City of Adrian's current Liability, Property and Vehicle Fleet Insurance Policy expires July 27, 2012. The City of Adrian has been a member of the Michigan Municipal League (MML) Liability and Property Pool (serviced by the Meadowbrook Insurance Group) since July 27, 1984.

Premium history for coverage with a \$2,000,000 liability limit and \$5,000 deductible per occurrence follows:

	<u>Premium</u>
FY2009-10	\$221,053
FY2010-11	\$211,141
FY2011-12	\$206,148; and

The proposed premium for FY2012-13 is \$209,974, a 1.86% increase compared to the Consumer Price Index (CPI) of 2.7%; and the value of insurable City assets has grown from \$103,713,754 to \$111,671,730 (7.6%), primarily due to acquisition of State Training School Property, and coverage has been expanded to include legal fees associated with outstanding claims. After having considered alternative carriers and experiences in other jurisdictions, I respectfully recommend waiving the bid process and remaining with MML Liability and Property Pool for the following reasons:

- Superior Property Coverage with no coinsurance – the insurer assumes risk on property claims up to \$111,671,730 - \$250 deductible for each covered occurrence;

- Liability coverage on an occurrence basis (\$5,000 deductible) – with no time limit for reporting claims, the Pool is perpetually obligated to indemnify the City;
- Automotive coverage on 97 vehicles (\$250 and \$1,000 deductible for comprehensive liability and collision insurance, respectively);
- Treasurer/Clerk Bond for \$100,000 and Sewer Back-Up Liability for \$100,000;
- Claims expertise – City has experienced excellent claims resolution;
- Loss Control and Administration Services – National League of Cities recognized model program Law Enforcement Risk Reduction and Control;
- Board members are peers – Elected Officials of Michigan Municipalities, including former Adrian Mayor, serve on Board of Directors providing interactive opportunities for improved risk management;
- No Profit Motive – Surplus is either returned to Members in the form of dividends (\$34,000 the past two years), premium stability, or coverage enhancements;
- Safety Consulting Services – provided by MML and Meadowbrook staff; and

Sufficient funds are available in the FY2012-13 Budget to cover all of the aforementioned insurance premiums. The attached resolution has been prepared for consideration by the City Commission at their regularly scheduled meeting of July 16, 2012. If you have any questions or need for additional information, please contact my office.



michigan municipal league

Liability & Property Pool

Proposal

for

the

City of Adrian

Presented By:

Jim Newman
Municipal Account Executive
Meadowbrook® Insurance Group, Service Provider
(517) 243-5865

June 29, 2012

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This proposal is intended to be only a summary of coverages and services. For specific details on coverage terms and conditions, please refer to the Michigan Municipal League Liability and Property Pool coverage document.

Executive Overview

The Michigan Municipal League Liability and Property Pool is administered by the Risk Management staff of the Michigan Municipal League, and serviced by Meadowbrook Insurance Group. Since 1982, the Pool has been a stable source of comprehensive municipal insurance and risk management services. It is financially secure and positioned for long-term stability.

The League administrative staff and the dedicated Pool staff at Meadowbrook Insurance Group are municipal insurance experts. Municipal risk management is our only business, and we're proud of it!

The Pool provides insurance coverage designed specifically for Michigan municipal exposures, combined with a package of loss control programs, claims administration, legal defense and membership services that you won't find anywhere else in Michigan.

This quotation is based on the limits of coverage requested by the **City of Adrian**. Higher limits may be available, subject to underwriting review by Pool Management. Please submit requests for higher limits in writing to your Account Executive. Your request will be considered by Pool Management.

The insurance and related services described more fully in this proposal are being offered to the **City of Adrian** for an annual premium of **\$209,974**. ***When compared to last year's renewal premium of \$206,148, it represents a premium increase of \$3826, Which is entirely due to an increase in property coverage.***

We encourage you to compare the Pool with our competition. Compare us based on price, coverage, service, financial security, experience and commitment to municipal risk management. When you do, the advantages of Pool membership become clear.

Thank you for being a Pool member. We look forward to servicing your risk management program for many years to come.

Our Mission

To be a long-term, stable, cost-effective risk management alternative for members of the Michigan Municipal League Liability and Property Pool.

Introduction

What You Can Expect Of Us

- ✓ A commitment to learn, understand and respond to your insurance needs;
- ✓ Continuous planning and innovation in product development and service delivery;
- ✓ Products that meet your needs in terms of price, coverage and service;
- ✓ Prompt, accurate, and courteous response to your questions, problems and claims; and
- ✓ Knowledgeable and professional staff serving your needs consistently and with integrity.

Your Pool Insures More Than . . .

- | | |
|--------------------------------|------------------------------------|
| ✓ 400 Public Entity Members | ✓ 197 Law Enforcement Agencies |
| ✓ 17,685 Employees | ✓ 22 Electric Utilities |
| ✓ 2,550 Elected Officials | ✓ 26 Municipal Marinas |
| ✓ 110 Fire Departments | ✓ 4,340 Miles of Streets/Roads |
| ✓ 7,200 Vehicles | ✓ \$3.1 Billion of Property Values |
| ✓ 200 Water Service Operations | ✓ 175 Sewer Operations |

These local communities are current Pool members:

City of Grand Beach

City of Niles

Village of Three Oaks



Coverage and Cost Summary City Of Adrian

Effective 07-27-2012 to 07-27-2013

Coverages	Limit of Liability	Aggregate Limit	Per Occurrence Deductible
Municipal General Liability (Coverage A)	\$2,000,000	N/A	\$5,000
Sewer Back-Up Sublimit	\$100,000	\$100,000	\$0
Personal Injury Liability (Coverage B)	\$2,000,000	N/A	\$5,000
Medical Payments (Coverage C)	\$10,000	N/A	N/A
Public Officials Liability (Coverage D)	\$2,000,000	N/A	\$5,000
Law Enforcement Liability (Coverages A, B, and D)	\$2,000,000	N/A	\$5,000
Employee Benefit Liability	\$1,000,000	\$1,000,000	\$5,000
Fire Legal Liability	\$100,000	N/A	N/A
Dam Liability	\$500,000	\$500,000	\$0
Marina Operator Liability	No Coverage	N/A	N/A
Automobile Liability (Coverages A and B)	\$2,000,000	N/A	\$0
<u># Vehicles</u>	<u>Comp</u>	<u>Coll</u>	
1	\$250	\$250	
85	\$250	\$1,000	
11	\$250	NO COV	

Coverages A, B, and D are provided with a combined single limit of liability. The most the Pool will pay for any one occurrence is \$2,000,000 regardless of the number of coverages involved in the occurrence.

