



PRE-MEETING AGENDA

ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
DECEMBER 6, 2010
5:30 P.M.

The City Commission will meet for a pre-meeting study session on Monday, December 6, 2010 at 5:30 p.m. at the City Chambers Building, 159 E. Maumee St., to discuss the following:

- I. Fee Estate Discussion
 - *Charlie Waterhouse & Holleigh Baker from United Bank & Trust*

- II. City Cash Management & Investments
 - *Kirk Ludwig – SJS Investments*

- III. Other Items as Time Permits



COMMISSION AGENDA

AGENDA
ADRIAN CITY COMMISSION
DECEMBER 6, 2010
7:00 P.M.

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF MINUTES OF THE NOVEMBER 15, 2010 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. COMMUNICATION
 - 1. **C-1. Parks & Recreation.** Communication regarding the use of Piotter Center by Total X-Treme Wrestling Entertainment (TXWE) for wrestling events.
- VI. PUBLIC COMMENTS
- VII. CONSENT AGENDA
 - A. RESOLUTIONS
 - 1. **CR10-074. Community Development.** Resolution to appoint Al Wilkerson to the Downtown Development Authority to fill an unexpired term that will expire in 2013.
 - 2. **CR10-075. Community Development.** Resolution to appoint Todd Harder to the Downtown Development Authority to fill an unexpired term that will expire in 2012.
 - 3. **CR10-076. Community Development.** Resolution to appoint Tim Hernandez to the Downtown Development Authority for a term that will expire in 2014.
 - 4. **CR10-077. City Commission.** Resolution to change second Commission meeting in January to Tuesday, January 18, 2010 in observance of Martin Luther King Day.
 - 5. **CR10-078. Community Development.** Resolution to set a public hearing date to hear and consider comments to submitting a CDBG Grant Application for the Farmers' Market Improvement Project. Grant amount is \$280,000 with a \$60,000 local match.

V I I I. REGULAR AGENDA

A. ORDINANCE

1. **Ord. 10-015 – Community Development - Zoning.** Second reading of an Ordinance to amend Section 3.2 of the Zoning/Development Regulations by deleting 427 E. Maumee from the OS-1 Office Service District and including the same in the R-4 Single Family Residential District.
2. **Ord. 10-016. Engineering Dept.** Introduction of an Ordinance to repeal Section 90-125 (Garages and Non-Metered Parking Lots) of the Adrian City Code. Repeals civil fine for parking vehicles in non-metered parking lots & structures without paying the established fees.
3. **Ord. 10-017. Engineering Dept.** Introduction of an Ordinance to repeal Section 90-125 (Metered Parking Lots) of the Adrian City Code. Repeals requirement to deposit coins in parking meters or to have a City of Adrian parking permit to park in metered areas.
4. **Ord. 10-018. Code Enforcement.** Introduction of an Ordinance to repeal 90-127 (Vehicle Abandonment) of the Adrian City Code. Removes language on what is considered an abandoned vehicle parked for more than 2 days in any city parking lot and the subsequent removal and impoundment of said vehicle.
5. **Ord. 10-019. Police Dept.** Introduction of an Ordinance to amend Section 90-56 (Schedule of Parking Violation Offenses and Penalties) of the Adrian City Code by amending and/or adding parking violation fines.
6. **Ord. 10-020. Engineering Dept.** Introduction of an Ordinance to amend Section 90-97 of the Adrian City Code by prohibiting parking in city lots between 3:00 and 6:00 a.m. except in designated areas.

B. SPECIAL ORDERS

1. **SO-1. Engineering Department.** Public Hearing to hear and consider comments to confirmation of a Special Assessment Roll for SAD #379 – W. Summit from Winter to S. Main Streets.
2. **SO-2. Engineering Department.** Public Hearing to hear and consider comments to confirmation of a Special Assessment Roll for SAD #380 – Mulberry from Elm to Ormsby Streets.

C. RESOLUTIONS

1. **R10-146. Engineering Department.** Resolution to confirm the Special Assessment Roll for SAD #379 – W. Summit from Winter to S. Main Streets.
2. **R10-147. Engineering Department.** Resolution to confirm the Special Assessment Roll for SAD #380 – Mulberry from Elm to Ormsby Streets.
3. **R10-148. Community Development.** Resolution authorizing the sale of city-owned property at 427 E. Maumee St.
4. **R10-149. Community Development.** Resolution authorizing the sale of city-owned property at 718 E. Church St.
5. **R10-150. Community Development.** Resolution authorizing the sale of city-owned property at 908 Bradish Street.
6. **R10-151. Community Development.** Resolution authorizing the sale of city-owned property at 217 Cross Street.
7. **R10-152. Community Development.** Resolution authorizing the sale of city-owned property at 823 Frank Street.
8. **R10-153. Engineering/DPW.** Resolution authorizing continued brush drop-off services commencing July 2, 2011 to be funded with revenues charged to city residential property owners.
9. **R10-154. Community Development.** Resolution to approve an amendment to Siena Heights University's Project Plan, previously approved by the City Commission, to include construction on land in Adrian Charter Township. Approval by the City Commission is required to amend the Project Plan since a portion of the land lies within the City of Adrian.
10. **R10-155. Utilities Department.** Resolution to approve the purchase of a folder/insert machine and to waive the bid process. Will replace a 7-year old unit that is beyond repair.
11. **R10-156. Building/Inspection Department.** Resolution to establish fees for starting work without a permit, as well as electrical & plumbing inspection fees for fairs, carnivals and circuses.

12. **R10-157. Parks & Recreation.** Resolution to award bid for printing of the Parks & Recreation program brochure.

I X. MISCELLANEOUS

1. D.A.R.T. Passenger Ridership Report

X. PUBLIC COMMENTS

X I. COMMISSION COMMENTS



MINUTES

**MINUTES
ADRIAN CITY COMMISSION
NOVEMBER 15, 2010
7:00 P.M.**

Prior to the opening of the regular meeting, Commission DuMars moved to go into closed session to discuss possible real estate acquisition, seconded by Commissioner Warren, motion carried by a unanimous vote. The Commission came out of closed session at 6:55 p.m. to begin their regular meeting.

Official proceedings of the November 15, 2010 regular meeting of the City Commission, Adrian, Michigan.

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

PRESENT: Mayor McDowell, Commissioners DuMars, Warren, Steele, Osborne and Carrico

ABSENT: Commissioner Clegg

Mayor McDowell in the Chair.

Commissioner DuMars moved to excuse Commissioner Clegg, seconded by Commissioner Carrico, motion carried by a unanimous vote.

Commissioner Steele moved to approve the minutes of the November 1, 2010 regular meeting of the Adrian City Commission, seconded by Commissioner Warren, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher #3358 through #3363	\$124,257.31
General Fund Vouchers #20151 through #20170	\$251,016.41
Clearing Account Vouchers amounting to	<u>\$478,901.85</u>
TOTAL EXPENDITURES	<u>\$854,175.57</u>

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

RECOGNITION

1. Recognition of Carol Souchock and the Adrian Public Library on receiving the State Librarian's Excellence Award. Carol explained the award and thanked the Mayor for attending the presentation.

PRESENTATION

1. Gary Owen of Robertson, Eaton and Owen, P.C., explained the FY2009-10 Annual Comprehensive Financial Report.

COMMUNICATIONS

1. **C-1. Finance Department.** Communication regarding Capital Improvement Program planning sessions.
2. **C-2. Finance Department.** Report on 64th Annual Meeting of the Municipal Employees Retirement System of Michigan.
3. **C-3. Finance Department.** Report on State Revenue Sharing Update.

PUBLIC COMMENTS

1. David Loop, 126 W. Summit, thanked the City for their help in refurbishing Monument Park.
2. Allen Kern, 1249 Vine St., was against adopting the State fee schedule; he thinks it's too high.

CONSENT AGENDA

RESOLUTION CR10-068

RE: ENGINEERING DEPARTMENT – Certifying Costs and Preparing Special Assessment Roll for Improvements on Summit St. from Winter to S. Main Streets - SAD #379

WHEREAS, the City Clerk has certified to the City Administrator the total cost of improvements on W. Summit from Winter to S. Main Streets, said project being known and designated as Special Assessment District #379; and

WHEREAS, the City Administrator has forwarded said report to the City Commission and recommends that it be approved.

NOW, THEREFORE, BE IT RESOLVED:

1. That the total cost of said improvements mentioned above in the amount of Two Hundred Nine Thousand Two Hundred Sixty-Eight Dollars and five cents (\$209,268.05) is hereby approved.
2. That the City Assessor is directed to apportion the said total cost as follows:
 - a. Forty-One Thousand Seven Hundred Thirty-Two Dollars and Eighty-Eight Cents (\$41,732.88) shall be spread upon the Special Assessment Roll according to the frontage against the portion of land especially benefitted which lies within the corporate limits of the City of Adrian, which shall be known and designated as Special Assessment District #379, and which is described as follows:

Summit Street from Winter to Main Streets

- b. One Hundred Sixty-Seven Thousand Five Hundred Thirty-Five Dollars and Seventeen Cents (\$167,535.17) shall be the City's portion of said project.

RESOLUTION CR10-069

RE: ENGINEERING DEPT. – Set Public Hearing Date for Special Assessment Roll - W. Summit St. from Winter to Main - SAD #379

WHEREAS, the City Assessor has completed the Special Assessment Roll for improvements on W. Summit from Winter to Main Streets and has reported the same to the City Commission, together with certification that the Assessment Roll conforms to the direction of the City Commission and the provisions of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Special Assessment Roll for SAD #379 for improvements on W. Summit from Winter to Main Streets be filed forthwith in the office of the City Clerk for public examination.
2. That the City Commission will meet in the Commission Chambers at City Hall, 100 E. Church St., Adrian, MI at 7:00 p.m. on Monday, December 6, 2010, for the purpose of reviewing the said roll and hearing and considering any objections thereto.
3. That the City Clerk is hereby directed to give notice that the said Special Assessment Roll is on file for public examination and to give notice of said meeting and hearing set forth above pursuant to the provisions of Title I, Chapter 8, Section 1.213 of the Adrian City Code.

RESOLUTION CR10-070

RE: ENGINEERING DEPARTMENT – Certifying Costs and Preparing Special Assessment Roll for Improvements on Mulberry St. from Elm to Ormsby Streets – SAD #380

WHEREAS, the City Clerk has certified to the City Administrator the total cost of improvements on Mulberry St. from Elm to Ormsby Streets, said project being known and designated as Special Assessment District #380; and

WHEREAS, the City Administrator has forwarded said report to the City Commission and recommends that it be approved.

NOW, THEREFORE, BE IT RESOLVED:

1. That the total cost of said improvements mentioned above in the amount of Fifty-Four Thousand Six Hundred Twelve Dollars and Twenty-Two Cents (\$54,612.22) is hereby approved.
2. That the City Assessor is directed to apportion the said total cost as follows:

- a. Thirteen Thousand Seven Hundred Twelve Dollars and Five Cents (\$13,712.05) shall be spread upon the Special Assessment Roll according to the frontage against the portion of land especially benefitted which lies within the corporate limits of the City of Adrian, which shall be known and designated as Special Assessment District #380, and which is described as follows:

Mulberry from Elm to Ormsby

- b. Forty Thousand Nine Hundred Dollars and Seventeen Cents (\$40,900.17) shall be the City's portion of said project.

RESOLUTION CR10-071

RE: ENGINEERING DEPT. – Set Public Hearing Date for Special Assessment Roll – Mulberry from Elm to Ormsby Streets – SAD #380

WHEREAS, the City Assessor has completed the Special Assessment Roll for improvements on Mulberry from Elm to Ormsby Streets and has reported the same to the City Commission, together with certification that the Assessment Roll conforms to the direction of the City Commission and the provisions of the Adrian City Code.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Special Assessment Roll for SAD #380 for improvements on Mulberry from Elm to Ormsby Streets be filed forthwith in the office of the City Clerk for public examination.
2. That the City Commission will meet in the Commission Chambers at City Hall, 100 E. Church St., Adrian, MI at 7:00 p.m. on Monday, December 6, 2010, for the purpose of reviewing the said roll and hearing and considering any objections thereto.
3. That the City Clerk is hereby directed to give notice that the said Special Assessment Roll is on file for public examination and to give notice of said meeting and hearing set forth above pursuant to the provisions of Title I, Chapter 8, Section 1.213 of the Adrian City Code.

RESOLUTION CR10-072

RE: POLICE DEPARTMENT – Traffic Control Order – Intersection of Dean & Addison Streets

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

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

Post "No Parking" signs from the intersection of Dean and Addison to 845 Addison on the east side (fairgrounds) of the road

RESOLUTION CR10-073

RE: POLICE DEPARTMENT –UTILIZATION OF DRUG FORFEITURE FUNDS FOR THE K9 UNIT REPAIRS

WHEREAS, the Adrian Police Department uses its police dog, Copper, to deter and detect drugs in the City of Adrian, and the vehicle used to transport the dog was originally seized by the City of Adrian as a drug seizure vehicle,

WHEREAS, the K9 vehicle needed repairs in the amount of \$1,614.59 to repair the anti-lock braking system, and such repair has taken place at Clift Buick GMC of Adrian,

WHEREAS, the Police Chief is desirous of using Drug Forfeiture Funds to defray the cost of this expense; and

WHEREAS, Public Act 368 of 1978 (the Public Health Code) specifies that all forfeiture monies distributed by the Court to the seizing agency "shall be used to enhance law enforcement activities"; and

WHEREAS, the City of Adrian currently has a total of \$27,909 in a Trust Account as a result of Court-distributed drug forfeiture property seizures; and

WHEREAS, Public Act 368 further specifies that the forfeiture funds shall be "appropriated by the entity (City Commission) having budgetary authority over the seizing agency" (Police Department).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the use of \$1,615 of Drug Forfeiture Funds to defray the cost of repairing the anti-lock braking system on the K9 vehicle.

BE IT, FURTHER, RESOLVED that \$1,615 be appropriated from the Drug Forfeiture Trust Fund (701-000.00-280.000) and that the FY2010-11 Budget be amended as follows:

<u>GENERAL FUND (101)</u>	
Police Department:	
Revenue:	<u>Amount</u>
101-301.00-676.701) Contribution - Trust Fund	\$1,615
Expenditures:	
(101-301.00-801.000) Contract Services	<u>1,615</u>
Total	<u>\$ -0-</u>

On motion by Commissioner DuMars, seconded by Commissioner Steele, Consent Resolutions CR10-068 through CR10-073 were adopted by a unanimous vote.

REGULAR AGENDA

ORDINANCES

1. **Ord. 10-009**. Second reading and adoption of an Ordinance to repeal Sections 66-1 through 66-45 of Chapter 66 and to create new/amended Sections 66-1 through 66-10 of Article I (In General); Sections 66-11 through

66-20 of Article II (Collection and Disposal) and Sections 66-21 through 66-26 of Article III (Rates and Charges) of Chapter 66 of the Adrian City Code. Amends regulations for refuse and recycling and authorizes fees for said services. Eff. Date: November 30, 2010

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

2. **Ord. 10-010**. Second reading and adoption of an Ordinance to amend Section 74-100 of the Adrian City Code by adding a late fee for delinquent charges for removal of snow and ice from private property and authorizing amount due to be collected as a special assessment against the premises if it remains unpaid. Eff. Date: November 30, 2010

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

3. **Ord. 10-011**. Second reading and adoption of an Ordinance to amend Section 98-72 of the Adrian City Code by adding a late fee to delinquent charges for cutting, removing and/or destroying of weeds, grass or other vegetation from private property and authorizing amount due to be collected as a special assessment against the premises if it remains unpaid. Eff. Date: November 30, 2010

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

4. **Ord. 10-012**. Second reading and adoption of an Ordinance to amend Section 10-33 of the Adrian City Code by adopting the fee schedule set by the State of Michigan for all applications, permits, inspections and plan examinations under the building, electrical, mechanical or plumbing codes. Fees for appeals and other services will be established by resolution. Eff. Date: November 30, 2010

On motion by Commissioner DuMars, seconded by Commissioner Steele, this Ordinance was adopted by a 4-2-0 vote.

AYES: Mayor McDowell and Commissioners Osborne, Steele and DuMars

NAYS: Commissioners Carrico and Warren

ABSTAINED: None

5. **Ord. 10-013**. Second reading and adoption of an Ordinance to amend Section 10-96 (Certificate of Compliance of the Adrian City Code, by amending (b) and (c) and deleting (d) and (e). Requires owners of rental dwelling units to schedule an inspection of their rental property before the current certification expires and authorizes a late fee if owners fail to do so. Eff. Date: November 30, 2010

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

6. **Ord. 10-014.** Second reading and adoption of an Ordinance to amend Section 10-98 (Fees) of the Adrian City Code by adding language to include late fees for delinquent rental unit(s) charges as a fee that can be established by resolution of the City Commission. Eff. Date: November 30, 2010

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

7. **Ord. 10-015.** Introduction of an Ordinance to amend Section 3.2 of the Zoning/Development Regulations by deleting 427 E. Maumee from the OS-1 Office Service District and including the same in the R-4 Single Family Residential District.

RESOLUTIONS

RESOLUTION R10-142

RE: CITY COMMISSION – Set Fees for Refuse Collection, Operation of Compost Site, Administrative Costs and Late Fees

WHEREAS, the Adrian City Code authorizes the City Commission to set fees by resolution for refuse collection, operation of the City compost site and for administrative costs for these services; and

WHEREAS, the City Commission has thoroughly discussed a fee structure for such services.

NOW, THEREFORE, BE IT RESOLVED that the following fee structure is hereby approved and adopted for refuse collection, operation of the City compost site and for administrative costs for these services, which are set forth on a monthly basis to be collected quarterly.

NOW, THEREFORE, BE IT RESOLVED that commencing July 1, 2011, the amount of \$7.67 per month shall be charged for such services, to be billed and collected on a quarterly basis of \$23.00 per quarter.

IT IS, FURTHER, RESOLVED that if said bill is not paid by the due date, a late charge shall be assessed in the amount of ten (10%) percent of the bill; and

IT IS, FURTHER, RESOLVED that said charges shall continue until a further resolution is adopted regarding said charges.

On motion by Commissioner Osborne, seconded by Commissioner Carrico, this resolution was adopted by a 5-1-0 vote.

AYES: Mayor McDowell, Commissioners Osborne, Warren, Steele & Carrico

NAYS: Commissioner DuMars

ABSTAINED: None

RESOLUTION R10-143

RE: CITY COMMISSION – Authorize Cost of Living Increase for Stevens Disposal Contract

WHEREAS, the City has previously accepted a proposal from Stevens Disposal to residential refuse collection; and

WHEREAS, the proposal offered by said company did not include any annual increases in cost for said service; and

WHEREAS, said company has requested the contract to include a two (2%) percent increase per year, beginning with July 1, 2012.