<u>Property</u>			
Property - Blanket Basis	\$111,671,730	N/A	\$250
Boiler and Machinery	Included	N/A	\$250
Building(s)	Included	N/A	\$250
Cemetery Property - up to \$500 per headstone	# Plots: 22,500	N/A	\$250
Contents	Included	N/A	\$250
Property in the Open	Included	N/A	\$250
Protection & Preservation	Included	N/A	N/A
Property - Limited Replacement Cost, if applicable	\$0	N/A	\$0
Accounts Receivable	\$100,000	N/A	\$250
Audio & Video Equipment	\$326,231	N/A	\$250
Consequential Damage	\$100,000	N/A	N/A
Contractors Equipment	\$1,039,508	N/A	\$250
Debris Removal - the lesser of 25% of physical damage loss or	\$5,000,000	\$5,000,000	N/A
Demolition & Increased Costs of Construction Limit	\$100,000	N/A	N/A



Coverage and Cost Summary City Of Adrian

Effective 07-27-2012 to 07-27-2013

Coverages	Limit of Liability	Aggregate Limit	Per Occurrence Deductible
Earthquake	\$2,000,000	\$2,000,000	\$5,000
Electronic Data Processing Equip	\$1,109,626	N/A	\$250
Expediting Expense	\$100,000	N/A	N/A
Extra Expense	\$100,000	N/A	N/A
Fine Arts	\$100,000	N/A	\$250
Flood (Except for Members located in Flood Zone A, AO, AH, A1-A999, AE, or AR)	\$1,000,000	\$1,000,000	\$5,000
Loss of Income	\$100,000	N/A	N/A
Loss of Rents	\$100,000	N/A	N/A
Miscellaneous Equipment	\$1,803,806	N/A	\$250
On & Off Vehicle Equipment	\$442,090	N/A	\$250
Ornamental Trees, Shrubs, Plants or Lawn	\$5,000	\$10,000	\$250
Personal Effects & Property of Others	\$500	\$2,500	\$250
Radio Equipment	\$341,113	N/A	\$250
Valuable Papers	\$100,000	N/A	\$250
Comprehensive Crime Coverage			
Employee Dishonesty Blanket/Faithful Performance	\$100,000	N/A	N/A
Depositors Forgery	\$100,000	N/A	N/A
Money and Securities Inside	\$100,000	N/A	N/A
Money and Securities Outside	\$100,000	N/A	N/A
Money Orders and Counterfeit Paper	\$100,000	N/A	N/A
Bonds			
Bond #: A Treasurer	\$100,000	N/A	N/A
Bond #: B Deputy Treasurer	\$100,000	N/A	N/A

Only one deductible applies to claims involving two or more property coverages.

The Michigan Municipal League Liability and Property Pool is pleased to offer all coverages and services described in this proposal for an annual premium of \$209,974.

Benefits of Pooling with the MML

- ✓ Proven long-term availability and stability
- ✓ Broad coverage document written specifically for Michigan municipalities
- ✓ Services tailored to unique needs of Michigan municipalities
- ✓ Member assets controlled by an elected Board of municipal officials
- ✓ Equitable rating based on Pool experience in Michigan
- ✓ Aggressive defense strategy – positive impact on case law
- ✓ Professional, dedicated, and experienced local management, oversight and service
- ✓ Decisions made and problems resolved by a group of your peers
- ✓ Investment income and underwriting surplus used to benefit members
- ✓ Lower expenses through tax-exempt and non-profit status
- ✓ Special loss avoidance training sessions including:
 - ✓ Safety aspects of emergency vehicle operations
 - ✓ Accident investigation for supervisors
 - ✓ Confined spaces training

The advantages of pooling can be summarized by:

Service + Control + Value

City of Adrian Has . . .

- ✓ \$7,916,000. Annual Payroll
- ✓ \$111,671,730. of total values for real and personal property
- ✓ 30 Law enforcement officers
- ✓ 97 Vehicles
- ✓ 0 Fire Vehicles with agreed values for a total of \$918,000.

Increased Liability Limits

We cannot guarantee the adequacy of any limit of liability. Due to the following factors, it may be prudent to consider higher limits:

- ✓ Increased jury awards in your jurisdiction
- ✓ Increased litigation trends
- ✓ Protection of tax base against judgments in excess of your policy limits

If you are interested in increasing your liability limits, please contact your Account Executive, Jim Newman.

Highlights of Coverages Provided

Who Is Insured?

The Pool member entity, elected and appointed officials, employees and authorized volunteers, and any person officially appointed to a Board or Commission

General Liability

In addition to standard liability coverages (bodily injury, property damage, products and completed operations) the Pool provides coverages that municipalities need on an **occurrence basis with no aggregate liability limits**:

- ✓ Liability resulting from mutual aid agreements
- ✓ Premises medical payments
- ✓ Host liquor liability
- ✓ Fire legal liability for real property
- ✓ Watercraft liability, owned less than 26' and non-owned less than 50'
- ✓ Ambulance and EMT malpractice
- ✓ Special events **excluding** -
 - Fireworks
 - Liquor Liability
 - Mechanical Amusement Rides
- ✓ Athletic participation liability
- ✓ Employee benefit liability
- ✓ Cemetery operations coverage
- ✓ Pollution coverage for Hazardous Response Teams
- ✓ Marina Operators coverage available
- ✓ Up to \$10 million in liability limits available

General Liability Exclusions . . .

The following is a partial list of general liability coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Pollution (except for Hazmat operations).
- ✓ Nuclear energy / nuclear material hazards
- ✓ Aircraft Liability
- ✓ Breach of contract
- ✓ Failure of dams
- ✓ Backup of Sewers and Drains (exception – \$100,000 Annual Aggregate Sublimit for Sewer and Drain Liability)
- ✓ Criminal activity / Intentional acts with knowledge of wrongdoing
- ✓ Medical malpractice for doctors and physicians
- ✓ Contractual Liability
- ✓ Failure to supply utilities
- ✓ Expected or intended injury
- ✓ Electromagnetic radiation

Public Officials Liability Coverage

"Wrongful Acts", including intentional acts, defined as any actual or alleged error, misstatement, act of omission, neglect or breach of duty including:

- ✓ Neglect of duty
- ✓ Zoning defense and land use litigation
- ✓ Malfeasance
- ✓ Violation of civil rights
- ✓ Discrimination
- ✓ Employment practices
- ✓ Misfeasance
- ✓ Cable TV broadcasting