NOW, THEREFORE, IT IS RESOLVED that the contract shall not include a two (2%) percent increase per year beginning July 1, 2012.

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

RESOLUTION R10-144

RE: CITY ATTORNEY – OFFICE OF CODE ENFORCEMENT & INSPECTIONS – Authorization to Implement Proposed Fee Revisions for Rental Registration and Inspections

WHEREAS, the City of Adrian Code of Ordinances, Section 10-91 et seq., provides for a rental registration program; and

WHEREAS, the City of Adrian Code, Section 10-98, provides that the fees for registration of rental units, inspections, re-inspections, and certificates of compliance shall be established from time to time by resolution of the City Commission; and

WHEREAS, the fees for said inspections have not been adjusted since the program's creation in 2000; and

WHEREAS, based on a review of the fee schedules for other similar Michigan communities, it has been determined that the fee schedule should be adjusted to bring comparability and more fully defray related expenses; and

WHEREAS, the City Attorney and City Administrator recommend authorization of the proposed fee adjustments and approval of the resulting budget amendments.

NOW, THEREFORE, BE IT RESOLVED, that the fee schedule for the rental inspection program shall be revised as follows:

- Rental registration (every 3 years)
 - \$50 for the first unit
 - \$10 for each additional unit
- Inspection fees (every 3 years)
 - \$60 if scheduled before the certificate expires for up to 4 units, \$10 for each unit after 4

- \$80 if scheduled after the certificate expires for up to 4 units, \$10 for each unit after 4
- Registration late fee
 - \$25 when not paid within 30 days
 - \$50 additional fee when not paid within 60 days
- Inspection late fees
 - \$30 fee when not paid within 30 days
 - \$60 additional fee when not paid within 60 days
- Cost for enforcement services
 - Title search \$250 plus costs
 - Attorney warning letter \$130
 - Search warrant \$300
 - Condemned for human occupancy \$100

BE IT, FURTHER, RESOLVED that the new fee schedule will take effect in the 2011 registration year for properties registered in 2008 and effective immediately for all new rentals.

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

General Fund (101)

Revenue:	<u>Amount</u>
(101-371.00-487.000) Rental Housing Registration & Inspections	\$15,000
Expenditures:	
(101-990.00-990.000) General Fund Contingency Account	<u>15,000</u>
Total	<u>\$ -0-</u>

On motion of Commissioner DuMars, supported by Commissioner Steele, the above resolution was adopted by a unanimous vote.

RESOLUTION R10-145

RE: DEPARTMENT OF PUBLIC WORKS – Motor Vehicle Replacement Policy

WHEREAS, with the adoption of the FY2010-11 Budget, Resolution #10-057 dated May 3, 2010, the Adrian City Commission expanded the Fire Department Motor Pool to a citywide Motor Vehicle Pool Fund, encompassing Fire, Police, Department of Public Works, Parks and Recreation, Inspection, Parks & Forestry, Cemetery and Engineering vehicles, specifically, all vehicles licensed to be on the public roads and motorized equipment with a value \$25,000 or more; and

WHEREAS, the expansion, which was funded by a \$700,000 working capital transfer from the General Fund Assigned Fund Balance Account (101-000.00-393.001), provided a rational funding mechanism for funding depreciation of all vehicles in the City's fleet such that significant year-to-year variances in capital outlay can be avoided and pay-as-you-go funding is available when a vehicle is deemed in need of replacement; and

WHEREAS, the purpose of establishing a Motor Vehicle Replacement Policy is to provide a systematic and consistent set of criteria for determining the optimum time to

replace a vehicle currently in service with a new vehicle that meets standard specifications at the most economical cost taking into consideration:

- Age of Vehicle
- Record of Maintenance
- Mileage or Hours in Service; and

WHEREAS, the City Engineer and City Administrator recommend the adoption of the attached Motor Vehicle Replacement Policy, which is intended to enhance the general management of the vehicle fleet.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, adopts the Motor Vehicle Replacement Policy recommended by the City Administrator, incorporation into the City's Financial Policy Manual and authorizes the Department of Public Works to have responsibility for their implementation.

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

MISCELLANEOUS

1. D.A.R.T. Passenger Ridership Report
2. Planning Commission Minutes (11/2/10)
3. Zoning Board of Appeals Minutes (11/2/10)
4. Skate & Bike Park 5-Year Attendance & Revenue/Expense Comparison
5. Departmental Report
6. Fire Department Report

PUBLIC COMMENTS

1. Harold Frederick, 1340 Oregon Rd., said he was very impressed with the way the Commission handles business.
2. Mark Bearss, 207 Dean St., wanted to know why there was no flag in front of City Hall.
3. Dave Aldrich, 750 S. Winter St., asked about a program listing for next summer for Parks & Recreation.

COMMISSION COMMENTS

There were none.

The next regular meeting of the Adrian City Commission will be held on Monday, December 6, 2010, at 7:00 p.m. in the Chambers Building located at 159 E. Maumee St., Adrian, MI 49221.

Gary E. McDowell
Mayor

Pat Baker
City Clerk



CHECK REGISTER

December 6, 2010

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



Dane C. Nelson
City Administrator

DCN:bjw

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

Utility Department Vouchers	
Vouchers #3364 through #3377	\$ 228,268.18
General Fund	
Vouchers #20171 through #20201	\$ 687,302.29
Clearing Account Vouchers	
amounting to	<u>\$ 451,487.91</u>
TOTAL EXPENDITURES	<u>\$1,367,058.38</u>

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

December 6, 2010

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
3364	City of Adfrian: Payroll	Payroll for Nov 12	\$ 66,260.30
3365	City of Adrian: Clearing Acct	Nov 15 Check Register	\$ 87,799.27
3366	Citizens Gas Fuel Co	Various Heat Bills	\$ 550.76
3367	Frontier	Water Phones	\$ 83.47
3368	City of Adrian: Utilities	Various Water Bills	\$ 160.70
3369	Consumers Energy	Various Electric Bills	\$ 36,487.50
3370	Crossroads Comm Church	Deposit Refund	\$ 25.00
3371	Harold Garland	Deposit Refund	\$ 25.00
3372	Dept of Human Services	Deposit Refunds	\$ 50.00
3373	Sam Lofton	Deposit Refund	\$ 25.00
3374	***VOID***		
3375	Siemens Public Inc	Equipment Rental WW	\$ 45,942.01
3376	City of Adrian: Payroll	Payroll for Nov 24	\$ 66,073.31
3377	Consumers Energy	Water Plant Electric	\$ 12,585.13
		Total	\$ 316,067.45
		Less: CK #3365	\$ 87,799.27
		TOTAL	\$ 228,268.18

WW = \$ 157,852.99

WAT= \$ 158,214.46

6-Dec-10

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
20171		City of Adrian: Utilities	Transfer State MI Funds
20172 \$	212,451.32	City of Adrian: Payroll	Payroll for Nov 12
20172 \$	16,098.41	First Federal Bank	Soc Security for Nov 12
20174		City of Adrian: Utilities	Transfer State MI Funds
20175 \$	230.00	Josh DeLosSantos	Recreation Refund
20176		City of Adrian: Dart	Transfer State MI Funds
20177 \$	311.79	City of Adfrian: Petty Cash	Petty Cash
20178 \$	293,713.41	City of Adrian: Clearing Acct	Nov 15 Check Register
20179 \$	316.88	C Barry Ott	Arbitration Services
20180 \$	1,108.97	Citizens Gas Fuel Co	Various Heat Bills
20181 \$	4,567.72	Quick Service Transportation	Payroll W/E Nov 13
20182		City of Adrian: Dart	Transfer State MI Funds
20183 \$	29,637.31	Lenawee Fuels Inc	Motor Pool Gas & Diesel
20184 \$	2,552.98	City of Adrian: Utilities	Various Water Bills
20185 \$	213.20	Frontier	Various Phone Bills
20186 \$	27,982.32	Consumers Energy	Various Electric Bills
20187		City of Adrian: Utilities	Transfer State MI Funds
20188		City of Adrian: Dart	Transfer State MI Funds
20189 \$	483.33	C Barry Ott	Arbitration Services
20190 \$	25.00	Olive Bickerstaff	Recreation Refund
20191 \$	50.00	Leslie Sizemore	Recreation Refund
20192 \$	138.88	Frontier	Phone Bill
20193 \$	110,143.98	Blue Cross Blue Shield of MI	Dec Hospitalization Ins
20194 \$	5,579.69	Quick Service Transportation	Payroll W/E Nov 20
20195 \$	250,577.46	City of Adrian: Payroll	Payroll for Nov 24
20196 \$	16,556.90	First Federal Bank	Soc Security for Nov 24
20197 \$	666.54	Lenawee Fuels Inc	Cemetery Gas & Diesel Fuel
20198 \$	372.53	Frontier	Various Phone Bills
20199 \$	4,582.27	Quick Service Transportation	Payroll W/E Nov 27
20200 \$	1,998.48	Citizens Gas Fuel Co	Various Heat Bills
20201 \$	656.33	Consumers Energy	Heritage Park Electric Bills
	\$ 981,015.70		
	\$ (293,713.41)	Less CK# 20178	
	\$ 687,302.29		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. ADRIAN AREA CHAMBER OF COMME	699.00		
2. CITY OF ADRIAN	36,687.50		
3. ADRIAN COMMUNICATIONS	13,011.74		
4. ADRIAN DODGE CHRYSLER PLYMOU	14.95		
5. ADRIAN LOCKSMITH & CYCLERY	197.65		
6. ADRIAN MECHANICAL SERVICES C	14,320.50		
7. ADRIAN PAINTERS SUPPLY & EQU	103.54		
8. ADRIAN WATER CONDITIONING IN	19.50		
9. ADVANCE ATHLETICS LTD	150.00		
10. ADVANCE AUTO PARTS COMMERCIA	8.09		
11. AIRGAS GREAT LAKES	418.12		
12. ALL METALS INC.	851.76		
13. AMAZON CREDIT PLAN	829.96		
14. AMERICAN COPPER & BRASS, INC	245.53		
15. AMERICAN WATER WORKS ASSN	1,615.00		
16. APOLLO FIRE EQUIPMENT	1,607.54		
17. APPLE MAT RENTAL	212.10		
18. ARCH WIRELESS	34.58		
19. ASSOCIATED ENGINEERS	2,359.00		
20. BAKER & TAYLOR BOOKS	1,201.52		
21. BATTERY WHOLESALE	47.35		
22. GREG BELL CHEVROLET, INC	18.87		
23. BELL EQUIPMENT CO	588.00		
24. BLACK SWAMP EQUIPMENT	502.16		
25. BLISSFIELD PARTS CO INC	38.32		
26. BOOK OF THE MONTH CLUB	39.44		
27. BOOTBAY	239.95		
28. BUCK & KNOBBY EQUIP CO INC	641.06		
29. BWI	857.44		
30. CATHERINE CHESHER	64.79		
31. CLIFT BUICK-PONTIAC-GMC	1,614.59		
32. CLINTON STORAGE	120.00		
33. COAST TO COAST DELI	58.30		
34. COMCAST	4.45		
35. COMFORT ENTERPRISES INC.	187.34		
36. COMPUTER CARE COMPANY, INC.	214.26		
37. CONSTRUCTION EQUIPMENT & SUP	106.38		
38. CONTINENTAL SERVICE	3,471.36		
39. DAN'S FARM SUPPLY INC	69.17		
40. DETROIT ELEVATOR COMPANY	950.00		
41. DOAN CONSTRUCTION CO	200.00		
42. JACK DOHENY SUPPLIES	275.51		
43. E & B SALVAGE LLC	14.80		
44. EDM PUBLISHER, INC	98.78		
45. VINCENT EMRICK	127.61		
46. ENERCO CORPORATION	580.44		
47. EXECUTONE COMMUNICATIONS LLC	678.00		
48. FASTENAL COMPANY	772.57		
49. FBI-LEEDA	100.00		
50. FEDERAL EXPRESS	209.05		
51. FIRST TOWING LLC	176.00		
52. FISHER SCIENTIFIC COMPANY LL	808.72		
53. FLORIDA MICRO LLC	5,552.68		
54. FLUID PROCESS EQUIPMENT INC	81.23		
55. FORT MEIGS AUTO ELECTRIC	103.37		
56. THE FOUNDATION CENTER	721.50		
57. FREIGHT CENTER	277.65		
58. GALL'S INC	298.75		
59. GALLANT & SON	67.46		
60. J.O. GALLOUP COMPANY	879.79		
61. GENPOWER PRODUCTS INC.	4,256.00		
62. GILBARCO INC	175.00		
63. GOODWILL INDUSTRIES	92.00		
64. GOVERNMENTAL BUSINESS SYSTEM	2,310.00		
65. GOVT FINANCE OFFICERS ASSOC	435.00		
66. GRAINGER INC.	158.29		
67. GRAINGER PARTS OPERATIONS	460.15		
68. HACH COMPANY	815.10		
69. HUBBARD AUTO CENTER	67.64		
70. I.M.S.A. PUBLIC SAFETY	240.00		
71. I.T. RIGHT	135.00		
72. ICMA RETIREMENT CORPORATION	155.76		
73. INGRAM LIBRARY SERVICES	17.96		
74. INTERNATIONAL MUNICIPAL	180.00		
75. JGM VALVE CORP	4,967.35		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. JONES & HENRY, ENGINEERS	5,952.38		
77. K & B ASPHALT SEALCOATING, I	3,519.35		
78. KAR LABORATORIES INC	1,890.00		
79. JAMES KARLE	200.00		
80. KONICA MINOLTA BUSINESS SOLU	21.97		
81. LANSING SANITARY SUPPLY INC	802.07		
82. LEARNING WORKS & WONDERS	16.47		
83. LEGACY PRINTING	352.20		
84. LENAWEE COUNTY TREASURER	39,717.44		
85. LEWIS AUTO TRIM	375.00		
86. LEXIS-NEXIS MATTHEW BENDER	713.60		
87. LIFELOC TECHNOLOGIES INC	13.20		
88. LYDEN OIL COMPANY	292.25		
89. MANPOWER OF LANSING MI INC.	5,565.96		
90. MASSON'S ELECTRIC, INC	4,425.47		
91. MC SPORTS	175.98		
92. MCGOWAN ELECTRIC SUPPLY INC	132.98		
93. EDWARD G MCNULTY JR	146.28		
94. MICHIGAN ASSOC OF MAYORS	100.00		
95. MICHIGAN CAT CORP	109.11		
96. MICHIGAN LIBRARY ASSOC	130.00		
97. MICHIGAN LOCAL GOVERNMENT MG	110.00		
98. MICHIGAN METER TECHNOLOGY GR	325.51		
99. MICHIGAN MUNICIPAL WORKER'S	48,558.00		
100. MICHIGAN OFFICE SOLUTIONS	38.91		
101. MICHIGAN RURAL WATER ASSOC	115.00		
102. STATE OF MICHIGAN	1,315.75		
103. MICHIGAN TBA DISTRIBUTORS IN	112.80		
104. MICHIGAN WATER ENVIROMENT AS	53.00		
105. MICROMARKETING LLC	661.47		
106. MIDWEST TAPE	265.99		
107. MITCHELL WELDING	304.55		
108. MUNICIPAL EMPLOYEES' RETIRE	80,964.38		
109. MUNICIPAL WEB SERVICES	290.00		
110. NATIONAL ASSOC OF PROFESSION	25.00		
111. NATIONAL FIRE PROTECTION ASS	832.50		
112. NATIONAL UTILITY CONTRACTORS	400.00		
113. NEXTEL COMMUNICATIONS	1,003.83		
114. NORTH EASTERN UNIFORMS & EQU	1,396.83		
115. OCE IMAGISTICS INC	70.95		
116. ODEN TRAINING	807.00		
117. OFFICEMAX CONTRACT INC.	81.38		
118. ORIENTAL TRADING CO. INC.	423.52		
119. PARAGON LABORATORIES INC	332.00		
120. PLATINUM PLUS	558.09		
121. POLARIS LIBRARY SYSTEMS, INC	132.00		
122. PREMIER AERIAL & FLEET INSPE	610.00		
123. PRO-MED UNIFORM	1,466.70		
124. PRO-SEAL SERVICE GROUP	3,563.03		
125. PVS TECHNOLOGIES INC	10,364.10		
126. QUICK SERVICE TRANSPORTATION	60.09		
127. QUILL CORPORATION	2,268.87		
128. RECORDED BOOKS LLC.	243.40		
129. RED PAINT PRINTING LLC	68.00		
130. REG II PLANNING COMMISSION	5,824.98		
131. ROBERTSON, EATON & OWEN, PC	3,700.00		
132. ROOFCON INC	4,345.01		
133. S.L.C. METER SERVICE INC	12,555.99		
134. CHARLES SCHMENK	72.00		
135. SLUSARSKI EXCAVATING & PAVIN	48,195.00		
136. SOUTHERN MI REC & PARK ASSO	50.00		
137. SPRINT	30.00		
138. STAPLES CREDIT PLAN	53.88		
139. STATE CHEMICAL MFG CO.	271.88		
140. JEFFREY A. STICKNEY, DO,PC	297.08		
141. STITCH WIZARD EMBROIDERY INC	278.00		
142. T-MOBILE	29.99		
143. TA INDUSTRIAL SOLUTIONS, INC	98.92		
144. THOMAS SCIENTIFIC	849.38		
145. THOMSON WEST	198.96		
146. TIME EMERGENCY EQUIPMENT INC	244.23		
147. TOLEDO SPRING SERVICE, INC.	306.34		
148. TRACTOR SUPPLY COMPANY	297.25		
149. TRUCK & TRAILER SPECIALITIES	10.08		
150. TTB CLEANING LLC	3,100.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. UNDERWOOD'S NURSERY LLC	7,442.00	_____	_____
152. UNIQUESCREEN MEDIA INC.	186.66	_____	_____
153. UNITED PARCEL SERVICE	11.11	_____	_____
154. UNUM LIFE INSURANCE COMPANY	2,325.61	_____	_____
155. USA BLUEBOOK	146.95	_____	_____
156. USA UTILITIES	1,000.00	_____	_____
157. UTILITIES INSTRUMENTATION SE	1,329.69	_____	_____
158. VAN BRUNT TRANSPORT INC	2,998.88	_____	_____
159. VERMONT SYSTEMS INC.	2,908.37	_____	_____
160. VICTORY LANE QUICK OIL CHG	121.94	_____	_____
161. W A B J RADIO	200.00	_____	_____
162. WARREN HOLDING CO LLC	1,370.00	_____	_____
163. WATER ENVIRONMENT FED.	210.00	_____	_____
164. WEISKOPF INDUSTRIES CORP	154.07	_____	_____
165. WEST GROUP PAYMENT CENTER	379.00	_____	_____
166. WESTERN LIME CORPORATION	9,843.69	_____	_____
167. WILSON BACKHOE SERVICE	500.00	_____	_____
168. WRIGHT TREE SERVICE, INC	6,166.64	_____	_____
TOTAL ALL CLAIMS	451,487.91		



COMMUNICATIONS

C-1

MEMO

To: City Commissioners
From: Dane C. Nelson, City Administrator
Mark K. Gasche, Parks and Recreation Director
Date: December 1, 2010
Re: Rental Agreement for wrestling events at Piotter Center

We were approached by a group called Total X-Treme Wrestling Entertainment (TXWE), which is headed by Sharon Love; who requested to hold wrestling events at Piotter Center on a monthly basis or possibly twice a month. They would like to enter into a rental agreement with us to use Piotter Center for this purpose. The group has most recently been holding their events at the Lenawee Fairgrounds but the current management at the fairgrounds made changes in their rental fees and policies; so this group is searching for another location to hold their events.

We have met with Sharon Love twice to discuss the group, their events, and the possibility of holding them at the Piotter Center. We also talked with Chris Miller, who previously worked with this group as Manager of the Fairgrounds; he spoke very highly of them. He said that they did not have any problems with them while he was at the fairgrounds and that they were very good to work with. Chris said that anything he asked of them they willingly complied with.

The group provides their own security for their events, they do all of their own set-up and take down/clean-up, they manage the door, and they contract with Moe's Pizzeria for their concessions. They also have liability insurance and will provide a certificate of insurance naming the City of Adrian as additional insured.

As far as the facility we discussed several things with them, including protecting the gym floor from damage, keeping the food/drinks in the cafeteria, and staffing the entrances, the gym, the cafeteria and the stage. They would be able to use the locker room in the basement for the wrestlers to dress. We would be able to gate off part of the building in order to keep the spectators at the west end of the building where the gym and cafeteria are, which would also give them access to the restrooms. There are enough entrances/exits to satisfy code even if the east end of the building is gated off and the capacity for the gym and cafeteria is adequate as per the fire code.

We would have minimal expense in hosting these events; basically just wages for our part-time building supervisors, bathroom supplies, and utilities. We will apply the standard Piotter Center rental fee, which will be approximately \$350 per event; so we could generate over \$4,000 annually if they hold monthly events. That will help offset the operating costs of Piotter Center.

They prefer to hold their events on Saturday evenings from 6:00 – 9:00pm, which fits into our schedule nicely. In light of all these consideration we have entered into a rental agreement with TXWE on a trial basis. We will evaluate this agreement after one event and decide if we want to continue. If we do continue we will evaluate on an ongoing basis with the understanding that we can terminate the agreement anytime the group is not meeting our expectations. They plan to hold their first event on December 11th.



CONSENT AGENDA

CR-1

CR10-074

December 6, 2010

RE: DOWNTOWN DEVELOPMENT AUTHORITY (DDA) – Appoint member to DDA

RESOLUTION

WHEREAS, the resignation of Michael Kapnick from the Downtown Development Authority (DDA) has created a vacancy on that board; and

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

WHEREAS, Mr. Al Wilkerson, owner of Governor Crowell’s Tea Room, has expressed a willingness to serve on the DDA Board if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Al Wilkerson.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the appointment of Al Wilkerson to fill the vacancy on the Downtown Development Board for a term to expire in 2013.

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



**APPLICATION FOR MEMBERSHIP
ON CITY BOARD OR COMMISSION**

Mail or Deliver Completed Application to: Mayor Gary McDowell
135 E Maumee Street
Adrian, Michigan 49221

The information in this application is requested to assist the Mayor and/or City Commission in selecting individuals to serve on City Boards & Commissions. Completion of the Application is not required for consideration of appointment. **Completion of the Consent and Certification portion of the Application is mandatory.**

Thank you for your interest in serving on a City of Adrian board or commission. The Adrian City Commission requires that every member of a board or commission meet the following qualifications:

- Appointee is not in default to the City.
- Appointee is a registered elector of the City.
- For most Boards & Commissions, appointee should be a resident of the City.

Name in Full: Alan G. Wilkerson

Home Address: 6164 Gloucester Dr.

City, State: Canton, Michigan Telephone #: 734-459-0721

Business Address: 125 E. Maumee Telephone #: _____

Fax #: _____ E-Mail Address: alwilkerson@comcast.net

Place of Employment: Retired High School Principal - Romulus Comm. Schools

Title/Type of Work: Current work - owner Governor Croswell Tea Room + Sweet Afton Tea Room

Length of Residence in City: _____ Own/Rent: _____ US Citizen: Y N _____

Educational Background: BA - Eastern Michigan University
MA - Eastern Michigan University
PostMA-30 hrs. - University of Michigan

Community Activities: Board Member Adrian Public Schools
Educational Foundation

List Board or Commission on which you are interested in serving (see attached descriptions):

- 1) Downtown Development (DDA)
- 2) _____
- 3) _____
- 4) _____

Additional information on experience, qualifications, etc.:

Business owner in downtown Plymouth, MI

Please briefly comment on why you wish to serve on a particular board or commission. Be specific as to your goals and ideas regarding how you wish to contribute to the work of the board or commission:

Would like to take an active and

supportive role in the ongoing

revitalization of downtown Adrian

Relationship to City Officials/Department Heads: Are you, your spouse, or other close family members related to any City Officials or Department Heads? If yes, please explain: _____

NO

Business relationship: Do you, your spouse, or any close family member currently have a business relationship with the City of Adrian? If yes, please explain: _____

NO

Convictions: Have you ever been convicted of any criminal violation? If yes, please explain: _____

NO

REFERENCES:

Name: Janet Vallade Relationship: Sister

Telephone #: 517 - 263 - 9404

Name: Dane Nelson Relationship: Friend

Telephone #: 517 - 263 - 6169

CR- 2

CR10-075

December 6, 2010

RE: DOWNTOWN DEVELOPMENT AUTHORITY (DDA) – Appoint member to DDA Board

RESOLUTION

WHEREAS, the resignation of Margaret O'Malley from the Downtown Development Authority (DDA) has created a vacancy on that board; and

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

WHEREAS, Mr. Todd Harder, owner of Red Paint Printing, has expressed a willingness to serve on the DDA Board if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Mr. Harder.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the appointment of Todd Harder to fill the vacancy on the Downtown Development Authority Board for a term to expire in 2012.

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



**APPLICATION FOR MEMBERSHIP
ON CITY BOARD OR COMMISSION**

Mail or Deliver Completed Application to: Mayor Gary McDowell
135 E Maumee Street
Adrian, Michigan 49221

The information in this application is requested to assist the Mayor and/or City Commission in selecting individuals to serve on City Boards & Commissions. Completion of the Application is not required for consideration of appointment. **Completion of the Consent and Certification portion of the Application is mandatory.**

Thank you for your interest in serving on a City of Adrian board or commission. The Adrian City Commission requires that every member of a board or commission meet the following qualifications:

- Appointee is not in default to the City.
- Appointee is a registered elector of the City.
- For most Boards & Commissions, appointee should be a resident of the City.

Name in Full: Todd Lee Harder
Home Address: 220 CROSS St.
City, State: Adrian, MI Telephone #: 517-605-9319
Business Address: 120 E. Maumee St. Telephone #: 517-265-2031
Fax #: 517-263-5095 E-Mail Address: todd@redpaintprinting.com
Place of Employment: Red Paint Printing
Title/Type of Work: screenprinter / artist.
Length of Residence in City: 44 yrs. Own/Rent: own US Citizen: Y N
Educational Background: Adrian High School and some @ Adrian College
Community Activities: started Leh-Nah-weh Native Org.
started and Now run Nibwaakaawin a. 501c3 Non profit.

List Board or Commission on which you are interested in serving (see attached descriptions):

- 1) DDA 2) _____
- 3) _____ 4) _____

Additional information on experience, qualifications, etc.:

Business owner 10+ years

Please briefly comment on why you wish to serve on a particular board or commission. Be specific as to your goals and ideas regarding how you wish to contribute to the work of the board or commission:

I am concerned about path the downtown is going on.

Relationship to City Officials/Department Heads: Are you, your spouse, or other close family members related to any City Officials or Department Heads? If yes, please explain: N/A

Business relationship: Do you, your spouse, or any close family member currently have a business relationship with the City of Adrian? If yes, please explain: N/A

Convictions: Have you ever been convicted of any criminal violation? If yes, please explain: DUI over 9 years ago.

REFERENCES:

Name: Teresa Magnuson Relationship: Business partner

Telephone #: 517-712-5581

Name: Jeff Willet Relationship: Friend

Telephone #: 265-5533

The following information and consent is necessary in order to conduct a proper review of your application for appointment. This information will be kept confidential.

CONSENT AND CERTIFICATION

I consent to the release of information concerning my ability and fitness for the position to which I seek appointment by my employer(s), school(s), law enforcement agencies, and other individuals and organizations, subject to any restrictions which I have included, to the City of Adrian Office of the City Administrator.

I, Todd L. Harder, certify that the information provided
(Please Print)

in this application is, to the best of my knowledge, true and accurate.

Driver's License: (State) MI Number: H636799497675

Social Security #: 384-84-3025 Date of Birth: 8-30-64

Signature: [Handwritten Signature] Date: 11-30-10

CR-3

CR10-076

December 6, 2010

RE: DOWNTOWN DEVELOPMENT AUTHORITY (DDA) – Appoint member to DDA Board

RESOLUTION

WHEREAS, there currently is a vacancy on the Downtown Development Authority;
and

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

WHEREAS, Mr. Tim Hernandez, downtown resident and former WLEN News Director, has expressed a willingness to serve on the DDA Board if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Mr. Hernandez.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the appointment of Tim Hernandez to fill the vacancy on the Downtown Development Authority Board for a term to expire in 2014.

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



**APPLICATION FOR MEMBERSHIP
ON CITY BOARD OR COMMISSION**

Mail or Deliver Completed Application to: Mayor Gary McDowell
135 E Maumee Street
Adrian, Michigan 49221

The information in this application is requested to assist the Mayor and/or City Commission in selecting individuals to serve on City Boards & Commissions. Completion of the Application is not required for consideration of appointment. **Completion of the Consent and Certification portion of the Application is mandatory.**

Thank you for your interest in serving on a City of Adrian board or commission. The Adrian City Commission requires that every member of a board or commission meet the following qualifications:

- Appointee is not in default to the City.
- Appointee is a registered elector of the City.
- For most Boards & Commissions, appointee should be a resident of the City.

Name in Full: Timothy Fabian Hernandez

Home Address: 137 1/2 N. Main St.

City, State: Adrian, MI Telephone #: 989-400-1964

Business Address: _____ Telephone #: _____

Fax #: _____ E-Mail Address: tim.hernandez@lisd.us

Place of Employment: LISD TECH Center

Title/Type of Work: Teaching Assistant

Length of Residence in City: 5 yrs Own/Rent: rent US Citizen: Y N

Educational Background: Bachelors of Applied Art

Community Activities: _____

List Board or Commission on which you are interested in serving (see attached descriptions):

- 1) Downtown Dev. Authority 2) _____
- 3) _____ 4) _____

Additional information on experience, qualifications, etc.:

Please briefly comment on why you wish to serve on a particular board or commission. Be specific as to your goals and ideas regarding how you wish to contribute to the work of the board or commission:

As a downtown resident for several years I would like to improve the quality of life, continue the beautification efforts and help foster new businesses.

Relationship to City Officials/Department Heads: Are you, your spouse, or other close family members related to any City Officials or Department Heads? If yes, please explain: NO

Business relationship: Do you, your spouse, or any close family member currently have a business relationship with the City of Adrian? If yes, please explain: NO

Convictions: Have you ever been convicted of any criminal violation? If yes, please explain: NO

REFERENCES:

Name: Sara Bingham Relationship: former co-worker

Telephone #: 517-902-5886

Name: Dale Gaertner Relationship: former manager

Telephone #: 517-263-1039

The following information and consent is necessary in order to conduct a proper review of your application for appointment. This information will be kept confidential.

CONSENT AND CERTIFICATION

I consent to the release of information concerning my ability and fitness for the position to which I seek appointment by my employer(s), school(s), law enforcement agencies, and other individuals and organizations, subject to any restrictions which I have included, to the City of Adrian Office of the City Administrator.

I, Timothy Hernandez, certify that the information provided
(Please Print)

in this application is, to the best of my knowledge, true and accurate.

Driver's License: (State) MI Number: H655 793 244 146

Social Security #: 376-88-5210 Date of Birth: 2/25/81

Signature: [Handwritten Signature] Date: 12/2/10

CR-4

CR10-077

December 6, 2010

RE: CITY COMMISSION – Change Commission Meeting Date in Observance of Holiday

RESOLUTION

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

WHEREAS, the regular meeting scheduled for Monday, January 17, 2011, occurs on Martin Luther King Day.

NOW, THEREFORE, BE IT RESOLVED that said regular meeting will be held on Tuesday, January 18, 2011 at 7:00 p.m. in the Chambers Building located at 159 E. Maumee Street, Adrian, MI.

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



MEMO

Date: November 16, 2010

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

From: Chris Atkin, Director 
Department of Community and Economic Development

Re: Michigan Community Development Block Grant Public Notice and Public Hearing Requirements for Farmer's Market Improvement Project (MSC 210012-FMK)

At its October 27, 2010 Board Meeting, the Michigan Strategic Fund (MSF) approved the City of Adrian's Notice of Intent to apply for a Farm to Food Grant under the Michigan Community Development Block Grant (CDBG) Program (Project No. MSC 210012-FMK). The Notice of Intent requests funding for the Farmers' Market Improvement Project.

The City of Adrian has been invited to submit a full application by December 27, 2010 for not more than \$280,000, with a local match requirement of \$60,000 that will be met by paving the North Toledo Street Parking Lot utilizing funds from the Auto Parking Fund Capital Improvement Budget.

In accordance with the public participation provisions set forth in Title I of the Housing and Community Development Act of 1974, as amended, citizens must be afforded the opportunity to examine and submit comments on the proposed application through a Public Hearing process that includes publication of a Public Notice five (5) days prior to the Public Hearing. I respectfully recommend that the City Commission authorize establishment of a Public Hearing regarding the CDBG Grant Application for the Farmers' Market Improvement Project on December 20, 2010 at 7:00 PM in the City Chambers located at 159 E. Maumee Street, Adrian, MI 49221 and that a Public Notice be published in a local paper of general circulation at least five (5) days prior to the Public Hearing.

The attached resolution has been prepared for consideration by the City Commission at their regularly scheduled meeting of December 6, 2010. If you have any questions or need for further information, please contact my office.

CITY OF ADRIAN

NOTICE OF PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR FARMERS' MARKET IMPROVEMENT PROJECT

At its October 27, 2010 Board Meeting, the Michigan Strategic Fund (MSF) approved the City of Adrian's Notice of Intent to apply for a Farm to Food Grant under the Michigan Community Development Block Grant (CDBG) Program (Project No. MSC 210012-FMK). The Notice of Intent requests funding for the Farmers' Market Improvement Project.

The City of Adrian has been invited to submit a full application by December 27, 2010 for not more than \$280,000, with a local match requirement of \$60,000 that will be met by paving the North Toledo Street Parking Lot utilizing funds from the Auto Parking Fund Capital Improvement Budget.

In accordance with the public participation provisions set forth in Title I of the Housing and Community Development Act of 1974, as amended, citizens must be afforded the opportunity to examine and submit comments on the proposed application through a Public Hearing process that includes publication of a Public Notice five (5) days prior to the Public Hearing. At its regularly scheduled meeting of December 6, 2010, the Adrian City Commission authorized establishment of a Public Hearing regarding the CDBG Grant Application for the Farmers' Market Improvement Project on December 20, 2010 at 7:00 PM in the City Chambers located at 159 E. Maumee Street, Adrian, MI 49221.

**RE: DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT – Michigan
Community Development Block Grant Public Notice and Public Hearing
Requirements for Farmer’s Market Improvement Project (MSC 210012-FMK)**

RESOLUTION

WHEREAS, at its October 27, 2010 Board Meeting, the Michigan Strategic Fund (MSF) approved the City of Adrian’s Notice of Intent to apply for a Farm to Food Grant under the Michigan Community Development Block Grant (CDBG) Program (Project No. MSC 210012-FMK); the Notice of Intent requests funding for the Farmers’ Market Improvement Project; and

WHEREAS, the City of Adrian has been invited to submit a full application by December 27, 2010 for not more than \$280,000, with a local match requirement of \$60,000 that will be met by paving the North Toledo Street parking lot utilizing funds from the Auto Parking Fund Capital Improvement Budget; and

WHEREAS, in accordance with the public participation provisions set forth in Title I of the Housing and Community Development Act of 1974, as amended, citizens must be afforded the opportunity to examine and submit comments on the proposed application through a Public Hearing process that includes publication of a Public Notice five (5) days prior to the Public Hearing; and

WHEREAS, the Community Development Director and City Administrator recommend authorization to hold a Public Hearing regarding the CDBG Grant Application for the Farmers’ Market Improvement Project on December 20, 2010 at 7:00 PM in the City Chambers located at 159 E. Maumee Street, Adrian, MI 49221 and that a Public Notice be published in a local paper of general circulation at least five (5) days prior to the Public Hearing.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes establishment of a Public Hearing regarding the CDBG Grant Application for the Farmers’ Market Improvement Project on December 20, 2010 at 7:00 PM in the City Chambers located at 159 E. Maumee Street, Adrian, MI 49221 and that a Public Notice be published in a local paper of general circulation at least five (5) days prior to the Public Hearing.

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



REGULAR AGENDA

0-1

November 5, 2010

Honorable Mayor
and City Commission:

At the November 2, 2010, meeting the Adrian City Planning Commission voted unanimously to recommend to the City Commission the approval of rezoning 427 East Maumee Street from OS-1 Office Service to R-4 Single Family Residential.

There were no comments from the audience during the public hearing, nor were any telephone calls or written communications received concerning this rezoning application. The Planning Commission was in receipt of the Community Development Department Staff Analysis, which was in support of this rezoning. Also the City of Adrian Comprehensive Plan supports this rezoning; the future land use designation for this property is Single/Two Family Residential.