Public Officials Liability Exclusions

The following is a partial list of public officials' liability coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Pollution and Nuclear Energy
- ✓ Fraud, dishonesty, intentional and criminal acts
- ✓ Failure to purchase coverage or adequate coverage
- ✓ Return of governmental grants or subsidies
- ✓ Intentional acts with knowledge of wrongdoing
- ✓ Eminent domain / takings
- ✓ Illegal profit
- ✓ Labor union actions
- ✓ ERISA violations
- ✓ Backup of Sewers and Drains

Personal Injury & Advertising / Broadcasters Liability Coverage

- ✓ Mental anguish and stress
- ✓ Libel, slander or defamation of character; violation of an individual's right of privacy
- ✓ Proactive services for non-monetary damage claims

Police Professional Liability Coverage

Police Professional Liability coverage is contained within the General Liability and Public Official Liability Coverage Parts

- ✓ Discrimination
- ✓ Violation of civil rights
- ✓ Jail operations
- ✓ False arrest, detention or imprisonment, or malicious prosecution
- ✓ Wrongful entry or eviction or other invasion of the right of private occupancy
- ✓ Assault or battery
- ✓ Improper service of suit
- ✓ Coverage assumes officers act with intent

Property Coverage

In addition to covering buildings, contents and personal property, the Pool provides:

- ✓ Blanket coverage -- All member-owned property insured (unless specifically excluded)
- ✓ Coverage based on ownership rather than on a "schedule on file" avoids coverage gaps due to errors or oversight
- ✓ Property of others in custody of the Member for which the Member has an obligation to provide coverage
- ✓ Boiler & Machinery coverage, including Boiler certification inspections
- ✓ Replacement Cost or Actual Cash Value available
- ✓ Fungal Pathogens (Mold) Limited Coverage
- ✓ Demolition/increased cost of construction
- ✓ No coinsurance
- ✓ Valuable papers
- ✓ Loss of Rents
- ✓ Property in the open
- ✓ Extra expense
- ✓ Expediting expense

Property Exclusions

The following is a partial list of property coverage exclusions. Consult the coverage document for the complete listing:

- ✓ Nuclear reaction/ contamination
- ✓ War
- ✓ Cyber Risk
- ✓ Fungal Pathogens (Mold) excess of sub-limit
- ✓ Failure to supply utilities
- ✓ Transmission Lines and Poles
- ✓ Dishonest acts
- ✓ Acts of Terrorism
- ✓ Wear and tear
- ✓ Computer failures/ viruses

Only one deductible applies to claims involving two or more property coverages.

Comprehensive Crime Coverage

- ✓ Employee Dishonesty/ Faithful Performance of Duty coverage provided on a blanket basis
- ✓ Loss Inside the Premises
- ✓ Loss Outside the Premises
- ✓ Money Orders/ Counterfeit Currency
- ✓ Depositors Forgery
- ✓ Up to \$500,000 limits available
- ✓ Peak Season, Obligee, Official Bond and Oath, Position Fidelity Bond endorsements available

Automobile Coverage Highlights

What Is Covered?

Coverage is afforded while operating land motor vehicles, trailers or semi-trailers designed for travel on public roads.

Auto Coverages Provided

- ✓ Michigan No-Fault Coverage, includes mini-tort coverage for no extra charge
- ✓ Excess protection for use of personal automobile for municipal business
- ✓ Uninsured motorist for municipally owned vehicles
- ✓ Underinsured motorists
- ✓ Non-owned and hired auto
- ✓ Comprehensive - actual cash value basis
- ✓ Collision - actual cash value basis
- ✓ Volunteer firefighter auto accident liability coverage
- ✓ Agreed value coverage for emergency vehicles is available

Pool Risk Management Services

- ✓ Review and service of all municipal insurance matters
- ✓ Public entity experts address various liability issues
- ✓ Aggressive, member-oriented defense strategy
- ✓ Former police officials address law enforcement risks
- ✓ Physical inspection by municipal loss control engineers
- ✓ Training video library available to members
- ✓ Law enforcement risk control programs (LEAF and LERC)
- ✓ Property appraisal services available

Member Education

- ✓ Land use litigation awareness programs
- ✓ Sidewalk liability reduction programs
- ✓ Sexual harassment awareness training
- ✓ Hiring and employment practices
- ✓ Confined spaces entry training
- ✓ Barricading safety training
- ✓ Blood borne pathogens
- ✓ Liability issues for fire and EMS
- ✓ Occupational health concerns
- ✓ Back injury prevention

Online Services

www.mml.org (click on the *Insurance* button) – offers Pool members an outstanding resource for municipal risk management information and self-help tools in one attractive, simple-to-navigate location. File a claim on line. Download your renewal application. Request a loss control service visit. E-mail us a question. Other services available online include:

- ✓ Publications, including Risk Management Newsletter
- ✓ Loss Control Tools, including: Tip Sheets (PERC\$) & Law Enforcement Newsletter
- ✓ MML Pool Financial Statements
- ✓ Board of Director action items
- ✓ General Policies
- ✓ Coverage Document
- ✓ Frequently Asked Questions
- ✓ Staff and Director Profiles

In order to access the *Members Only* section of the Pool website, you need a Password and User ID, which you can get by calling Jennifer Orr (MML staff) at (734) 669-6341

Membership Responsibilities

Membership in the Michigan Municipal League Liability and Property Pool provides numerous benefits. Likewise, individual members have certain responsibilities to the other members, which are detailed in the Intergovernmental Contract. The following is a summary of the membership responsibilities. Please refer to the Intergovernmental Contract, Articles 5 and 6, for more information.

- ✓ If a Member intends to leave the Pool, the Member must send a written notice to the Pool at least 60 days prior to its next renewal date.
- ✓ A Member must pay its premium when due. The Pool must give each member 20 days written notice of intent to terminate membership for nonpayment of premium. Payment of premium before the 20 days notice is effective will entitle the Member to reinstatement.
- ✓ Members must maintain membership or associate membership status in the Michigan Municipal League.
- ✓ A Member will allow attorneys employed by the Pool to represent the Member in defense of any claim made against the Member within the scope of coverage provided by the Pool. A Member will cooperate with the assigned attorneys, claims adjusters, service company or other agents of the Pool relating to the defense of claims for which the Pool is providing coverage.
- ✓ A Member will follow loss reduction and prevention measures established by the Pool.
- ✓ A Member will report to the Pool as promptly as possible all incidents that the Member reasonably believes may result in a claim against the Member.

Your Peers are Members

"...You set high standards of ethics and integrity. Our office has a substantial amount of comfort in knowing all our insurance affairs are handled by you. The amount of support material you provided is unmatched by any company we have dealt with. We feel that your company makes enormous efforts to make our jobs easier, which cut down on numerous man-hours. We are also very pleased to receive the competitive rates that are provided by the MML Liability & Property Pool. We look forward to working with you."