Respectfully submitted,

Denise Cook, Secretary



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

STAFF ANALYSIS
ADRIAN CITY PLANNING COMMISSION

DATE: October 25, 2010

CASE: 10-022

APPLICANT: City of Adrian
135 East Maumee Street
Adrian, MI 49221

REQUEST: Rezone Subject Parcel from OS-1 to R-4

SUBJECT PARCEL: XA0-515-0043-01
427 East Maumee Street
Adrian, MI 49221

DESCRIPTION OF REQUEST

Applicant requests rezoning of the subject parcel from OS-1 Office Service to R-4 Single Family Residential. This was originally a single-family residence that had been converted into three units. The property has been vacant for several years. The lot size is 50' x 190' equaling 9,500 square feet.

EXISTING LAND USE/ZONING:

The last known land use of the subject parcel was as a multi-family residence.

Existing zoning for the subject property is OS-1 Office Service. The zoning designations for the surrounding properties are as follows:

North: RM-2 Multi-Family – Stephenson Home; R-4 Single Family Residential
South: R-4 Single Family and Monument Park
West: OS-1 Office Service – Post Office
East: R-4 Single Family Residential

FUTURE LAND USE/ZONING

According to the City of Adrian Comprehensive Plan, future land use designation for the subject parcel is Single/Two Family Residential.

DEPARTMENT REVIEWS

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

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

The City acquired this property in 2009 from the HUD \$1.00 home program. The property has been vacant since April 2008 and the City is attempting to sell it under the condition that it is rehabilitated from a three unit apartment house into a single family home.

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

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

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

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

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

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

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

The use of the parcel under the current zoning designation is economically feasible although the current structure is not fitted for first floor office service. However, the Comprehensive Plan considers the rehabilitation and restoration of older homes, previously converted to multi-family, back to their original single-family design and function a priority. This property has not been utilized as multi-family for more than the allowed six (6) month window.

RESOLUTION

WHEREAS, City of Adrian has submitted a request for rezoning of a single parcel identified in the Case File 10-022; and

WHEREAS, the former use of the parcel was multi-family residential; and

WHEREAS, the City of Adrian Comprehensive Plan Future Land Use Map calls for designation of such parcel as Single/Two Family Residential; and

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

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

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning Parcel XA0-515-0043-01; and

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

On Motion by Planning Commission Watson, and seconded by Commissioner Johnson, this resolution was adopted by a unanimous vote.



Christopher M. Atkin
Community Development Director

ORDINANCE 10-015

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

The City of Adrian Ordains:

- 1. That Section 3.1 of Article III of the City of Adrian Zoning/Development Regulations, and the Zoning Map to which reference is therein made, is amended to the extent of deleting the following property hereinafter described from the OS-1 Office Service District and including the same in the R-4 Single Family Residential District.
- 2. Parcel described as follows:

LOT 45 & S 40 FT LOT 28 & W 1 FT OF OF S 104 FT LOT 46
EASTERN ADD
- 3. More commonly known as: 427 East Maumee Street

INTRODUCTIONNovember 15, 2010

SUMMARY PUBLISHEDNovember 20, 2010

ADOPTION

COMPLETED PUBLICATION

EFFECTIVE DATE

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

D-2

ORDINANCE 10-016

AN ORDINANCE TO REPEAL A PROVISION OF THE CODE OF THE CITY OF ADRIAN, SECTION 90-125 GARAGES AND NONMETERED PARKING LOTS.

The City of Adrian Ordains:

That Section 90-125 of Chapter 90 - Garages and non-metered parking lots, is hereby repealed.

Sec. 90-125. Garages and non-metered parking lots.

~~Every person who parks a motor vehicle in any non-metered parking lot of the automobile parking system shall pay the rates duly established for such parking before removing such vehicle from the parking lot or structure. Any person violating the provisions of this section is responsible for a civil fine of not more than \$25.00.~~

INTRODUCTION.....December 6, 2010

SUMMARY PUBLISHED

ADOPTION

COMPLETE PUBLICATION

EFFECTIVE DATE.....

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

0-3

ORDINANCE 10-017

AN ORDINANCE TO REPEAL A PROVISION OF THE CODE OF THE CITY OF ADRIAN, SECTION 90-126 - METERED PARKING LOTS.

The City of Adrian Ordains:

That Section 90-126 of Chapter 90 - Metered parking lots, is hereby repealed.

~~In parking lots of the automobile parking system where parking charges are collected by means of parking meters installed adjacent to the parking spaces in such lots, no person shall.~~

- ~~(1) Park a motor vehicle in any metered space without having purchased a parking permit from the city, properly displayed on the vehicle for such purpose, or without placing a United States coin of proper denomination in the meter in accordance with the regulations posted on such meters during the hours the regulations require the payment of parking charges.~~
- ~~(2) Permit a motor vehicle in his custody or owned by him to remain in any metered zone, except while lawful parking time appears on the meter regulating the space occupied by such vehicle, unless such vehicle shall have properly displayed on such vehicle a valid parking permit purchased from the city for such purposes.~~
- ~~(3) Deface, injure, open or tamper with any parking meter installed on any lot, except as authorized by the City Engineer/Director of Public Works.~~

INTRODUCTION.....December 6, 2010

SUMMARY PUBLISHED

ADOPTION

COMPLETE PUBLICATION

EFFECTIVE DATE

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

D-4

ORDINANCE 10-018

AN ORDINANCE TO REPEAL A PROVISION OF THE CODE OF THE CITY OF ADRIAN, SECTION 90-127 VEHICLE ABANDONMENT.

The City of Adrian Ordains:

That Section 90-127 of Chapter 90 Vehicle abandonment is hereby repealed.

Sec. 90-127. Vehicle abandonment.

~~Any unattached motor vehicle parking for two consecutive days in any parking lot or structure of the automobile parking system shall be deemed abandoned and may be removed by the city and impounded. Any motor vehicle otherwise parked in violation of this section may be removed by the city from the parking lot or structure in which it is parked and impounded. Any vehicle so impounded by the city shall not be released to the owner until all parking, storing and towing charges shall have been paid by the owner.~~

INTRODUCTION.....December 6, 2010

SUMMARY PUBLISHED

ADOPTION

COMPLETE PUBLICATION

EFFECTIVE DATE

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

0-5

ORDINANCE 10-019

AN ORDINANCE TO AMEND CHAPTER 90, SEC. 90-56, ARTICLE II, DIVISION 2, OF THE ADRIAN CITY CODE BY AMENDING AND/OR ADDING PARKING VIOLATION FINES.

The City of Adrian Ordains:

Sec. 90-56. Schedule of parking violation offenses and penalties.

VIOLATION

FINE

- (1) A vehicle shall not be parked, except if necessary to avoid conflict with other traffic, or in compliance with the law, or under the direction of a police officer or traffic-control device in any of the following places:
 - (a) On a sidewalk \$15.00
 - (b) In front of a public or private driveway \$15.00
 - (c) Within an intersection \$15.00
 - (d) Within 15 feet of a fire hydrant \$15.00
 - (e) On a crosswalk..... \$15.00
 - (f) Within 20 feet of a crosswalk, or if there is not a \$15.00 crosswalk, then within 15 feet of the intersection of property lines at an intersection of highways.
 - (g) Within 30 feet of the approach to a flashing beacon, \$15.00 stop sign, or traffic-control signal located at the side of a highway
 - (h) Between a safety zone and the adjacent curb or within .. \$15.00 30 feet of a point on the curb immediately opposite the end of a safety zone, unless a different length is indicated by an official sign or marking.
 - (i) Within 50 feet of the nearest rail of a railroad crossing... \$15.00
 - (j) Within 20 feet of the driveway entrance to a fire station. \$15.00 and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance if properly marked by an official sign
 - (k) Alongside or opposite a street excavation or \$15.00 obstruction, if the stopping, standing or parking would obstruct traffic
 - (l) On a roadway side of a vehicle stopped or parked at \$15.00 the edge or curb of a street
 - (m) Upon a bridge or other elevated highway structure \$15.00 or within a highway tunnel
 - (n) At a place where an official sign prohibits stopping or \$15.00 parking
 - (o) Within 500 feet of an accident at which a police officer... \$15.00 is in attendance, if the scene of the accident is outside of a city or village
 - (p) In front of a theater \$15.00
 - (q) In a place or in a manner that blocks immediate egress . \$15.00 from an emergency exit, conspicuously marked as an emergency exit, of a building

VIOLATION

FINE

- (r) In a place or in a manner that blocks or hampers the immediate use of an egress from a fire escape, conspicuously marked as a fire escape, providing an emergency means of egress from a building \$15.00
- (s) In a parking space clearly identified by an official sign.... \$50.00 as being reserved for use by disabled persons that is on public property or private property available for public use, unless the individual is a disabled person as described in Section 19a of the Vehicle Code or unless the individual is parking the vehicle for the benefit of a disabled person. In order for the vehicle to be parked in the parking space The vehicle shall display one of the following:
 - (i) A certificate of identification or windshield placard issued under Section 675 of the Vehicle Code to a disabled person
 - (ii) A special registration plate issued under Section 803d of the Vehicle Code to a disabled person
 - (iii) A similar certificate of identification or windshield placard issued by another state to a disabled person
 - (iv) A similar special registration plate issued by another state to a disabled person
 - (v) A special registration plate to which a tab for persons with disabilities is attached issued under this Act
- (t) In a clearly identified access aisle or access lane \$50.00 immediately adjacent to a space designated for parking by persons with disabilities
- (u) On a street or other area open to the parking of \$50.00 vehicles that results in the vehicle interfering with the use of a curb cut or ramp by persons with disabilities.
- (v) Within 500 feet of a fire at which fire apparatus is in..... \$15.00 attendance, if the scene of the fire is outside of a city or village. However, volunteer firefighters responding to the fire may park within 500 feet of the fire in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this sub-division.
- (w) In violation of an official sign restricting the period of time or manner of parking (includes "permit parking only" areas).
 - (i) If paid within 48 hours \$15.00
- (x) In a space controlled or regulated by a meter or a public highway or in a publicly owned parking area or structure, if the allowable time for parking indicated on the meter has expired, unless the vehicle properly displays one or more of the items listed in Section 675(8) of the Vehicle Code
 - (i) If paid within 48 hours \$15.00
- (y) On a street or highway in such a way as to obstruct the. \$15.00 delivery of mail to a rural mailbox by a carrier of the United States Postal Service
- (z) In a place or in a manner that blocks the use of an alley \$15.00
- (aa) In a place or in a manner that blocks access to a space.. \$15.00 clearly designated as a fire lane.

VIOLATION

FINE

- (2) A person shall not move a vehicle not owned by the person \$15.00 into a prohibited area or away from a curb a distance that makes the parking unlawful.
- (3) A bus, for the purpose of taking on or discharging passengers .. \$15.00 may be stopped at a place described in Subsection (1)(b), (d) or (f) or on the roadway side of a vehicle illegally parked in a legally designated bus loading zone. A bus, for the purpose of taking or discharging a passenger, may be stopped at a place described in Subsection (1)(n) if the place is posted by an appropriate bus stop sign, except that a bus shall not stop at such a place if the stopping is specifically prohibited by the responsible local authority, the State Transportation Department, or the Director of the Department of State Police.
- (4) A person who violates any of these sections is responsible for a civil infraction, designated fine, and reasonable and customary collection cost.
- (5) If any of the above stated fines are not paid within 48 hours, the fine will increase by \$10.00.
- (6) ~~For all parking in areas not designated for permit or metered parking, a vehicle shall not be parked in a city lot for over two hours, from 8:00 a.m. to 6:00 p.m., Monday through Friday, and shall not be parked on a city street in the city downtown business district for over two hours from 8:00 a.m. to 6:00 p.m., Monday through Friday, except on city designated holidays. For City lots, a vehicle shall be parked in designated areas only. Parking is prohibited from 3am -6am except in designated areas only and only with vehicles which display a valid sticker issued by the City. These provisions shall include vehicles moved from one space to another during such time periods, provided that this provision regarding vehicle movement shall not apply to clients or customers for patronage of downtown businesses.~~

INTRODUCTION..... December 6, 2010

SUMMARY PUBLISHED.....

ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE

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

0-6

ORDINANCE 10-020

AN ORDINANCE TO AMEND CHAPTER 90, SEC. 90-97, ARTICLE II, DIVISION 2, OF THE ADRIAN CITY CODE.

The City of Adrian Ordains:

Sec. 90-97. ~~Parking between 8:00am and 6:00pm.~~ **Parking in City lots between 3:00am-6:00am.**

Parking in City lots is prohibited from 3:00am – 6:00am every day except in designated areas only and only with vehicles which display a valid sticker issued by the City. ~~For all parking in areas not designated for permit or metered parking, a vehicle shall not be parked in a city lot for over two hours from 8:00am to 6:00pm, Monday through Friday. The city administrator and traffic engineer are authorized to locate short term parking areas on streets located in the downtown parking area, with all other downtown street parking to have free parking for two-hour periods of time from 8:00am to 6:00pm Monday through Friday. These provisions shall include vehicles moved from one space to another during such time periods, provided that this provision regarding vehicle movement shall not apply to clients or customers for patronage of downtown businesses.~~

INTRODUCTION..... December 6, 2010

SUMMARY PUBLISHED.....

ADOPTION

COMPLETE PUBLICATION.....

EFFECTIVE DATE

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

Gary E. McDowell
Mayor

Pat Baker
City Clerk

50-1, R-1

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to the confirmation of the Special Assessment Roll for SAD #379 – W. Summit St. from Winter to S. Main Streets.

Discussion

When the Mayor called for the hearing of comments _____

and he declared the hearing closed.

Improvement: West Summit Street		SPECIAL ASSESSMENT DISTRICT				Location: S. Main St. to Winter St.			
Tax ID No.	Owner	Description	Total Assessment	Curb & Gutter	4' Sidewalk	6' Sidewalk	Corner Lot Deduction	Drive Approach	
			Unit Prices:	\$16.49	\$4.60	\$5.05		\$5.05	
XAO-340-0014-00	GONZALES, ANGELICA T TRUST 803 S. Main	LOT 11 ADRIAN IMPROVEMENT COS SUB 1 OF W 1/2 OF NW QTR OF SEC 11 T7S R3E	Amount \$2,648.00	\$2,061.25	\$0.00	\$0.00		\$586.75	
XAO-340-0087-00	<i>436 Seymour Rd. Jackson</i> HUANG, QI HAN 509 W. Summit	W1/2 LOT 86 ADRIAN IMPR COS SUB 1 OF W1/2 OF NW QTR OF SEC 11 T7S R3E	Amount \$1,030.63	\$1,030.63	\$0.00	\$0.00		\$0.00	
XAO-340-0086-00	<i>4 Trisha Navaez</i> HERNANDEZ, PEDRO 503 W. Summit	E1/2 LOT 86 ADRIAN IMPR COS SUB 1 OF W1/2 OF NW QTR OF SEC 11 T7S R3E	Amount \$1,030.63	\$1,030.63	\$0.00	\$0.00		\$0.00	
XAO-340-0104-00	BREHMER, RICHARD J 807 Calton	LOT 103 ADRIAN IMPROVEMENT COS SUB DIVISION NO 1 OF W 1/2 OF N W QUARTER OF SEC 11 T7S R3E	Amount \$2,061.25	\$2,061.25	\$0.00	\$0.00		\$0.00	
XAO-340-0178-00	WATTERS, GEORGE & BONNIE MAE <i>3281 S. Main St. Hwy</i> 409 W. Summit	W 55 FT LOT 178 ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E	Amount \$1,376.87	\$906.95	\$0.00	\$0.00		\$469.92	
XAO-340-0178-00	<i>3281 S. Main St. Hwy</i> POWERS, BONNIE 802 Hoch	LOT 178 EX W 55 FT ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E	Amount \$2,063.30	\$1,154.30	\$0.00	\$0.00		\$909.00	
XAO-340-0191-00	FRIEMOTH, PHYLLIS 807 Hoch	LOTS 189 & 190 ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E & 1/2 OF VACATED ALLEY LYING E OF SD LOTS	Amount \$2,637.18	\$2,193.17	\$0.00	\$0.00		\$444.01	
XAO-340-0263-00	<i>2260 Fairford Rd</i> JENKINS, MARK 804 Howell	LOTS 263 & 264 ADRIAN IMPR COS SUB NO. 1 OF W 1/2 OF NW 1/4 OF SEC 11 T7S R3E & 1/2 OF VACATED ALLEY LYING W OF SD LOTS	Amount \$2,193.17	\$2,193.17	\$0.00	\$0.00		\$0.00	
XAO-340-0276-01	INGERLY, MICHAEL J & CANDY- NORMA I 811 Howell	LOTS 273, 274, & 275 ADRIAN IMPR COS SUB NO. 1 OF W 1/2 OF NW 1/4 OF SEC 11 T7S R3E	Amount \$2,061.25	\$2,061.25	\$0.00	\$0.00		\$0.00	
XAO-340-0348-00	HOWARD, MARVIN W 804 S. Winter	LOT 348 ADRIAN IMPR COS SUB NO. 1 OF W 1/2 OF NW 1/4 OF SEC 11 T7S R3E	Amount \$2,112.70	\$2,112.70	\$0.00	\$0.00		\$0.00	
			Units	128.12				0.00	

Improvement: West Summit Street		SPECIAL ASSESSMENT DISTRICT		Location: S. Main St. to Winter St.		Unit Prices:			
Tax ID No.	Owner	Description	Amount	Units	4" Sidewalk	6" Sidewalk	Corner Lot Deduction	Drive Approach	
XAO-340-0010-00	166 CO RD 3800 SZEMAN, SHARON S 751 S. Main	Houston AL 35572 LOT 10 ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QTR OF SEC 11 T7S R3E	\$2,640.74		\$0.00	\$0.00		\$579.49	\$5.05
XAO-340-0088-00	9332 LINDEN DR. TOVAR, LUIS 764 Caton	ADRIAN LOT 87 ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QTR OF SEC 11 T7S R3E	\$2,676.87	125.00	\$0.00	\$0.00		\$615.62	
XAO-340-0102-00	4520 E. Baseline Rd. HILL, BETTY J 424 W. Summit	APT 1008 W 75 FT LOTS 101-102 ADRIAN IMPROVEMENT COS SUBDIVISION NO 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E	\$1,801.44		\$0.00	\$0.00		\$564.69	
XAO-340-0103-00	FLORES, MERCEDES A 422 W. Summit	E 50 FT LOTS 101 & 102 & 1/2 VACATED ALLEY ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E	\$956.42		\$0.00	\$0.00		\$0.00	
XAO-340-0181-01	CHRIST TEMPLE MINISTRIES INTL. 410 W. Summit	W 1/2 LOT 179 ADRIAN IMPROVEMENT COS SUB 1	\$1,030.63		\$0.00	\$0.00		\$0.00	
XAO-340-0187-02	3665 Deerfield Rd HOLTZ, MARVIN R 746 Hoch	Adrian S 48 FT LOT 180 & 1/2 VACATED ALLEY TO REAR & 1/2 VACATED ALLEY TO REAR OF LOT 179 ADRIAN IMPROVEMENT COS SUB 1	\$519.51		\$0.00	\$0.00		\$387.59	
XAO-340-0180-00	HOLTZ, MARTIN R 752 Hoch	E 1/2 LOT 179 ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E	\$1,030.63		\$0.00	\$0.00		\$0.00	
XAO-340-0190-00	TURNER, DAVID & KELLY 326 Summit	LOT 188 & 1/2 VACATED ALLEY ADRIAN IMPR COS SUB 1 OF W 1/2 OF NW QUARTER OF SEC 11 T7S R3E	\$2,652.41		\$0.00	\$0.00		\$459.24	
XAO-340-0265-00	COLE LIV TRUST, GENE E 312 W. Summit	W 1/2 LOTS 265-266-267 & 1/2 VAC ALLEY ADRIAN IMPR COS SUB NO. 1 OF W 1/2 OF NW 1/4 OF SEC 11 T7S R3E	\$1,821.58		\$0.00	\$0.00		\$659.03	
XAO-340-0267-00	GUERRA, STEPHEN J 310 W. Summit	E 1/2 LOT 265 ADRIAN IMPR COS SUB NO. 1	\$1,803.73		\$0.00	\$0.00		\$773.10	
			62.50					153.09	

Improvement: West Summit Street		SPECIAL ASSESSMENT DISTRICT									
Tax ID No.		Location: S. Main St. to Winter St.									
Owner		Description		Unit Prices:		4"		6"		Drive	
				Assessment		Sidewalk		Sidewalk		Approach	
				Total		Curb & Gutter		Corner Lot Deduction		Amount	
				Assessment		Gutter		Deduction		Units	
XA0-340-0272-00	RIVERA, JUAN & RIVERA, GARY LEE 751 Howell	W 100 FT LOTS 271 & 272 ADRIAN IMPR COS SUB NO. 1 OF W 1/2 OF NW 1/4 OF SEC 11 T7S R3E		\$2,133.50	\$1,649.00	\$0.00	\$0.00	\$0.00	\$0.00	\$484.50	\$5.05
XA0-340-0350-01	DISBRO TRUST, NANCY R 738 S. Winter	LOTS 350 & 351 & E 25 FT LOTS 271 & 272 & 1/2 VACATED ALLEY ADJACENT ADRIAN IMPROVEMENT CO'S SUB NO. 1		\$544.17	\$544.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	95.94
XA0-340-0349-00	ALDRICH, DAVID R 750 S. Winter	LOT 349 ADRIAN IMPR COS SUB NO 1 OF W 1/2 OF NW 1/4 OF SEC 11 T7S R3E		\$2,906.27	\$2,243.46	\$0.00	\$0.00	\$0.00	\$0.00	\$662.81	131.25
	Total Assessables			\$41,722.88						\$7,595.75	1,504.11
	Total Units			2,070.17	0.00						

R-1

R10-146

December 6, 2010

RE: ENGINEERING DEPT. – Confirm Special Assessment Roll for SAD #379 – W. Summit from Winter to S. Main Streets

RESOLUTION

WHEREAS, the City Assessor has reported the Special Assessment Roll to the City Commission for improvements on W. Summit from Winter to S. Main Streets, together with the certificate relating thereto; and

WHEREAS, the said Roll has been filed with the City Clerk for public examination; and

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

WHEREAS, all objections to the said Roll have been duly considered.

NOW, THEREFORE, BE IT RESOLVED that the said special assessment project cost in the amount of \$209,268.05 for said improvements on Summit Street from Winter to S. Main Streets is hereby confirmed; and be it

FURTHER, RESOLVED that said Special Assessment Roll in the amount of \$41,732.88 for improvements on Summit Street from Winter to S. Main Streets, said project being known and designated as SAD #379, be and the same is hereby confirmed.

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

SO-21 R-2

December 6, 2010

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to the confirmation of the Special Assessment Roll for SAD #380 - Mulberry from Elm to Ormsby Streets.

Discussion

When the Mayor called for the hearing of comments _____
_____ and he declared the hearing closed.

Improvement: Mulberry Street		SPECIAL ASSESSMENT DISTRICT 380											
Tax ID No.		Location: Ormsby St. to Elm St.											
Owner/Address		Description											
XAO-370-0002-00	SMITH, BOBBI JO & RESTIS, BENJAMIN 836 Ormsby	N 80 FT LOTS 1 & 2 BAKERS ADDITION	Amount	\$1,777.79	Final Assessment	\$16.49	4" Sidewalk	\$0.00	6" Sidewalk	\$5.05	Corner Lot Deduction	\$5.05	
			Units									Drive Approach	\$0.00
XAO-370-0003-00	TREVINO, DOMINGO & MARIA 714 Mulberry	LOT 3 BAKERS ADDITION	Amount	\$1,742.95	Final Assessment	\$1,088.34	4" Sidewalk	\$0.00	6" Sidewalk	\$0.00	Corner Lot Deduction	\$654.61	
			Units			66.00						129.63	
XAO-370-0004-00	RITCHIE, TIMOTHY W, NEXTRA & RACHEL 843 Elm	LOT 4 BAKERS ADD EX S 55 FT & EX PART BEG 55 FT N OF SW COR SD LOT TH E TO ELM ST TH NW TO A POINT 76 1/2 FT N OF SW COR TH S 21.5 FT TO BEG	Amount	\$3,230.39	Final Assessment	\$1,871.62	4" Sidewalk	\$0.00	6" Sidewalk	\$0.00	Corner Lot Deduction	\$1,358.77	
			Units			113.50						269.06	
XAO-520-0012-01	<i>916 Ormsby</i> LUCAS, JOHN L & JANE L 707 Mulberry	LOT 12 EX E 30 FT FARMERS ADD	Amount	\$2,714.61	Final Assessment	\$1,945.82	4" Sidewalk	\$0.00	6" Sidewalk	\$0.00	Corner Lot Deduction	\$768.79	
			Units			118.00						152.24	
XAO-520-0013-01	<i>916 Ormsby</i> NILES, GENEVA M 717 Mulberry	E 30 FT LOTS 11 & 12 & ALL LOT 13 FARMERS ADD	Amount	\$2,403.41	Final Assessment	\$1,583.04	4" Sidewalk	\$0.00	6" Sidewalk	\$0.00	Corner Lot Deduction	\$820.37	
			Units			96.00						162.45	
XAO-520-0014-00	<i>at West, Martha F, LL</i> WEST, PAULA 901 Elm	S 1/2 LOT 14 FARMERS ADD	Amount	\$1,842.90	Final Assessment	\$1,088.34	4" Sidewalk	\$0.00	6" Sidewalk	\$0.00	Corner Lot Deduction	\$754.56	
			Units			66.00						149.42	
	Total Assessables		Amount	\$13,712.05	Final Assessment		4" Sidewalk		6" Sidewalk		Corner Lot Deduction	\$4,357.10	
	Total Units		Units	567.31	Final Assessment		4" Sidewalk	0.00	6" Sidewalk		Corner Lot Deduction	862.79	

R-2

R10-147

December 6, 2010

RE: ENGINEERING DEPT. – Confirm Special Assessment Roll for SAD #380 – Mulberry from Elm to Ormsby Streets

RESOLUTION

WHEREAS, the City Assessor has reported the Special Assessment Roll to the City Commission for improvements on Mulberry from Elm to Ormsby Streets, together with the certificate relating thereto; and

WHEREAS, the said Roll has been filed with the City Clerk for public examination; and

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

WHEREAS, all objections to the said Roll have been duly considered.

NOW, THEREFORE, BE IT RESOLVED that the said special assessment project cost in the amount of \$54,612.22 for said improvements on Mulberry from Elm to Ormsby Streets is hereby confirmed; and be it

FURTHER, RESOLVED that said Special Assessment Roll in the amount of \$13,712.05 for improvements on Mulberry from Elm to Ormsby Streets, said project being known and designated as SAD #380, be and the same is hereby confirmed.

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

R-3

SUBJECT: Sale of 427 E Maumee Purchasing Office
TO: Dane C. Nelson City Administrator
FROM: Cindy L Prue Assistant Finance Director

Bids for the sale of a city-owned house at 427 E. Maumee St. were received November 11, 2010. One bid was received from Rick & Karen Mepham of Morenci, MI, in the amount of \$5,500.00. The Assistant Finance Director has recommended that the Mepham's bid be accepted, and I concur.

I, therefore, urge your favorable consideration authorizing the sale of 427 E. Maumee Street to Rick & Karen Mepham in the amount of \$5,500.00.



Dane C. Nelson
City Administrator

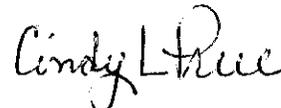
DCN: bjw

Sealed bids were received until 2:00 p.m. EST on Thursday, November 11, 2010, at the Purchasing Office, for the sale of the city owned house at 427 E. Maumee Street. The following bid was received:

Rick & Karen Mepham	\$ 5,500.00
120 N Summit Street	
Morenci, MI 49256	

This is a multi-family house that will be converted back to single family. There was a minimum bid of \$5,000.00 on this property. I recommend the bid be awarded to Rick & Karen Mepham in the amount of \$5,500.00.

Respectfully submitted,



Cindy L Prue
Assistant Finance Director

R-3

R10-148

December 6, 2010

RE: DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT – Authorization to Sell Houses Acquired from U.S. Department of Housing and Urban Development – 427 E. Maumee Street

RESOLUTION

WHEREAS, in a program designed to move foreclosed residential properties back into the private marketplace, the City has acquired five (5) houses from the U.S. Department of Housing and Urban Development for a nominal fee for resale to low and moderate income person(s), including the property located at 427 E. Maumee Street (Property No.XAO-515-0043-01); and

WHEREAS, the City of Adrian marketed said property through advertisement to the general public and an Open House held on Sunday, October 17, 2010 from 1:00 pm to 3:00 p.m. and received sealed bids until 2:00 pm E.S.T. on November 11, 2010 at the City's Purchasing Office, 135 E. Maumee Street, Adrian, MI 49221; and

WHEREAS, bid specifications for this multi-family house included a minimum bid of \$5,000 and that the buyer shall:

- Repair or replace roof per Michigan Residential Code within thirty (30) days after closing;
- Repair work shall commence to bring house to Michigan Property Maintenance Code no later than six (6) months after closing;
- Convert house to single family residence;
- Obtain all necessary permits from the City of Adrian Building Department; and

WHEREAS, a single qualified bid was received from Rick and Karen Mepham, 120 N. Summit Street, Morenci, MI 49256, in the amount of \$5,500; and

WHEREAS, the Director of Community and Economic Development and the City Administrator recommend that the above described bid be selected and that the property located at 427 E. Maumee Street (Property No. XAO-515-0043-01) be sold to Rick and Karen Mepham, 120 N. Summit Street, Morenci, MI 49256, in the amount of \$5,500.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of property located at 427 E. Maumee Street (Property No. XAO-515-0043-01) to Rick and Karen Mepham, 120 N. Summit Street, Morenci, MI 49256, in the amount of \$5,500.

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

R-4

SUBJECT: Sale of 718 E. Church Purchasing Office
TO: Dane C. Nelson City Administrator
FROM: Cindy L Prue Assistant Finance Director

Sealed bids were received on November 11, 2010 for the sale of 718 E. Church St. with two individuals responding. The Assistant Finance Director has recommended that the sale of this city-owned property be awarded to the highest bidder, Walter Helsel of Adrian, MI, at a cost of \$15,325.00, and I concur with that recommendation.

I recommend favorable consideration authorizing the sale of 718 E. Church St. to Walter Helsel of Adrian, MI in the amount of \$15,325.00.



Dane C. Nelson
City Administrator

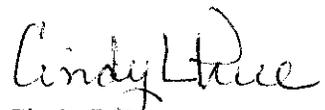
DCN:bjw

Sealed bids were received until 2:00 p.m. EST on Thursday, November 11, 2010, at the Purchasing Office, for the sale of the city owned house at 718 E. Church Street. The following bids were received:

Walter Helsel 531 N. McKenzie St. Apt 1 Adrian, MI 49221	\$15,325.00
Nicholas Sargent 12601 Ida West Rd Petersburg, MI 49270	\$15,150.00

I recommend the bid be awarded to the high bidder, Walter Helsel. There was a minimum bid of \$5,000.00 on this property.

Respectfully submitted,


Cindy L Prue
Assistant Finance Director

RE: DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT – Authorization to Sell Houses Acquired from U.S. Department of Housing and Urban Development – 718 E. Church Street

RESOLUTION

WHEREAS, in a program designed to move foreclosed residential properties back into the private marketplace, the City has acquired five (5) houses from the U.S. Department of Housing and Urban Development for a nominal fee for resale to low and moderate income person(s), including the property located at 718 E. Church Street (Property No. XAO-515-0142-00); and

WHEREAS, the City of Adrian marketed said property through advertisement to the general public and an Open House held on Sunday, October 17, 2010 from 1:00 pm to 3:00 pm and received sealed bids until 2:00 pm E.S.T. on November 11, 2010 at the City’s Purchasing Office, 135 E. Maumee Street, Adrian, MI 49221; and

WHEREAS, bid specifications for this single-family house included a minimum bid of \$5,000 and that the buyer shall:

- Repair or replace roof per Michigan Residential Code within thirty (30) days after closing;
- Repair work shall commence to bring house to Michigan Property Maintenance Code no later than six (6) months after closing;
- All repair work shall be complete and house habitable within 18 months after closing;
- Obtain all necessary permits from the City of Adrian Building Department;
- Land contract with the City of Adrian may be available; and

WHEREAS, two (2) qualified bids were received, with the following results:

<u>Bidder</u>	<u>Amount</u>
Walter Helsel, Adrian, MI	\$15,325.00
Nicholas Sargent, Petersburg, MI	\$15,150.00; and

WHEREAS, the Director of Community and Economic Development and the City Administrator recommend that the high bid be selected and that the property located at 718 E. Church Street (Property No. XAO-515-0142-00) be sold to Walter Helsel, 531 N. McKenzie Street, Apt. #1, Adrian, MI 49221, in the amount of \$15,325.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of property located at 718 E. Church Street (Property No. XAO-515-0142-00) to Walter Helsel, 531 N. McKenzie Street, Apt. #1, Adrian, MI 49221, in the amount of \$15,325.00.

BE IT, FURTHER, RESOLVED that, consistent with the bid specifications, negotiation and consummation of a land contract agreement is authorized.

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

R-5

SUBJECT: Sale of 908 Bradish Street Purchasing Office
 TO: Dane C. Nelson City Administrator
 FROM: Cindy L Prue Assistant Finance Director

Bids for the sale of city-owned property at 908 Bradish Street were received November 11, 2010. Five individuals submitted bids, with Earl Stevens of Brooklyn, MI, being the highest bidder at \$23,000.00. The Assistant Finance Director recommends that Mr. Stevens' bid be accepted, and I concur with that recommendation.

I urge your favorable consideration authorizing the sale of 908 Bradish St. to Earl Stevens at a cost of \$23,000.00.

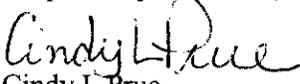


 Dane C. Nelson
 City Administrator

Sealed bids were received until 2:00 p.m. EST on Thursday, November 11, 2010, at the Purchasing Office, for the sale of the city owned house at 908 Bradish Street. The following bids were received:

Earl Stevens 12840 Stephenson Rd Brooklyn, MI 49230	\$23,000.00
Juan Martinez 2475 Ogden Hwy Adrian, MI 49221	\$14,000.00
Dustin Lent 901-2 Bradish St Adrian MI 49221	\$13,100.08
Tamara Bristoll Adrian, MI	\$12,500.00
Mark Anderson 5000 Morey Hwy Clayton MI 49235	\$10,899.00

I recommend the bid be awarded to the high bidder, Earl Stevens. There was a minimum bid of \$10,000.00 on this property.

Respectfully submitted,

 Cindy L Prue
 Assistant Finance Director

RE: DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT – Authorization to Sell Houses Acquired from U.S. Department of Housing and Urban Development – 908 Bradish Street

RESOLUTION

WHEREAS, in a program designed to move foreclosed residential properties back into the private marketplace, the City has acquired five (5) houses from the U.S. Department of Housing and Urban Development for a nominal fee for resale to low and moderate income person(s), including the property located at 908 Bradish Street (Property No. XAO-280-0019-02); and

WHEREAS, the City of Adrian marketed said property through advertisement to the general public and an Open House held on Sunday, October 17, 2010 from 1:00 pm to 3:00 pm and received sealed bids until 2:00 pm E.S.T. on November 11, 2010 at the City’s Purchasing Office, 135 E. Maumee Street, Adrian, MI 49221; and

WHEREAS, bid specifications for this single-family house included a minimum bid of \$10,000 and that the buyer shall:

- Repair or replace roof per Michigan Residential Code within thirty (30) days after closing;
- Repair work shall commence to bring house to Michigan Property Maintenance Code no later than six (6) months after closing;
- All repair work shall be complete and house habitable within 18 months after closing;
- Obtain all necessary permits from the City of Adrian Building Department
- Land contract with the City of Adrian may be available; and

WHEREAS, five (5) qualified bids were received, with the following results:

<u>Bidder</u>	<u>Amount</u>
Earl Stevens, Brooklyn, MI	\$23,000.00
Juan Martinez, Adrian, MI	\$14,000.00
Dustin Lent, Adrian, MI	\$13,100.08
Tamara Bristol, Adrian, MI	\$12,500.00
Mark Anderson, Clayton, MI	\$10,899.00; and

WHEREAS, the Director of Community and Economic Development and the City Administrator recommend that the highest bid be selected and that the property located at 908 Bradish Street (Property No. XAO-280-0019-02) be sold to Earl Stevens, 12840 Stephenson Road, Brooklyn, MI 49230, in the amount of \$23,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of property located at 908 Bradish Street (Property No. XAO-280-0019-02) to Earl Stevens, 12840 Stephenson Road, Brooklyn, MI 49230, in the amount of \$23,000.00.