Anthony McKerchie
Vienna Township
Supervisor
February 20, 2008

Mike Zinn
Clio Area Library Board
President

Stacy Hardy
Insurance Coordinator/
Bookkeeper

"I enjoy the relationship I have with you and the individuals that serve us and appreciate the education in risk management that you all continue to offer. I am a better manager with the MML Liability & Property Pool as part of my team..."

Denise M. Parisian, Village Manager
Village of Dimondale
February 15, 2007

"...We have been a member of both programs (the Liability & Property Pool and the Workers' Compensation Fund) for a number of years and have always enjoyed excellent services and coverage.

Because of the poor economic conditions, we felt that it was necessary to at least look at alternative insurance products. After careful review, I found that the Pool and Fund products were superior, many times exceeding coverage provided by other traditional carriers. It would be easy to decide to be insured with a lower cost alternative. However, in the end, the cost of claims handling and uninsured coverage would far exceed any short-term savings.

...we have always received very quality services."

Kevin M. Welch, City Manager
City of Tecumseh
February 5, 2008

"On behalf of the City of Ionia, I would like to thank you and the Pool for continuing to provide the City, and all Pool members, with quality insurance and risk management services. The City continues to be a proud member and subscriber of the Pool's services and programs.

During the course of my municipal career I have had the opportunity to be exposed to a full range of the services that the Pool offers. I have also been involved in major losses and found that the Pool was prompt and fair in responding to the community's needs.

... Again, thank you for the quality services that you and the Pool provide."

Jason Eppler, City Manager
City of Ionia
February 12, 2007

R12-083

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

RESOLUTION

WHEREAS, the City of Adrian’s current Liability, Property and Vehicle Fleet Insurance Policy expires July 27, 2012; and

WHEREAS, the City of Adrian has been a member of the Michigan Municipal League (MML) Liability and Property Pool (serviced by the Meadowbrook Insurance Group) since July 27, 1984; premium history for coverage with a \$2,000,000 liability limit and \$5,000 deductible per occurrence follows:

	<u>Premium</u>
FY2009-10	\$221,053
FY2010-11	\$211,141
FY2011-12	\$206,148; and

WHEREAS, the proposed premium for FY2012-13 is \$209,974, a 1.86% increase compared to the Consumer Price Index (CPI) of 2.7%; and the value of insurable City assets has grown from \$103,713,754 to \$111,671,730 (7.6%), primarily due to acquisition of State Training School Property, and coverage has been expanded to include legal fees associated with outstanding claims; and

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

- Superior Property Coverage with no coinsurance – the insurer assumes risk on property claims up to \$111,671,730 (\$250 Deductible) for each covered occurrence;
- Liability coverage on an occurrence basis (\$5,000 deductible) – with no time limit for reporting claims, the Pool is perpetually obligated to indemnify the City;
- Automotive coverage on 97 vehicles (\$250 and \$1,000 deductible for comprehensive liability and collision insurance, respectively);
- Treasurer/Clerk Bond for \$100,000 and Sewer Back-Up Liability for \$100,000;
- Claims expertise – City has experienced excellent claims resolution;
- Loss Control and Administration Services – National League of Cities recognized model program Law Enforcement Risk Reduction and Control;
- Board members are peers – Elected Officials of Michigan Municipalities, including former Adrian Mayor, serve on Board of Directors providing interactive opportunities for improved risk management;
- No Profit Motive – Surplus is either returned to Members in the form of dividends (\$34,000 the past two years), premium stability, or coverage enhancements;

- Safety Consulting Services – provided by MML and Meadowbrook staff; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2012-13 Budget to cover all of the aforementioned insurance premiums; and

WHEREAS, the City Administrator recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes renewal of Property Damage, Liability and Vehicle Fleet Insurance with the Michigan Municipal League Liability and Property Pool, including the additional Endorsement for Sewer and Storm Drain Liability Exposure, as well as Treasurer/Clerk Bond, for a total annual premium of \$209,974.

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.

RE: CITY COMMISSION – Hours of accumulated vacation time included in employees’ final average compensation.

RESOLUTION

WHEREAS, the City Commission has previously stated its intent to address the cost of pensions for its City employees; and

WHEREAS, one of the areas to be addressed involves the application of accumulated vacation days as part of an employee’s final average compensation; and

WHEREAS, the governor has recommended that no more than 240 hours of accumulated vacation time should be allowed to be included as part of an employee’s final average compensation; and

WHEREAS, current City policy provides the inclusion of up to 320 hours of accumulated vacation time in an employee’s final average compensation.

NOW, THEREFORE, BE IT RESOLVED that the policy for City retirement plans for non-union City employees forthwith provide for the inclusion of a maximum of 240 hours of accumulated vacation pay in the calculation of his or her final average compensation.

IT IS FURTHER RESOLVED that this policy change shall take effect as of September 1, 2012.

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

July 11, 2012

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: Bridge Maintenance Change Order #2



In February 2012 the City Commission awarded the Bridge Maintenance Contract to Cross Lake Construction of Horton, MI in the amount of \$66,150.00 a change order was approved in May of 2012 due to additional baluster work that was needed bringing the total contract to \$80,685.00.

During the construction it was discovered that there was additional deterioration that was occurring under the sidewalk areas. This deterioration was beginning to degrade the bridge deck and supporting structural elements due to water and salt trapped between the deck and sidewalk. If this water penetration was allowed to continue a full thickness repair would have been needed several years from now at a much greater expense. As such we directed the contractor to remove additional sidewalk and repair the areas to help extend the life of the existing bridge system. There were additional incidental overages on this contract resulting from additional crack repairs that were approved and completed as well as some additional patching of the bridges decking surface.

We are requesting approval for the additional amount of \$14,377.86 to be paid to the Cross Lake Construction, Inc. for the additional work directed by the Engineering Department.

Funds for these changes are available in the Major Street Fund Balance: 202-473.00-801.000

RE: DEPARTMENT OF PUBLIC WORKS – Bridge Rehabilitation Contract-
Change Order # 2

RESOLUTION

WHEREAS, the Adrian City Commission, by resolution # CR12-010 dated March 5, 2012, authorized the selection and engagement of Cross Lake Construction Company, Horton, MI to be engaged in the City’s Standard Professional Services Contract to rehabilitate five (5) specified bridges at a cost not to exceed \$66,150.00; and

WHEREAS, the Adrian City Commission, by resolution # R12-055 dated May 21, 2012, authorized Change Order # 1 for \$14,535 for additional, including repair and replacement of more bridge balusters on the five (5) contracted bridges, as well as the Bent Oak Ave. bridges not previously contracted; and

WHEREAS, authorization to expend an additional \$14,378 is being sought by the City Engineer to cover the cost of Change Order # 2, resulting from discovery of additional deterioration occurring under the sidewalks that, if not repaired now, would result in significantly higher expense in the future; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the Major Street Fund Unreserved/Unassigned Fund Balance (202-000.00-390.000) and that the FY2012-13 Budget be amended, accordingly; 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 Change Order # 2 to the Cross Lake Construction Company, Horton, MI contract in the amount of \$14,378 for additional bridge work, resulting from discovery of additional deterioration occurring under the sidewalks that, if not repaired now, would result in significantly higher expense in the future

BE IT FURTHER RESOLVED that \$14,378 be appropriated from the Major Street Fund Unreserved/Unassigned Fund Balance (202-000.00-390.000) and that the FY2012-13 Budget be amended as follows:

Major Street Fund (Fund # 202)

Revenue:

Prior Years’ Revenue (202-000.00-697.000) \$14,378

Expenditures:

Bridge Maintenance-Contract Services (202-473.00-801.000) 14,378

Total \$ -0-

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

MEMO



DATE: July 10, 2012

TO: Hon. Mayor DuMars and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Sign Ordinance Revision

At a business forum held several months ago, feedback was received from the business community indicating that the sign ordinance for the City of Adrian was in need of review and significant revisions. After that meeting, I, along with other City Officials, attended a seminar provided by Scenic Michigan, which presented many considerations and alternatives for a sign ordinance. I then prepared a request for proposals, which was responded to by five firms. I requested the proposals to be reviewed by the City Building Inspector, Enforcement Officer, and the chairman of the Planning Commission in order to receive their recommendations. After discussing the conclusions of each reviewer, I concur with them that the City retain the services of Birchler Arroyo Associates, Inc. of Lathrup Village, Michigan for this purpose. The City has had a relationship with this firm that has been positive, as it is the author of the current City Comprehensive Plan, which received several awards at the time. From a cost standpoint, the Birchler proposal sets forth the base fee of \$7,100 with additional \$500 for 20 bound copies of the ordinance and one CD, with additional charges for added daytime meetings at \$500 per meeting, and night time meetings at \$750. Already included in the proposal are meetings with City staff, and a public meeting to receive public input. The low bid received was for \$5,900, but all the reviewers believe that this firm mostly had experience with townships, had fewer proposed on-site activities, and provided very little information on the description of the process they proposed to use. From our perspective, this low bid proposal did not address the issues set forth in the RFP.

The proposal of Birchler Arroyo Associates, Inc. indicated an estimate delivery time in the area of 6 months, which is as good or better than all of the proposals. As such, I also recommend the retention of Birchler Arroyo Associates, Inc. of Lathrup Village, Michigan for this important sign ordinance revision.

Respectfully Submitted,

Dane C. Nelson
DCN:mld

RE: ADMINISTRATION – Acceptance of a proposal to review and draft a new sign ordinance for the City of Adrian.

RESOLUTION

WHEREAS, a request for proposals was prepared to retain a consultant to review and rewrite the sign ordinance currently existing in the City; and

WHEREAS, five firms responded with proposals which were reviewed by staff members, along with the chairman of the Planning Commission; and

WHEREAS, the recommendation of the reviewers was to accept the proposal of Birchler Arroyo Associates Inc, of Lathrup Village, Michigan; and

WHEREAS, the Finance Director indicates that there are sufficient funds for this purpose in the General Fund Contingency Account (101-990.00-990.000) and recommends that the FY2012-13 Budget be amended, accordingly.

NOW, THEREFORE, BE IT RESOLVED that the City does hereby accept the proposal of Birchler Arroyo Associates, Inc. to review and draft a new sign ordinance for the City of Adrian at a base cost of \$7,100 plus \$500 for deliverables (20 bound copies of the ordinance and one CD) with each additional day time meeting at a rate of \$500 and each additional night time meeting at a rate of \$750, with said firm to agree to the terms of the City Standard Professional Services Contract.

BE IT FURTHER RESOLVED that \$8,850 be appropriated from General Fund Contingency Account (101-990.00-990.000) and that the FY2012-13 Budget be amended as follows:

General Fund (101)

Expenditures:

(101-801.00-812.000)	Planning Commission Consulting Services	\$8,850
(101-990.00-990.000)	General Fund Contingency	<u>(8,850)</u>
	Total	<u>\$ -0-</u>

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

Memo

To: Dane C. Nelson, City Administrator

From: Mark K. Gasche, Parks & Recreation Director

Date: July 11, 2012

Re: Professional Services Recommendation – Construction Engineering and related services for the Comstock Park Retaining Wall project

The design engineering for the Comstock Park Retaining Wall project is complete and the bids have been sent out; they are due back on July 26, 2012. The MDEQ permit has also been approved. Once the bids are received we plan to have a recommendation for a contractor presented at the August 6th City Commission meeting, with plans to have construction begin by late August. So we would like to proceed with hiring a firm for the construction engineering services.

For the construction phase of the project we need a firm to provide construction engineering and related services, so we asked ROWE Professional Services to give us a proposal, since they are familiar with the project from providing the design engineering. They submitted a proposal (see attached) to act in an “as needed” capacity to support our staff. Their estimated fee of \$28,500 is based on 190 hours of service.

The proposal from ROWE includes the following scope of services:

- Lead a pre-construction meeting with the contractor (1)
- Shop drawing review based on verti-crete product
- Two man survey crew for stakeout of wall (1)
- Two man survey crew for stakeout of sidewalk, terrace walls, etc. (1)
- Density testing of backfill for the wall. This will require multiple lifts. We expect a full week of full days on-site depending on the schedule of the contractor. Compaction is the critical structural element of this wall system. (5)
- Monthly progress meetings, based on a 90 day construction period (3)
- Develop a punch list
- Preparation of as-built drawings based on information provided by the city and/or contractor

Their estimated fees for construction engineering/management are based on approximately 190 hours of service for \$28,500. Funds are budgeted for these services in the Fee Estate Capital Improvement account. After review with staff it is my recommendation that ROWE Professional Services be hired to perform Construction Engineering and related services for the Comstock Park Retaining Wall project and that the bid process be waived.