BE IT, FURTHER, RESOLVED that, consistent with the bid specifications, negotiation and consummation of a land contract agreement is authorized.

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

R-6

SUBJECT: Sale of 217 Cross Street Purchasing Office
 TO: Dane C. Nelson City Administrator
 FROM: Cindy L Prue Assistant Finance Director

Bids for the sale of city-owned property at 217 Cross Street were received November 11, 2010. Two bids were received; however, the high bidder also submitted a bid for 718 E. Church St. and prefers to purchase that property. I, therefore, recommend that the bid for 217 Cross Street be awarded to Mark Anderson of Clayton, MI in the amount of \$5,750.00.



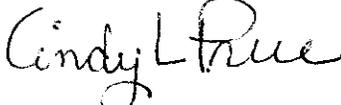
 Dane C. Nelson
 City Administrator

DCN:bjw

Sealed bids were received until 2:00 p.m. EST on Thursday, November 11, 2010, at the Purchasing Office, for the sale of the city owned house at 217 Cross Street. The following bids were received:

- | | |
|----------------------------------------------------------------|-------------|
| Walter Helsel
531 N. McKenzie St Apt. 1
Adrian, MI 49221 | \$ 8,756.00 |
| Mark Anderson
5000 Morey Hwy
Clayton MI 49235 | \$ 5,750.00 |

Mr. Helsel submitted a bid on two of the properties for sale, with the intent of only purchasing one property. He would prefer to purchase the East Church Street house. Therefore, I recommend the bid be awarded to Mr. Mark Anderson in the amount of \$5,750.00. There was a minimum bid of \$5,000.00 on this property.

Respectfully submitted,

 Cindy L Prue
 Assistant Finance Director

RE: DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT – Authorization to Sell Houses Acquired from U.S. Department of Housing and Urban Development – 217 Cross Street

RESOLUTION

WHEREAS, in a program designed to move foreclosed residential properties back into the private marketplace, the City has acquired five (5) houses from the U.S. Department of Housing and Urban Development for a nominal fee for resale to low and moderate income person(s), including the property located at 217 Cross Street (Property No. XAO-320-0032-00); and

WHEREAS, the City of Adrian marketed said property through advertisement to the general public and an Open House held on Sunday, October 17, 2010 from 1:00 pm to 3:00 p.m. and received sealed bids until 2:00 pm E.S.T. on November 11, 2010 at the City’s Purchasing Office, 135 E. Maumee Street, Adrian, MI 49221; and

WHEREAS, bid specifications for this single-family house included a minimum bid of \$5,000 and that the buyer shall:

- Repair or replace roof per Michigan Residential Code within thirty (30) days after closing;
- Repair work shall commence to bring house to Michigan Property Maintenance Code no later than six (6) months after closing;
- All repair work shall be complete and house habitable within 18 months after closing;
- Obtain all necessary permits from the City of Adrian Building Department; and

WHEREAS two (2) qualified bids were received, with the following results:

<u>Bidder</u>	<u>Amount</u>
Walter Helsel, Adrian, MI	\$8,756.00
Mark Anderson, Clayton, MI	\$5,750.00

WHEREAS, Mr. Helsel submitted a bid on two (2) of the properties for sale, with the intent of only purchasing one (1) of the properties, preferring the house located at 718 E. Church Street; and

WHEREAS the Director of Community and Economic Development and the City Administrator recommend that the next highest bid be selected and that the property located at 217 Cross Street (Property No. XAO-320-0032-00) be sold to Mark Anderson, 5000 Morey Hwy, Clayton, MI 49235, in the amount of \$5,750.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of property located at 217 Cross Street (Property No. XAO-320-0032-00) to Mark Anderson, 5000 Morey Hwy, Clayton, MI 49235, in the amount of \$5,750.00.

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

R-1

SUBJECT: Sale of 823 Frank Street Purchasing Office
TO: Dane C. Nelson City Administrator
FROM: Cindy L Prue Assistant Finance Director

Bids were received on November 19, 2010 for the sale of a city-owned house at 823 Frank Street. One bid was received from Nicholas and Tammy Sargent of Petersburg, MI in the amount of \$5,000.00. The Assistant Finance Director has recommended that the Sargent's bid be accepted and I concur.

I, therefore, urge your favorable consideration authorizing the sale of 823 Frank Street to Nicholas and Tammy Sargent in the amount of \$5,000.00.



Dane C. Nelson
City Administrator

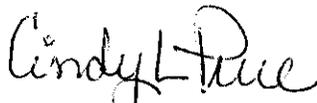
DCN:bjw

Sealed bids were received until 2:00 p.m. on Friday, November 19, 2010, at the Purchasing Office, for the sale of the city owned house at 823 Frank Street. The following bid was received:

Nicholas & Tammy Sargent	\$5,000.00
12601 Ida West Rd	
Petersburg, MI 49270	

I recommend the bid be awarded to the high bidder, Nicholas & Tammy Sargent. There was a minimum bid of \$5,000.00 on this property.

Respectfully submitted,


Cindy L Prue
Assistant Finance Director

RE: DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT—Authorization to Sell Houses Acquired from U.S. Department of Housing and Urban Development – 823 Frank Street

RESOLUTION

WHEREAS, in a program designed to move foreclosed residential properties back into the private marketplace, the City has acquired five (5) houses from the U.S. Department of Housing and Urban Development for a nominal fee for resale to low and moderate income person(s), including the property located at 823 Frank Street (Property No. XA0-515-0209-00; and

WHEREAS, the City of Adrian marketed said property through advertisement to the general public and an Open House held on Sunday, October 17, 2010 from 1:00 pm to 3:00 pm and received sealed bids until 2:00 pm E.S.T. on November 19, 2010 at the City’s Purchasing Office, 135 E. Maumee Street, Adrian, MI 49221; and

WHEREAS, bid specifications for this single-family house included a minimum bid of \$5,000 and that the buyer shall:

- Repair or replace roof per Michigan Residential Code within thirty (30) days after closing;
- Repair work shall commence to bring house to Michigan Property Maintenance code no later than six (6) months after closing;
- All repair work shall complete and house habitable within 18 months after closing;
- Obtain all necessary permits from the City of Adrian Building Department; and

WHEREAS one (1) qualified bid was received, with the following results:

<u>Bidder</u>	<u>Amount</u>
Nicholas & Tammy Sargent, Petersburg, MI	\$ 5,000.00; and

WHEREAS, the Director of Community and Economic Development and the City Administrator recommend that the high bid be selected and that the property located at 823 Frank Street (XA0-515-0209-00) be sold to Nicholas & Tammy Sargent, in the amount of \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of property located at 823 Frank Street (XA0-515-0209-00) to Nicholas & Tammy Sargent, in the amount of \$5,000.00.

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

R-8

MEMO



DATE: November 29, 2010
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Brush Collection Services

The current city policy for the operation of the compost site excluded the drop-off area for brush collection for the 2009-2010 budget year period. With the change of service provider effective January 1, 2011, the City Commission had also decided to once again offer the services of a brush drop-off collection at the city compost site, which is to be funded from revenue received from residential property owners in the City of Adrian. Since the Commission has decided to commence collection of these revenues effective July 1, 2011, there are no funds budgeted for the operation of the brush collection system until fees are collected from residents. As such, the attached resolution states that the brush collection services will once again be offered at the city compost site effective July 2, 2011, which is the first Saturday after fees will be charged to city residents for these services.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:bjw

R10-153

December 6, 2010

RE: ENGINEERING – Public Works Div. – Brush Drop-Off Services

RESOLUTION

WHEREAS, the City Commission has determined to commence charges for solid waste services on July 1, 2011; and

WHEREAS, the cost and operation for the collection of brush at the city compost site was not included in the 2009-10 City Budget; and

WHEREAS, the City Commission has determined to, once again, provide the services of a brush drop-off area at the city compost site to be funded with revenues to be charged to the city residential property owners, which charges will commence on July 1, 2011.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the services at the brush drop-off site at the city compost location will commence July 2, 2011, to be consistent with the existing city Compost Site Policy.

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



R-9

MEMO

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

DATE: December 1, 2010

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

FROM: Chris Atkin (on behalf of Kevin Smith)
Director of Community Development

SUBJECT: Siena Heights University Amended Project Plan

The Economic Development Corporation (EDC) is preparing to issue revenue bonds in an amount not to exceed \$15,700,000 on behalf of Siena Heights University to provide financing to the University for the construction of certain capital improvement projects on the campus of the University and on land located in the Township and leased by the University. Pursuant to the EDC Act, Act 338 of 1974, as amended ("Act 338"), the projects to be financed with proceeds from bonds issued by the EDC must be described in a project plan that has been approved by the governing body of each city, village or township in which all or a part of the project is located, and must obtain the approval of the governing body of the County that created the EDC.

An initial project plan was prepared in 2006, which described certain improvements to be made solely on the campus of the University located in the City. The County and the City approved the initial project plan in 2006. The projects that the University proposes to finance with the up to \$15,700,000 in proceeds of the EDC bonds, are to be constructed in part on certain land on the campus of the University that was already described in the initial project plan. A portion of the projects (the proposed baseball field), however, are to be constructed on certain land leased by the University and located in the Township, but the leasehold property was not previously described in the initial plan.

At the request of the University, an amended project plan was prepared that describes the new projects to be financed with the EDC bonds, and amends the description of the project area and project district area on which the projects are to be constructed to include the land located in the Township. As discussed above, it is necessary that the amended project plan be approved by the governing bodies of the City, the Township and the County before the EDC issues its bonds.

If anyone has any additional questions regarding the approval of the amended project plan, please do not hesitate to contact me.

Kevin A. Smith
Miller, Canfield, Paddock and Stone, P.L.C.
150 W. Jefferson, Suite 2500
Detroit, Michigan 48226
DID: (313) 496-7522
Fax: (313) 496-8451
smithk@millercanfield.com

Chris Atkin
Community Development Director

THE ECONOMIC DEVELOPMENT CORPORATION
OF THE COUNTY OF LENA WEE
(the "Corporation")

SIENA HEIGHTS UNIVERSITY
(the "Applicant")

FIRST AMENDED PROJECT PLAN*

Dated November 18, 2010

* This Project Plan was prepared pursuant to and in accordance with the Economic Development Corporations Act, P.A. 338 of Michigan Public Acts of 1974, as amended ("Act"); it compiles and organizes the requisite information according to the specifications of Section 8(4) of the Act.

For purposes of this First Amended Project Plan, the term "Project" as used herein shall mean collectively the projects of the University completed or to be completed for Phase I as described in Exhibit B-1, a portion of which were financed with the proceeds of the Series 1997 Bonds and Series 2006 Bonds issued by the Corporation, and the projects of the University to be completed for Phase II as described in Exhibit B-2, a portion of which will be financed with proceeds of the Series 2010 Bonds to be issued by the Corporation.

A. SECTION 8 (4) (a) Requires:

THE LOCATION AND EXTENT OF EXISTING STREETS AND OTHER PUBLIC FACILITIES WITHIN THE PROJECT DISTRICT AREA AND SHALL DESIGNATE THE LOCATION, CHARACTER, AND EXTENT OF THE CATEGORIES OF PUBLIC AND PRIVATE LAND USES THEN EXISTING AND PROPOSED FOR THE PROJECT AREA, INCLUDING RESIDENTIAL, RECREATIONAL, COMMERCIAL, INDUSTRIAL, EDUCATIONAL, AND OTHER USES AND SHALL INCLUDE A LEGAL DESCRIPTION OF THE PROJECT AREA.

1. Location and extent of existing streets and other public facilities within the Project District Area:

The Project is located on the campus of Siena Heights University (the "University" or "Applicant"), within an area bounded by Siena Heights Drive, Elm Street, Oakwood Avenue and Howell Highway in the City of Adrian, and on certain land adjacent to the University located in Adrian Charter Township. (See Exhibit A).

2. Designation of the location, character and extent of the categories of public and private land uses presently existing within the Project Area:

All of the land in the Project Area is either on or adjacent to the campus of the University, a private, non-profit educational institution located in Adrian, Michigan, and is being used or will be used when completed for private, non-profit educational purposes by the University.

3. Designation of the location, character and extent of the categories of public and private land uses proposed for the Project Area:

The land in the Project Area will be located on the campus of the University and on certain land adjacent to the University, and will be used for private, non-profit educational purposes by the University.

4. See Exhibit A for a legal description of the Project Area.

B. SECTION 8 (4) (b) Requires:

A DESCRIPTION OF EXISTING IMPROVEMENTS IN THE PROJECT AREA TO BE DEMOLISHED, REPAIRED OR ALTERED, A DESCRIPTION OF REPAIRS AND ALTERATIONS, AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION.

1. *Description of existing improvements in the Project Area:* See Exhibits A and B.

2. *Description of anticipated demolition, repairs and alterations of existing improvements in the Project Area:*

A closed Jehovah's Witness Hall, which had previously been purchased by the University was demolished in 2010 to allow construction of the University Athletic Complex and a new main entrance to the University (project #1 of Phase II). The University anticipates that it will grow in the coming years, and the projects planned for Phase II will help accommodate that growth and implement the vision set forth in the University's Campus Master Plan. The Project will improve the physical plant of the University and will enhance the University's mission of teaching and public service, as well as foster a vibrant student community. In support of this point, the Project Plan has a job creation component. The Project is described in Exhibits B-1 and B-2.

3. *Estimate of time required for completion of above:*

All projects are expected to be completed within five (5) years of the adoption of the First Amended Project Plan. Exhibit C sets forth the sequencing of projects and the estimated length of time for completion.

C. SECTION 8 (4) (c) Requires:

THE LOCATION, EXTENT, CHARACTER, AND ESTIMATED COST OF THE IMPROVEMENTS INCLUDING REHABILITATION CONTEMPLATED FOR THE PROJECT AREA AND AN ESTIMATE OF THE TIME REQUIRED FOR COMPLETION.

1. *Location of repairs, alterations and improvements:*

Repairs, alterations and improvements are for the main campus of the University located at 1247 East Siena Heights Drive and certain land adjacent to the University. Exhibits B-1 and B-2 describe the repairs and improvements by building and project.

2. *Description of, extent and character of repairs, alterations and improvements:* See Exhibits B-1 and B-2.

3. *Estimate of time required for completion:*
Please see Exhibit C.

4. *Estimated cost of improvements:*

	Phase I	Phase II
Land	\$ <u>0</u>	\$ <u>0</u>
Site improvements	<u>\$ 6,500,000</u>	<u>\$1,841,866</u>
Construction of building(s)	<u> </u>	<u>\$12,878,134</u>
Machinery and equipment	<u> </u>	<u>\$714,000</u>
Costs of issuance of bonds	<u>\$164,530</u>	<u>\$266,000</u>
Other costs (specify)		
Refinance 1997 Serial Bonds	<u>\$3,238,590</u>	
TOTAL	<u>\$9,903,120</u>	<u>\$15,700,000</u>
The cost of improvements in excess of the proceeds of the bonds to be issued by the Corporation will be paid by the Applicant.	<u>\$1,500,000</u>	<u>\$2,000,000</u>

D. SECTION 8 (4) (d) Requires:

A STATEMENT OF THE CONSTRUCTION OR STAGES OF CONSTRUCTION PLANNED, AND THE ESTIMATED TIME OF COMPLETION OF EACH STAGE.

Please see Exhibit C for the stages of construction planned and the estimated time of completion of each stage of the Project. All projects are expected to be completed by December 31, 2015.

E. SECTION 8 (4) (e) Requires:

A DESCRIPTION OF THE PARTS OF THE PROJECT AREA TO BE LEFT AS OPEN SPACE AND THE USE CONTEMPLATED FOR THE SPACE.

The University's Campus Master Plan includes open space within the Project Area.

F. SECTION 8 (4) (f) Requires:

A DESCRIPTION OF ANY PORTIONS OF THE PROJECT AREA WHICH THE CORPORATION DESIRES TO SELL, DONATE, EXCHANGE, OR LEASE TO OR FROM THE MUNICIPALITY AND THE PROPOSED TERMS.

The Corporation has entered into a Loan Agreement and may from time-to-time hereinafter enter into one or more additional loan agreements with the Applicant pursuant to which the Applicant agrees or shall agree to construct the Project and to repay the loan or loans at times and in amounts sufficient to pay the principal of and interest on the bonds to be issued by the Corporation to finance the Project. No interest in the Project will be conveyed to or from the Corporation or the County of Lenawee.

G. SECTION 8 (4) (g) Requires:

A DESCRIPTION OF DESIRED ZONING CHANGES AND CHANGES IN STREETS, STREET LEVELS, INTERSECTIONS AND UTILITIES.

1. *A description of desired zoning changes:*

None.

2. *A description of desired changes in streets, street levels, intersections and utilities:*

None.

H. SECTION 8 (4) (h) Requires:

A STATEMENT OF THE PROPOSED METHOD OF FINANCING THE PROJECT, INCLUDING, EXCEPT AS PROVIDED IN SECTION 6a OF THE ACT, A STATEMENT BY A PERSON DESCRIBED IN SECTION J OF THIS PROJECT PLAN INDICATING THE PAYMENT TO ALL PERSONS PERFORMING WORK ON THE CONSTRUCTION PROJECT OF THE PREVAILING WAGE AND FRINGE BENEFIT RATES FOR THE SAME OR SIMILAR WORK IN THE LOCALITY IN WHICH THE WORK IS TO BE PERFORMED, AND A STATEMENT OF THE

ABILITY OF THE CORPORATION TO ARRANGE THE FINANCING. (THE PREVAILING WAGE AND FRINGE BENEFIT RATES SHALL BE DETERMINED PURSUANT TO ACT NO. 166 OF THE PUBLIC ACTS OF 1965, AS AMENDED, BEING SECTIONS 408.551 TO 408.558 OF THE MICHIGAN COMPILED LAWS. A CORPORATION MAY CONCLUSIVELY RELY UPON THE STATEMENT REQUIRED UNDER THIS SUBSECTION AS TO COMPLIANCE WITH THE PAYMENT OF PREVAILING WAGE AND FRINGE BENEFIT RATES AND ANY CONTRACTS, BONDS OR NOTES OF ANY CORPORATION ENTERED INTO OR ISSUED UPON RELIANCE ON ANY SAID STATEMENT SHALL NOT BE SUBSEQUENTLY VOIDED BY REASON OF THE FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION.)

1. *Certification relating to prevailing wage and fringe benefit rates.*

See Exhibit D attached hereto.

2. *Statement of the ability of the Corporation to arrange the financing.*

See Exhibit E attached hereto for financing detail.