May 17, 2012

Mr. Mark Gasche, Director of Parks and Recreation
City of Adrian Parks and Recreation Department
135 East Maumee Street
Adrian, MI 49221

RE: Comstock Park Additional Services

Dear Mr. Gasche:

Based on your request, ROWE Professional Services Company is pleased to provide a proposal for additional services to assist with construction of the Comstock Park retaining wall.

ROWE has enjoyed the opportunity to work with you and your staff on this and other past projects. It is understood that we would be acting in an "as-needed" capacity to support Justin Combs, as the daily on-site project manager for the City of Adrian. Unlike the pedestrian bridge, this project does not have the reporting or testing requirements that MDOT has previously required; which should allow for more flexibility.

Without knowing the character of the contractor and any unforeseen issues that may arise, we have identified the following scope of work / site visits that we would provide:

- (1) Lead a pre-construction meeting with the contractor
Shop drawing review based on verti-crete product
- (1) Two man survey crew for stakeout of wall
- (1) Two man survey crew for stakeout of sidewalk, terrace walls, etc.
- (3) Monthly progress meetings
- (5) Density testing of backfill of wall. This will require multiple lifts. We expect a full week of full days on-site depending on the schedule of the contractor. Compaction is the critical structural element of this wall system.
- (1) Punch list
As-built drawings based on mark ups to be provided by the city.

This assumes a three month construction window in 2012. Additionally, based on fair weather and permit approval construction will commence by August 15th.

Mr. Mark Gasche
May 17, 2012
Page 2

ROWE proposes to complete the work described above on a time and materials basis. Monthly invoices will be issued providing an hourly account of staff time. It is assumed that quantity measurements, pay requests, change orders and other project administration will be handled by the city.

Estimated Fees based on 190 hours: \$ 28,500

If you should have any questions relative our proposal, please feel free to contact Doug Schultz or me at (810) 341-7500 at your earliest convenience.

Sincerely,
ROWE Professional Services Company

A handwritten signature in blue ink that reads "Rick A. Freeman, P.E." with a stylized flourish at the end.

Rick A. Freeman, P.E.
Senior Project Manager / Vice President

R12-087

RE: DEPARTMENT OF PARKS & RECREATION – Construction Engineering Services for Comstock Park Retaining Wall Replacement Project

RESOLUTION

WHEREAS the Adrian City Commission, by Resolution R12-017 dated February 20, 2012, authorized the Parks & Recreation Department to contract for Engineering Design and related professional services from ROWE Professional Services Co., Flint, MI at a not to exceed cost of \$29,815 for Engineering Design services for the Comstock Park Retaining Wall Replacement Project (six bids ranged from \$29,815 to \$95,000); and

WHEREAS, design engineering has been completed, bid specifications prepared, and Request for Proposals distributed for return by July 26, 2012, and the MDEQ permit has also been approved; and

WHEREAS, approval for construction will be requested at the August 6 Commission meeting with construction expected to begin by late August; and

WHEREAS, the Parks & Recreation Director has solicited and received a proposal from ROWE Professional Services Co., Flint, MI for construction engineering oversight services to complete the Comstock Park Retaining Wall Replacement Project; and

WHEREAS, the estimated fee of \$28,500 is based on 190 hours of service and includes the following scope of services:

- Lead a pre-construction meeting with the contractor (1)
- Shop drawing review based on verti-crete product
- Two man survey crew for stakeout of wall (1)
- Two man survey crew for stakeout of sidewalk, terrace walls, etc. (1)
- Density testing of backfill for the wall. This will require multiple lifts. We expect a full week of full days on-site depending on the schedule of the contractor. Compaction is the critical structural element of this wall system. (5)
- Monthly progress meetings, based on a 90 day construction period (3)
- Develop a punch list
- Preparation of as-built drawings based on information provided by the city and/or contractor; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Fee Estate Fund Capital Improvement Budget (205-699.00-975.000); and

WHEREAS, due to the familiarity of the subject project resulting from preparation of design specifications, the Parks & Recreation Director and City Administrator recommend, in the best interests of the City, waiving the competitive bid process for construction engineering oversight services and engagement of ROWE Professional Services Co., Flint, MI in the City's Standard Professional Services Contract to perform construction engineering oversight services for the Comstock Park Retaining Wall Replacement Project at a cost not to exceed \$28,500.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes engagement of ROWE Professional Services Co., Flint, MI in the City's Standard Professional Services Contract to perform construction engineering oversight services for the Comstock Park Retaining Wall Replacement Project at a cost not to exceed \$28,500.

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

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

July 11, 2012

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: 2012-14 Elevator Maintenance



We received bids on June 21, 2012 for the bi-annual contract for elevator maintenance. Below are the tabulations for the bid received:

CITY OF ADRIAN, MICHIGAN
ELEVATOR MAINTENANCE
DUE DATE: JUNE 21, 2012

BIDDERS	City Hall Per quarter	Library Per quarter	Police Depart Per quarter
Thyssenkrup Northwood OH	\$ 399.00	\$ 399.00	\$ 399.00
Otis Elevator Jackson MI	\$ 336.00	\$ 336.00	\$ 336.00
Toledo Elevator Toledo OH	\$ 579.00	\$ 579.00	\$ 579.00
Kone Elevator Grand Rapids MI	\$ 264.00	\$ 264.00	\$ 264.00
Great Lakes Elevator Williamston MI	\$ 285.00	\$ 285.00	\$ 285.00

As you can see Kone, Inc. of Grand Rapids is the low bidder on this project. As we have no experience with this contractor we requested references from Kone, Inc. After multiple calls to 5 of the listed references over 2 days only one reference called back. This reference said she knew of no issues with their service.

The City of Adrian has for many years contracted services with Otis Elevator Company of Jackson, MI and been very happy with their service. Otis Elevator is very familiar with our systems and has served us well for many years. Carol

Souchock and I prefer that this contract be awarded to Otis Elevator as we are confident in their services levels and knowledge of our systems.

As low bidder our recommendation is that this contract be awarded to Kone, Inc. of Grand Rapids, MI

Funds for this maintenance are available in each of the buildings maintenance budgets.