I. SECTION 8 (4) (i) Requires:

A LIST OF PERSONS WHO WILL MANAGE OR BE ASSOCIATED WITH THE MANAGEMENT OF THE PROJECT FOR A PERIOD OF NOT LESS THAN ONE (1) YEAR FROM THE DATE OF APPROVAL OF THE PROJECT PLAN.

Sister Peg Albert, OP, Ph.D., President
J. Lee Johnson, Ph.D., CPA, Senior Vice President and Treasurer
Brian S. Bertram, Director of Campus Facilities

J. SECTION 8 (4) (j) Requires:

DESIGNATION OF THE PERSON OR PERSONS, NATURAL OR CORPORATE, TO WHOM THE PROJECT IS TO BE LEASED, SOLD OR CONVEYED, AND FOR WHOSE BENEFIT THE PROJECT IS BEING UNDERTAKEN IF THAT INFORMATION IS AVAILABLE TO THE CORPORATION.

The Corporation will loan bond proceeds to the Applicant to finance the construction of the Project. The Project is being undertaken for the benefit of the Applicant.

K. SECTION 8 (4) (k) Requires:

IF THERE IS NOT AN EXPRESS OR IMPLIED AGREEMENT BETWEEN THE CORPORATION AND PERSONS, NATURAL OR CORPORATE, THAT THE PROJECT WILL BE LEASED, SOLD, OR CONVEYED TO THOSE PERSONS, THE PROCEDURES FOR BIDDING FOR THE LEASING, PURCHASING, OR CONVEYING OF THE PROJECT UPON ITS COMPLETION.

Not applicable.

L. SECTION 8 (4) (l) Requires:

ESTIMATES OF THE NUMBER OF PERSONS RESIDING IN THE PROJECT AREA AND THE NUMBER OF FAMILIES AND INDIVIDUALS TO BE DISPLACED. IF OCCUPIED RESIDENCES ARE DESIGNATED FOR ACQUISITION AND CLEARANCE BY THE CORPORATION, A PROJECT PLAN SHALL INCLUDE A SURVEY OF THE FAMILIES AND INDIVIDUALS TO BE DISPLACED, INCLUDING THEIR INCOME AND RACIAL COMPOSITION, A STATISTICAL DESCRIPTION OF THE HOUSING SUPPLY IN THE COMMUNITY, INCLUDING THE NUMBER OF PRIVATE AND PUBLIC UNITS IN EXISTENCE OR UNDER CONSTRUCTION, THE CONDITION OF THOSE IN EXISTENCE, THE NUMBER OF OWNER-OCCUPIED AND RENTER-OCCUPIED UNITS, THE ANNUAL RATE OF TURNOVER OF THE VARIOUS TYPES OF HOUSING AND THE RANGE OF RENTS AND SALE PRICES, AN ESTIMATE OF THE TOTAL DEMAND FOR HOUSING IN THE COMMUNITY, AND THE ESTIMATED CAPACITY OF PRIVATE AND PUBLIC HOUSING AVAILABLE TO DISPLACED FAMILIES AND INDIVIDUALS.

There are approximately 380 students living in residence halls in the Project area. None of these residents will be displaced as a result of the Project.

M. SECTION 8 (4) (m) Requires:

A PLAN FOR ESTABLISHING PRIORITY FOR THE RELOCATION OF PERSONS DISPLACED BY THE PROJECT IN NEW HOUSING IN THE PROJECT AREA.

Not applicable.

N. SECTION 8 (4) (n) Requires:

PROVISION FOR THE COSTS OF RELOCATING PERSONS DISPLACED BY THE PROJECT AND FINANCIAL ASSISTANCE AND REIMBURSEMENT OF EXPENSES, INCLUDING LITIGATION EXPENSES AND EXPENSES INCIDENT TO THE TRANSFER OF TITLE, IN ACCORDANCE WITH THE STANDARD AND

PROVISIONS OF THE FEDERAL UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970, 42 U.S.C. 4601 to 4655.

Not applicable.

O. SECTION 8 (4) (o) Requires:

A PLAN FOR COMPLIANCE WITH ACT NO. 227, OF THE PUBLIC ACTS OF 1972, BEING SECTIONS 213.321 TO 213.332 OF THE MICHIGAN COMPILED LAWS.

Not applicable.

P. SECTION 8 (4) (p) Requires:

OTHER MATERIAL AS THE CORPORATION, LOCAL PUBLIC AGENCY, OR GOVERNING BODY CONSIDERS PERTINENT.

1. At the time of the preparation of this Plan and its consideration by the Corporation, the Applicant does not intend to operate nor will it operate the Project in a manner which will have the effect of transferring employment of more than 20 full-time persons from a Michigan municipality to the County of Lenawee or the City of Adrian without having first obtained a resolution of consent to the loss of such employment from the governing body of each municipality from which employment is to be transferred. It is anticipated by the Applicant that the Project will: [check appropriate line]

- a. Retain _____ jobs
- b. Create 20+ jobs

2. The Applicant neither entered into binding commitments nor expended funds in connection with Phase I of the Project that were to be reimbursed to the Applicant with the proceeds of bonds issued by the Corporation prior to September 21, 2005, being the date of the adoption of the Corporation's Resolution of Inducement in connection with Phase I. The Applicant neither entered into binding commitments nor expended funds in connection with Phase II of the Project that were to be reimbursed to the Applicant with the proceeds of bonds to be issued by the Corporation more than sixty (60) days prior to November 18, 2010, being the date of the adoption of the Corporation's Resolution of Inducement.

3. The street address of the Project is:

1247 East Siena Heights Drive

4. The Project consists of the improvements described in Exhibits B-1 and B-2, C and D hereto.

I certify that the foregoing First Amended Project Plan is complete, accurate and contains no misstatements of fact.

Siena Heights University

By _____
J. Lee Johnson, Ph.D., CPA
Its Senior Vice President and Treasurer

Date: November 18, 2010

EXHIBIT A

A legal description of the Project Area, being the real property on which the Project is located:

The land situated in the City of Adrian, County of Lenawee, State of Michigan, and in Adrian Charter Township, County of Lenawee, State of Michigan, described as:

Description of Parcel "A" - 3.062 Acre Parcel (Campus Village Property)

Land situated in the City of Adrian, Lenawee County, Michigan, being a part of the Northwest 1/4 of Section 36, Town 6 South, Range 3 East, further described by Walter E. Frazier & Associates, Inc. Certified Boundary Survey (Job No. 0903027) as commencing at the West 1/4 corner of Section 36; thence South 86°02'58" East, 1148.42 feet (recorded as South 87°05'07" East, 1148.26 feet) along the East-West 1/4 line of Section 36 for a point of beginning; thence continuing along said line South 86°02'58" East, 195.18 feet (recorded as South 87°05'07" East, 195.09 feet); thence North 02°13'34" East, 43.97 feet (recorded as North 01°11'27" East, 33.01 feet); thence South 85°20'46" East, 79.92 feet (recorded as South 87°05'07" East, 80.04 feet); thence North 02°13'34" East, 272.00 feet (recorded as North 01°11'27" East, 281.86 feet); thence North 85°20'46" West, 79.92 feet (recorded as North 86°30'36" West, 79.89 feet); thence North 02°13'34" East, 178.19 feet (recorded as North 01°10'48" East, 178.41 feet); thence North 85°50'55" West, 268.48 feet (recorded as North 86°52'00" West, 268.39 feet) to the East line of Elm Street; thence South 01°38'56" West, 126.72 feet (recorded as South 00°35'45" West, 126.62 feet) along said street; thence South 87°55'39" East (recorded as South 87°53'34" East), 6.44 feet; thence South 02°22'44" West (recorded as South 01°21'03" West), 90.89 feet; thence South 86°03'14" East, 65.32 feet (recorded as South 87°05'11" East, 65.34 feet); thence South 02°07'40" West, 277.76 feet (recorded as South 01°08'02" West, 277.74 feet) to the point of beginning. Contains 3.062 Acres, more or less. Subject to highway, easements, and restrictions of record.

Description of Parcel "B" - 35.043 Acres (Main Campus North of Siena Heights Drive)

Land situated in the City of Adrian, Lenawee County, Michigan, being a part of the Northwest 1/4 of Section 36, Town 6 South, Range 3 East, further described by Walter E. Frazier & Associates, Inc. Certified Boundary Survey (Job No. 0903027) as commencing at the West 1/4 corner of Section 36; thence South 86°02'58" East, 1343.60 feet (recorded as South 87°05'07" East, 1343.35 feet) along the East-West 1/4 line of Section 36 for a point of beginning; thence North 02°13'34" East, 43.97 feet (recorded as North 01°11'27" East, 33.01 feet); thence South 85°20'46" East, 79.92 feet (recorded as South 87°05'07" East, 80.04 feet); thence North 02°13'34" East, 272.00 feet (recorded as North 01°11'27" East, 281.86 feet); thence North 85°20'46" West, 79.92 feet (recorded as North 86°30'36" West, 79.89 feet); thence North 02°13'34" East, 178.19 feet (recorded as North 01°10'48" East, 178.41 feet); thence North 85°50'55" West, 268.48 feet (recorded as North 86°52'00" West, 268.39 feet) to the East line of Elm Street; thence along the East line of Elm Street and its extension North 02°12'46" East, 397.00 feet to the centerline of Oakwood Road, thence North 53°44'44" East, 1169.66 feet (recorded as North 53°22'50" East, 1169.95 feet) along the centerline of Oakwood Road; thence South 02°49'48" West, 404.05 feet; thence South 87°26'31" East, 230.03 feet; thence South 04°31'16" West (recorded as South 04°29'36" West), 592.80 feet; thence South 49°29'25" East, 184.06 feet; thence South 81°40'57" East, 241.07 feet; thence South 49°53'37" East, 116.65 feet; thence South 02°37'00" West, 459.19 feet along a line 25 feet West of, and parallel to, the North-South 1/4 line of Section 36 to the East-West 1/4 line of Section 36; thence North 86°02'58" West, 1322.83 feet along the East-West 1/4 line of Section 36 to the point of beginning. Contains 35.043 Acres, more or less. Subject to highway, easements, and restrictions of record.

Description of Parcel "C" - 4.565 Acres (Softball Field Property)

Land situated in the City of Adrian, Lenawee County, Michigan, being a part of the Southwest 1/4 of Section 36, Town 6 South, Range 3 East, further described by Walter E. Frazier & Associates, Inc. Certified Boundary Survey (Job No. 0903027) as commencing at the West 1/4 corner of Section 36; thence South 86°02'58" East, 1675.50 feet along the East-West 1/4 line of Section 36 for a point of beginning; thence continuing along said line South 86°02'58" East, 336.60 feet; thence South 03°13'17" West, 532.48 feet; thence North 86°04'34" West, 437.31 feet to the East line of Addison Street; thence North 03°15'47" East, 228.89 feet along said street line; thence South 86°29'58" East, 131.62 feet (recorded as 132.00 feet); thence North 03°24'29" East, 112.37 feet; thence North 85°36'02" West, 31.95 feet (recorded as 32.00 feet); thence North 03°22'22" East, 190.12 feet to the point of beginning. Contains 4.565 Acres, more or less. Subject to highway, easements, and restrictions of record.

Description of Parcel "D" - 8.076 Acres (Fieldhouse Property)

Land situated in the City of Adrian, Lenawee County, Michigan, being a part of the Southwest 1/4 of Section 36, Town 6 South, Range 3 East, further described by Walter E. Frazier & Associates, Inc. Certified Boundary Survey (Job No. 0903027) as commencing at the West 1/4 corner of Section 36; thence South 86°02'58" East, 2092.09 feet along the East-West 1/4 line of Section 36 for a point of beginning; thence continuing South 86°02'58" East, 582.84 feet along said 1/4 line to a point distant 16.50 feet from the Center of Section 36; thence South 02°36'26" West, 660.06 feet (recorded as South 01°34'10" West, 660.00 feet); thence North 86°05'46" West, 313.36 feet (recorded as North 87°04'00" West, 313.5 feet); thence North 02°32'23" East, 127.90 feet; thence North 86°04'34" West, 274.99 feet (recorded as 274.3 feet); thence North 03°13'06" East, 532.44 feet (recorded as 534.7 feet) to the point of beginning. Contains 8.076 Acres, more or less. Subject to highway, easements, and restrictions of record.

Description of Ground Lease Parcel "E" - 1.969 Acres (St. Joseph Academy [Nursing Building])

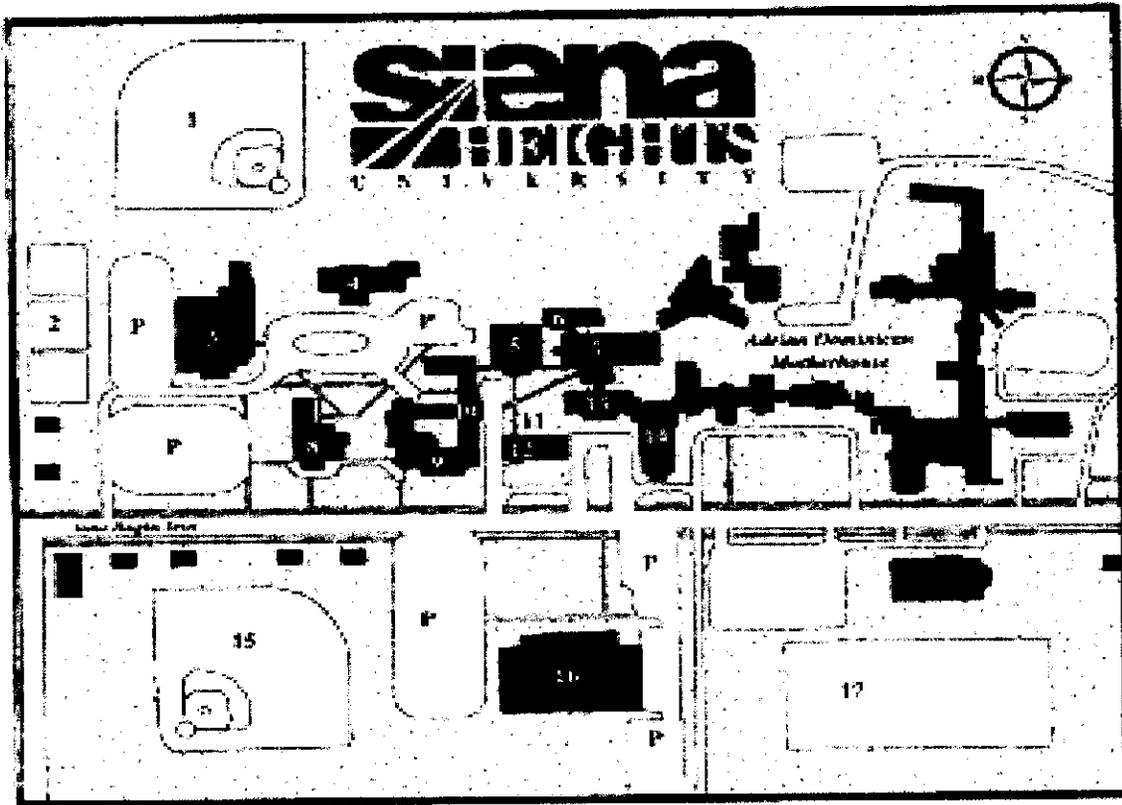
Land situated in the Adrian Township, Lenawee County, Michigan, being a part of the Southeast 1/4 of Section 36, Town 6 South, Range 3 East, further described by Walter E. Frazier & Associates, Inc. Certified Boundary Survey (Job No. 0903027) as commencing at the West 1/4 corner of Section 36; thence South 86°02'58" East, 2691.43 feet (recorded as South 88°22'17" East, 2674.65 feet) along the East-West 1/4 line of Section 36 to the Center of Section 36; thence South 87°42'40" East, 388.50 feet (recorded as East, 405.00 feet) along the North line of the Southeast 1/4 of Section 36 for a point of beginning; thence continuing along said 1/4 line South 87°42'40" East (recorded as East), 250.00 feet; thence South 02°17'20" West (recorded as South), 343.00 feet; thence North 87°42'40" West (recorded as West), 250.00 feet; thence North 02°17'20" East (recorded as North), 343.00 feet to the point of beginning. Contains 1.969 Acres, more or less. Subject to highway, easements, and restrictions of record.

Description of Ground Lease Parcel "F" - 24.181 Acres (Baseball Stadium/[practice] Soccer Field)

Land situated in Adrian Township, Lenawee County, Michigan, being a part of the Southeast 1/4 of Section 36, Town 6 South, Range 3 East, further described as commencing at the Center of Section 36; thence South 02°35'48" West, 343.00 feet along the North-South ¼ line for a point of beginning; thence continuing South 02°35'48" West, 968.12 feet along said the North-South ¼ line; thence South 86°14'58" East, 99.00 feet; thence South 02°35'48" West, 35.96 feet; thence South 86°14'58" East, 864.18 feet; thence North 02°34'49" East, 1196.19 feet; thence North 87°41'02" West, 185.00 feet; thence North 02°34'49" East, 175.00 feet to the centerline of Siena Heights Drive; thence North 87°41'02" West, 139.11 feet along said centerline; thence South 02°18'58" West, 343.00 feet; thence North 87°41'02" West, 640.18 feet to the point of beginning. Contains 24.181 Acres, more or less or 1053338 square feet. Subject to highway, easements, and restrictions of record.