R12-088

RE: DEPARTMENT OF PUBLIC WORKS – Elevator Maintenance

RESOLUTION

WHEREAS the City of Adrian Purchasing Office, in collaboration with the Department of Public Works, has solicited and received bids on Thursday, June 21 for elevator maintenance, with the following results:

BIDDERS	City Hall Per quarter	Library Per quarter	Police Depart Per quarter
Thyssenkrup Northwood OH	\$ 399.00	\$ 399.00	\$ 399.00
Otis Elevator Jackson MI	\$ 336.00	\$ 336.00	\$ 336.00
Toledo Elevator Toledo OH	\$ 579.00	\$ 579.00	\$ 579.00
Kone Elevator Grand Rapids MI	\$ 264.00	\$ 264.00	\$ 264.00
Great Lakes Elevator Williamston MI	\$ 285.00	\$ 285.00	\$ 285.00

; and

WHEREAS, although the Library Director and City Engineer would prefer to continue the contract with Otis Elevator, Jackson, MI based on prior good service, proximity, responsiveness and familiarity of the City's elevator systems, the City Engineer and City Administrator recommend the selection of the low bidder Kone Elevator, Grand Rapids, MI for engagement in the City's Standard Professional Services Contract for purchase of elevator maintenance services for the period July 1, 2012 through June 30, 2014; and

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the FY2012-13 Annual Operating Budget.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection of the low bidder Kone Elevator, Grand Rapids, MI for engagement in the City's Standard Professional Services Contract for purchase of elevator maintenance services for the period July 1, 2012 through June 30, 2014 under the terms and conditions as submitted and as proposed in their sealed bids dated June 21, 2012.

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

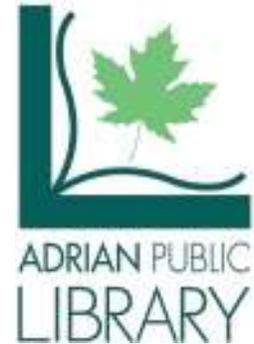
July 11, 2012

To: Honorable Mayor Greg DuMars and City Commission

From: Carol Souchock, Adrian Public Library Director

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

Re: Adrian Public Library – Budget and Funding Overview



As we go through the process of considering the formation of a District Library I thought it would be helpful to provide an overview of the library's budget and highlight our funding options. The attached document provides information on the library's budget for the last six years.

Currently the FY12/13 City Budget reflects a net cost of library operations of \$565,014 (gross expense of \$697,514 less dedicated Revenue of \$132,500) which is equivalent to 1.4418 mills (State Taxable Value of \$391,882,903).

Revenue:

We are expecting to bring in \$132,500 in revenue this current fiscal year.
The library receives revenue annually from the following sources:

City General Fund

Library State Aid (**legislative revenue sharing**)

Copying and Printing Fees

Nonresident Fees

Sales of Supplies/Books

Book Fines and Fees

Penal Fines (**constitutional revenue sharing**) – a portion of local tickets

Rents (from café and for room rental)

Donations (includes grants)

Library Deferred Revenue (these funds have traditionally been from Trusts and are now being withdrawn from our library "savings account")

We continue to see the larger library state revenue sharing from penal fines drop annually from a high of \$131,300 in FY07/08 to \$90,600 in FY 11/12. Legislative revenue sharing has less of an impact. It has varied from year to year but continues to decline overall.

The great majority of our revenue comes from the City's general fund. The library's draw on the general fund has decreased over the last five years due to staffing reductions. We have eliminated a third of our workforce in this time period. The library has lost two full time and two part time positions since FY 08/09.

While we have faced service reductions (and increased staff stress) due to recent staffing reductions at this point in time our staffing and service levels are stable. **It is important to remember that we are not in the desperate situation we faced a few years ago but the future impact of PPT is looming.**

District Library

The creation of a District Library and investigating other funding options is included in our strategic plan. I initiated a serious discussion regarding forming a district library in the fall of 2011 due to the expected PPT reductions and still believe it provides the best option for long term stable funding for library services. My objectives are to maintain library services at the highest level possible county wide and to seek cost efficiencies through a collaboration of the City and County libraries.

However, there are other funding options available for library services:

The commission can enact a millage for one mill **without** a public vote per **Michigan Public Act 164 of 1877**

The commission can also seek an additional one mill through a public vote per **Michigan Public Act 164 of 1877**

We can provide service (for a fee) to other communities via a contract. Many libraries in Lenawee County currently provide this service to their neighboring townships.

**CITY OF ADRIAN
FY2011-12 DEPARTMENTAL BUDGET RECOMMENDATION
ESTIMATED REVENUE**

ACCOUNT	DESCRIPTION	FY2007-08 ACTUAL	FY2008-09 ACTUAL	FY2009-10 ACTUAL	FY2010-11 ACTUAL	FY2011-12 ADOPTED BUDGET	FY2011-12 AMENDED BUDGET	FY2012-13 BUDGET ESTIMATE
Fund 101: GENERAL FUND								
ESTIMATED REVENUES								
Dept 738.00: ADRIAN PUBLIC LIBRARY								
101-738.00-567.000	LIBRARY STATE AID	\$8,073	\$12,089	\$11,080	\$5,396	\$6,000	\$6,000	\$6,000
101-738.00-627.000	DUPLICATING & PHOTOSTATS	1,691	1,586	3,086	5,258	3,000	3,000	5,000
101-738.00-651.000	APPLICATION FEE: NON-RESIDENT	185	24	3,205	2,865	3,000	3,000	3,000
101-738.00-655.000	SALES & CONCESSIONS	0	21	868	762	1,000	1,000	1,000
101-738.00-657.000	LIBRARY BOOK FINES	14,279	10,155	9,848	9,595	10,000	10,000	8,000
101-738.00-658.000	PENAL FINES	131,302	127,760	103,025	98,702	100,000	90,600	90,000
101-738.00-671.000	RENTS	250	250	3,912	3,764	2,500	2,500	1,500
101-738.00-675.073	DONATIONS-PRIVATE-LIBRARIES	38,765	41,495	0	28,879	8,000	8,000	8,000
101-738.00-676.101	LIBRARY-DEFERRED REVENUE	1,566	5	0	10,000	10,000	10,000	10,000
Totals for Dept 738.00-ADRIAN PUBLIC LIBRARY		\$196,111	\$193,385	\$135,024	\$165,221	\$143,500	\$134,100	\$132,500

APPROPRIATIONS

Dept 738.00: ADRIAN PUBLIC LIBRARY

101-738.00-702.000	WAGES	\$379,202	\$292,393	\$307,525	\$277,822	\$227,870	\$227,870	\$232,681
101-738.00-703.000	WAGES PT	12,253	132,129	69,543	71,633	67,293	67,293	63,411
101-738.00-704.000	OVERTIME	899	333	1,295	244	808	808	808
101-738.00-710.000	SICK/COMP WAGES	5,146	3,562	4,079	5,704	4,000	4,000	5,820
101-738.00-715.000	SOCIAL SECURITY	29,970	30,576	29,318	27,187	23,010	23,010	22,713
101-738.00-716.000	HOSPITALIZATION INS	43,894	44,952	41,942	32,213	13,620	13,620	18,163
101-738.00-717.000	LIFE INSURANCE	942	940	931	818	738	738	726
101-738.00-718.000	RETIREMENT CONTRIBUT	25,707	26,350	31,501	32,434	27,596	27,596	28,759
101-738.00-719.000	UNEMPLOY COMP	2,109	2,583	3,637	6,234	6,751	6,751	5,187
101-738.00-728.000	OFFICE SUPPLIES	10,532	9,897	4,758	9,510	8,000	8,000	5,000
101-738.00-729.000	PRINTING & BINDING	1,851	1,634	2,378	1,986	2,400	2,400	2,400
101-738.00-730.000	POSTAGE	998	1,529	1,520	1,066	1,500	1,500	1,500
101-738.00-731.000	SHIPPING CHARGES	360	30	18	186	100	100	200
101-738.00-741.000	OPER SUPPLIES	1,604	2,140	4,885	4,817	5,000	5,000	10,000

101-738.00-801.000	CONTRACT SERVICES	2,910	347	300	2,001	3,000	5,500	3,500
101-738.00-805.000	MEMBERSHIPS & DUES	682	1,080	1,249	937	1,300	1,300	1,300
101-738.00-807.000	MEDICAL SERVICES	90	90	0	180	100	100	200
101-738.00-808.000	JANITORIAL SERVICES	0	0	27,115	25,580	28,000	28,000	32,000
101-738.00-810.000	LICENSES & PERMITS	0	0	385	0	400	400	100
101-738.00-812.000	CONSULTANT FEES	2,217	0	600	1,345	1,000	1,000	3,000
101-738.00-851.000	TELEPHONE	4,199	2,464	1,134	828	1,500	1,500	1,000
101-738.00-860.000	TRANSPORTATION	3,030	1,914	2,185	2,516	2,500	2,500	2,500
101-738.00-901.000	ADVERTISING	0	0	188	150	200	200	300
101-738.00-911.000	PROPERTY INSURANCE	4,419	3,396	4,540	4,523	5,000	5,000	4,000
101-738.00-912.000	LIABILITY INSURANCE	1,721	1,606	2,517	2,346	2,500	2,500	2,000
101-738.00-914.000	WORKER'S COMPENSATION	1,618	1,403	2,814	2,479	1,142	1,142	941
101-738.00-921.000	ELECTRICAL	24,664	29,382	32,270	33,615	33,000	33,000	34,000
101-738.00-922.000	HEAT	13,265	16,391	7,853	5,599	8,000	8,000	7,000
101-738.00-923.000	WATER	1,437	1,558	1,893	1,882	2,000	2,000	2,000
101-738.00-931.000	BUILDING MAINTENANCE	24,996	23,205	27,957	36,955	28,000	28,000	37,000
101-738.00-932.000	OFFICE EQUIP MAINT	6,210	6,519	7,883	4,961	8,000	8,000	6,000
101-738.00-951.000	TAXES	0	850	869	1,747	900	900	2,000
101-738.00-952.000	ELECTRONIC RESOURCES	3,200	20,131	23,796	17,062	24,000	28,000	24,000
101-738.00-957.000	IN-SERVICE TRAINING	1,000	622	962	1,040	1,000	1,000	1,000
101-738.00-959.000	BOOKS & MAGAZINES	107,731	108,413	98,921	99,893	97,000	98,000	96,850
101-738.00-969.000	CONTRIB	38,765	41,495	38,749	28,879	8,000	8,320	8,000
101-738.00-970.661	DISTRIB - INFO TECH SERVICES	63,996	81,500	28,424	28,424	36,888	36,888	31,455
101-738.00-975.000	CAPITAL IMPROVEMENTS	111,989	704,560	637,045	54,539	25,000	38,800	0
101-738.00-977.000	CAPITAL - EQUIP	2,707	4,547	0	6,610	15,000	23,700	0
Totals for Dept 738.00-ADRIAN PUBLIC LIBRARY		\$936,313	\$1,600,521	\$1,452,979	\$835,945	\$722,116	\$752,436	\$697,514
EXPENDITURES OVER/(UNDER) REVENUE - TAX SUPPORT		\$740,202	\$1,407,136	\$1,317,955	\$670,724	\$578,616	\$618,336	\$565,014

OPTION I

July 16, 2012

R12-089

RE: LIBRARY – Abandonment of plans to proceed with the establishment of a District Library

RESOLUTION

WHEREAS, in a resolution adopted January 3, 2012 the City Commission resolved to appoint the Mayor and Library Director as representatives to a District Library Planning Committee, which was created to explore the benefits of a District Library, and which committee was charged with preparing a proposed district library agreement; and

WHEREAS, the planning committee has met several times with legal council to study a proposed district library agreement; and

WHEREAS, the City Commission has considered the verbal report of its representatives as to the outcome of said meetings.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Library Director are directed to notify the District Library Planning Committee that the City Commission no longer wishes to proceed with the establishment of a District Library.

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

OPTION II

July 16, 2012

R12-089

RE: LIBRARY – Authorize the Mayor and Library Director to continue with the development of a District Library Agreement

RESOLUTION

WHEREAS, in a resolution adopted January 3, 2012 the City Commission resolved to appoint the Mayor and Library Director as representatives to a District Library Planning Committee, which was created to explore the benefits of a District Library, and which committee was charged with preparing a proposed district library agreement; and

WHEREAS, the planning committee has met several times with legal council to study a proposed district library agreement; and

WHEREAS, the City Commission has considered the verbal report of its representatives as to the outcome of said meetings.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Library Director are authorized to continue with the development of a District Library Agreement, which would allow the board of directors of said district library to determine the operations and management of the new library.

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

MEMO



DATE: July 10, 2012

TO: Hon. Mayor DuMars and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Parental Responsibility Ordinance

On the agenda this evening is a proposed resolution to enter into an agreement with the Lenawee Intermediate School District (LISD) to allow a City Attorney to provide legal services to that entity. We learned of this opportunity when the District sent out a request for proposals to provide legal services. Since I performed similar services for the Lenawee Intermediate School District when I was in private practice, I am generally aware of the type of services that will need to be performed. I discussed this with our City Attorney who indicated that she felt she had sufficient time to handle the work. With my prior experience serving the District, I believe I can also assist with needed advice if necessary. The proposal we made was to compensate the City at the rate of \$100 per hour. We still have a few details to work out with the insurance situation, but I believe they are manageable. We also believe that this arrangement will help the City meet the goals set forth by the State for cooperation between entities such as the City and the Lenawee Intermediate School District. I have reviewed the proposal and recommend your approval of the attached resolution.

Thank you,

Sarah K. Osburn

mld