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Location, character and extent of existing streets, public facilities and improvements:



ADRIAN, MICHIGAN CAMPUS

- | | |
|----------------------------------------------|--------------------------------|
| 1. Baseball Field | 9. Ledwidge Hall |
| 2. Thomas A. Emmet St.
Tennis Courts | 10. Archangelus Hall |
| 3. Verheyden Performing
Arts Center (PAC) | 11. Trinity Gardens |
| 4. Studio Angelico | 12. Sage Union |
| 5. Benneasa Dining Hall | 13. Sacred Heart Hall |
| 6. Siena Heights Library | 14. Lumen Chapel |
| 7. Science Building | 15. Christensen Softball Field |
| 8. Dominican Hall | 16. Fieldhouse |
| | 17. Zollar Soccer Field |
| | P = Parking Lot |

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Location, character and extent of Phase II Projects:

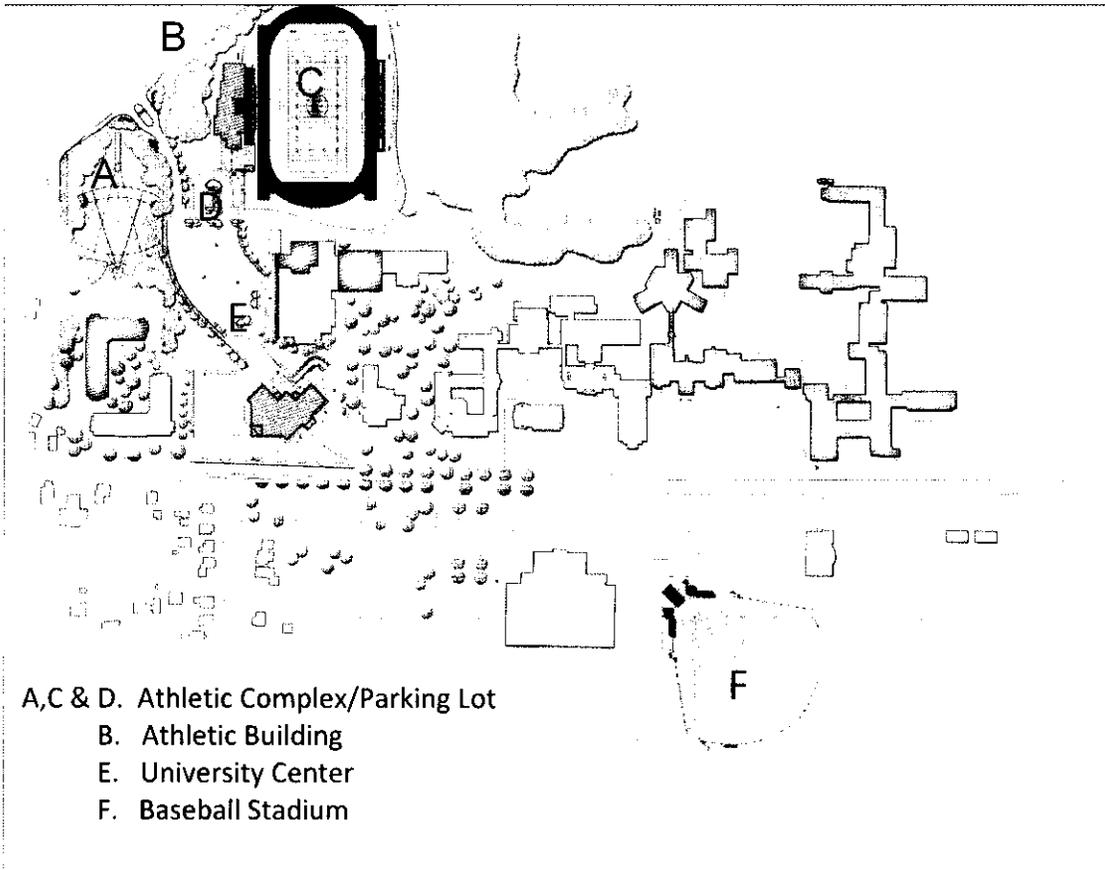


EXHIBIT B
DESCRIPTION OF, EXTENT AND CHARACTER OF
REPAIRS, ALTERATIONS AND IMPROVEMENTS FOR PROJECT

PHASE I

<u>Location</u>	<u>Description</u>	<u>Amount</u>	<u>Additional Comments</u>
Dominican Hall	1247 E. Siena Heights Dr.-north side	\$100,000	Complete tear off & membrane roof
Library	1247 E. Siena Heights Dr.-north side	218,500	Complete tear off & membrane roof
Residence Halls	1247 E. Siena Heights Dr.-north side	950,000	Reconfigure tile to asphalt
Sacred Heart	1247 E. Siena Heights Dr.-north side	800,000	Reconfigure & remove skylights and
Lumen Chapel	1247 E. Siena Heights Dr.-north side	60,000	Reconfigure to asphalt
Studio Angelico	1247 E. Siena Heights Dr.-north side	500,000	
Campus	1247 E. Siena Heights Dr.-north side	1,000,000	Heating System (Central Plant)
Lumen Chapel	1247 E. Siena Heights Dr.-north side	20,000	HVAC
Performing Arts BAC	1247 E. Siena Heights Dr.-north side	100,000	HVAC
Benincasa Hall	1247 E. Siena Heights Dr.-north side	325,000	HVAC
Science Building	1247 E. Siena Heights Dr.-north side	100,000	Renovate lecture hall
Resident Halls	1247 E. Siena Heights Dr.-north side	1,000,000	Renovation
Resident Halls	1247 E. Siena Heights Dr.-north side	250,000	Electrical upgrade- smoke alarms
Residence Halls	1247 E. Siena Heights Dr.-north side	295,000	Upgrade Elevator
Sacred Heart Hall	1247 E. Siena Heights Dr.-north side	210,000	Upgrade Elevator
Drive/Lots	1247 E. Siena Heights Dr.-north side	30,000	Rice Drive
Drive/Lots	1247 E. Siena Heights Dr.-north side	20,000	Dominican Lot
Drive/Lots	1247 E. Siena Heights Dr.-north side	21,500	PAC Drive & Lot
Drive/Lots	1247 E. Siena Heights Dr.-north side	28,750	SHH Circle Drive
Benincasa	1247 E. Siena Heights Dr.-north side	10,000	Replace front doors
Sacred Heart	1247 E. Siena Heights Dr.-north side	57,500	Court Yard/Drainage Repairs
Grounds	1247 E. Siena Heights Dr.-north side	3,750	Flag Pole
Grounds	1247 E. Siena Heights Dr.-north side	100,000	Baseball Drainage/Prep Bldg.
Benincasa Hall	1247 E. Siena Heights Dr.-north side	50,000	Handicap Ramp
Sage Union	1247 E. Siena Heights Dr.-north side	250,000	Demolition
Total		\$6,500,000	Complete tear down & environmental

PHASE II

<u>Location</u>	<u>Description</u>	<u>Estimated Financed Amt</u>	<u>Project Amount</u>	<u>Additional Comments</u>
Athletic Complex	1247 E. Siena Heights Dr.-northeast side	\$2,600,000	\$4,400,000	Partial funding from Capital Campaign
University Center	1247 E. Siena Heights Dr.-north side	8,000,000	8,000,000	Partial funding from Capital Campaign
Athletic Building	1247 E. Siena Heights Dr.-northeast side	3,600,000	3,600,000	
Baseball Stadium	Adjacent to 1247 E. Siena Heights Dr. -- east of field house	1,400,000	1,400,000	
Total		<u>\$15,600,000</u>	<u>\$17,400,000</u>	

EXHIBIT C

ESTIMATED TIME OF COMPLETION AND SCHEDULE

PHASE I

<u>Location</u>	<u>Description</u>	<u>Additional Comments</u>	<u>Estimated Completion Date</u>
Dominican Hall	1247 E. Siena Heights Dr.-north side	Roof & flashing	Sept. 2006
Library	1247 E. Siena Heights Dr.-north side	Roof & flashing	Aug. 2006
Residence Halls	1247 E. Siena Heights Dr.-north side	Roof & flashing	Oct. 2006
Sacred Heart	1247 E. Siena Heights Dr.-north side	Roof & flashing	Oct. 2006
Lumen Chapel	1247 E. Siena Heights Dr.-north side	Roof & flashing	Sept. 2006
Studio Angelico	1247 E. Siena Heights Dr.-north side	Ventilation	Sept. 2006
Campus	1247 E. Siena Heights Dr.-north side	Heating System (Central Plant)	May 2008
Lumen Chapel	1247 E. Siena Heights Dr.-north side	HVAC	Mar. 2008
Performing Arts BAC	1247 E. Siena Heights Dr.-north side	HVAC	Oct. 2006
Benincasa Hall	1247 E. Siena Heights Dr.-north side	HVAC	Sept. 2006
Science Building	1247 E. Siena Heights Dr.-north side	Renovate lecture hall	Sept. 2007
Resident Halls	1247 E. Siena Heights Dr.-north side	Renovation	May 2008
Resident Halls	1247 E. Siena Heights Dr.-north side	Electrical upgrade- smoke alarms	Sept. 2006
Residence Halls	1247 E. Siena Heights Dr.-north side	Upgrade Elevator	Mar. 2007
Sacred Heart Hall	1247 E. Siena Heights Dr.-north side	Upgrade Elevator	Mar. 2007
Drive/Lots	1247 E. Siena Heights Dr.-north side	Rice Drive	Jun. 2007
Drive/Lots	1247 E. Siena Heights Dr.-north side	Dominican Lot	Jun. 2007
Drive/Lots	1247 E. Siena Heights Dr.-north side	PAC Drive & Lot	Jun. 2007
Drive/Lots	1247 E. Siena Heights Dr.-north side	SHH Circle Drive	Jun. 2007
Benincasa	1247 E. Siena Heights Dr.-north side	Replace front doors	Sept. 2006
Sacred Heart	1247 E. Siena Heights Dr.-north side	Court Yard/Drainage Repairs	Sept. 2007
Grounds	1247 E. Siena Heights Dr.-north side	Flag Pole	Aug. 2007
Grounds	1247 E. Siena Heights Dr.-north side	Baseball Drainage/Prep Bldg.	Aug. 2007
Benincasa Hall	1247 E. Siena Heights Dr.-north side	Handicap Ramp	Sept. 2006
Sage Union	1247 E. Siena Heights Dr.-north side	Demolition	Oct. 2007
		Complete tear down & environmental	

PHASE II

<u>Location</u>	<u>Description</u>	<u>Additional Comments</u>	<u>Estimated Completion Date</u>
Athletic Complex	New construction	Partial funded from Capital Campaign	Aug. 2011
University Center	New construction	Partial funded from Capital Campaign	Dec. 2012
Athletic Building	New construction		Dec. 2012
Baseball Stadium	New construction		Dec. 2011

1247 E. Siena Heights Dr-northeast
1247 E. Siena Heights Dr.-north side
1247 E. Siena Heights Dr-northeast
Adjacent to 1247 E. Siena Heights Dr.
- east of field house

EXHIBIT D

CERTIFICATE AS TO PAYMENT OF ALL PERSONS
PERFORMING WORK ON THE CONSTRUCTION PROJECT
OF THE PREVAILING WAGE AND FRINGE BENEFIT RATES

The undersigned, being one of the persons who will manage or be associated with the management of the Project for a period of not less than one (1) year from the date of approval of the Project Plan by the Corporation, does hereby represent, warrant and certify on behalf of the Applicant, as follows:

1. All persons performing work on the construction of the Project have been or will be paid at the prevailing wage and fringe benefit rates for the same or similar work in the locality in which said work is being performed.
2. The foregoing representation, warranty and certification is based upon: [Check appropriate line.]
 - a. Comparison of the wage and fringe benefit rates paid or to be paid for construction work on the Project and most recently published data of the Michigan Department of Labor;
 - b. Inclusion of a provision in the construction contract between the Applicant and the general contractor(s) for the Project requiring said general contractor(s) and all subcontractors, if any, engaged in construction on the Project to pay persons performing work on the construction of the Project at not less than the prevailing wage and fringe benefit rates for the same or similar work on the locality in which such work is being performed as determined pursuant to the provisions of Act 166, Public Acts of Michigan, 1965, as amended.

This certificate is given on behalf of the Applicant in full recognition that the Corporation shall rely hereupon in connection with the Corporation's adoption of the Project Plan.

SIENA HEIGHTS UNIVERSITY, Applicant

By _____

Its _____

EXHIBIT E

Phase I

1. Issuer: The Economic Development Corporation of the County of Lenawee (the "Corporation").
2. Applicant (for the benefit of whom/which the bonds are issued): Siena Heights University.
3. Total principal amount of the bonds issued with respect to Phase I of the Project:

The Corporation issued its Variable Rate Demand Revenue and Revenue Refunding Bonds, Series 2006 (Siena Heights University Project) dated May 10, 2006 ("Series 2006 Bonds") in the aggregate principal amount of \$8,050,000 to finance a portion of the costs to acquire, construct, install and equip Phase I of the Project and to refund and defease the portion of the Corporation's Limited Obligation Revenue Bonds (Siena Heights College Project), Series 1997 then outstanding (the "Series 1997 Bonds"). The Series 1997 Bonds were fully redeemed on November 15, 2007. The Corporation subsequently issued its \$8,700,000 aggregate principal amount Variable Rate Demand Revenue Refunding Bonds, Series 2009, dated April 28, 2009 (the "Series 2009 Bonds") for the purpose of providing funds necessary to refund and defease the Series 2006 Bonds, and the payment of termination charges in connection with the termination of a prior swap agreement related to the Series 2006 Bonds. The Series 2006 Bonds were fully redeemed on May 1, 2009.

4. Interest rate(s): The Series 2009 Bonds were issued as variable rate demand bonds, and initially in a Floating Rate Mode as defined and described in the Trust Indenture dated as of April 1, 2009 (the "Bond Indenture") between the Corporation and the Bank of New York Mellon Trust Company, N.A., as Bond Trustee. Thereafter and subject to the conditions set forth in the Bond Indenture, each Series 2009 Bond may operate at any time in one of four modes: a Floating Rate Mode, an Adjustable Rate Mode, a Bank Placement Mode or a Fixed Rate Mode, all as defined and more fully described in the Bond Indenture. Generally, the modes have different operating features. Additional information regarding subsequent Modes, interest rates and conversion dates is set forth in the Bond Indenture, which is available for review at the Corporation's office. For the period ending May 1, 2019, the Applicant entered into an interest rate swap to synthetically fix the rate on the Series 2009 Bonds at a rate of 2.307%.
5. Maturity schedule: The Series 2009 Bonds were structured with a single term bond maturing May 1, 2029. The term bond has mandatory redemption requirements due on May 1 of each year, which commenced May 1, 2010, as follows:

<u>Year</u>	<u>Mandatory Redemption Amount*</u>
2010	\$120,000
2011	160,000
2012	375,000
2013	370,000

2014	385,000
2015	400,000
2016	415,000
2017	435,000
2018	460,000
2019	475,000
2020	495,000
2021	520,000
2022	545,000
2023	565,000
2024	590,000
2025	620,000
2026	390,000
2027	410,000
2028	450,000
2029	520,000

Series 2009 Bonds in a Floating Rate Mode are subject to optional tender for purchase as described in the Bond Indenture. Series 2009 Bonds in a Floating Rate Mode, a Bank Placement Mode or an Adjustable Rate Mode are subject to mandatory tender for purchase under certain circumstances described in the Bond Indenture.

6. Purchase price of bonds (expressed as percentage of principal of amount of the bonds): 100%.
7. Purchaser(s) or Underwriter: Stern Brothers & Co.
8. Method of Sale: Public offering through the underwriter.
9. Additional security: The Series 2009 Bonds are secured by an irrevocable direct-pay Letter of Credit issued in favor of the Bond Trustee by First American Bank, together with an irrevocable Confirming Letter of Credit of the Federal Home Loan Bank of Chicago (together, the "Initial Credit Facility"). The stated termination date of the Initial Credit Facility is April 29, 2014.

Phase II

1. Issuer: The Economic Development Corporation of the County of Lenawee.
2. Applicant (for the benefit of whom/which the bonds are issued): Siena Heights University.
3. Total principal amount of the bonds to be issued with respect to the Project: Not to exceed \$ 15.7 Million.

4. Interest rate(s): The Bonds will be issued as floating rate bonds, with the interest rate to be initially established at 70% of (1 month Libor + 3%). The Bank (as defined below) will require put options every 5 or 7 years during the life of the bonds.
5. Maturity schedule: The Bank (as defined below) will require monthly optional redemptions for each individual project of Phase II once it has been fully funded. Projects 1 and 2 of Phase II will each be amortized upon funding to provide substantially level debt service payments over a 10-year period, and projects 3 and 4 of Phase II will each be amortized beginning 1 year after funding to provide substantially level debt service payments over a 20-year period. Interest shall be payable monthly.
6. Purchase price of bonds (expressed as percentage of principal of amount of the bonds): 100%.
7. Purchaser(s) or Underwriter: First American Bank (the "Bank").
8. Method of Sale: Bank qualified bonds direct purchase by Bank.
9. Additional security: The obligation related to the bonds will be secured through a supplemental indenture under the Master Trust Indenture by and between the University and The Bank of New York Mellon Trust Company, N.A. dated as of April 1, 2009.

18,526,813.5051877-00050

City of Adrian
County of Lenawee
State of Michigan

**RESOLUTION APPROVING FIRST AMENDED
PROJECT PLAN AS SUBMITTED BY THE
ECONOMIC DEVELOPMENT CORPORATION
OF THE COUNTY OF LENAWEE
(SIENA HEIGHTS UNIVERSITY PROJECT)**

Minutes of a regular meeting of the City Council of the City of Adrian, County of Lenawee, State of Michigan (the "City"), held on December 6, 2010, at 7:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____:

WHEREAS, there exists in the City the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the County of Lenawee (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), and the Internal Revenue Code of 1986, as amended (the "Code"), prepared a project plan (the "Original Project Plan"), which was previously approved by the County of Lenawee (the "County") and the City in accordance with Act No. 338, providing all information and requirements necessary for projects to be undertaken for the benefit of Siena Heights University, a Michigan nonprofit corporation (the "University"), including the financing of the acquisition, construction, equipping and installation of improvements to certain University facilities; and

WHEREAS, the University has requested that the Original Project Plan be amended to provide for the acquisition, construction and equipping of a new athletic complex including an athletic field, a new university student center, and a new athletic building, all on the campus of the University, and a new baseball stadium for the University on certain land adjacent to the campus of the University located in the Charter Township of Adrian, County of Lenawee, Michigan (the "Projects") that were not previously described in the Original Project Plan as previously approved (as amended, the "First Amended Project Plan"); and

WHEREAS, the First Amended Project Plan proposes to amend the description of the "project area" that will be acquired in the implementation of the Projects or that will be the permanent site of machinery, furnishings, or equipment constituting all or part of the

Projects and the "project district area," which includes the project area and the surrounding territory that will be significantly affected by the Projects, to include certain land located in the Charter Township of Adrian, which was not previously described in the Original Project Plan; and

WHEREAS, in conformity with Act No. 338, the First Amended Project Plan has been submitted to this legislative body for approval.

NOW, THEREFORE, BE IT RESOLVED:

1. The First Amended Project Plan as submitted and approved by the Corporation, a form of which is attached hereto as Exhibit A, is hereby approved.
2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

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

R-10

MEMO



DATE: November 30, 2010
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Purchase of Folder/Inserter Machine

The Neopost folder/inserter machine used by the Utilities Department and several other departments is beyond repair and in need of replacement. This is a heavily used piece of equipment, logging over 700,000 units during the past seven years. Despite attempts to contact other providers of this equipment, Neopost is the only vendor that submitted a quote. We have done business with Neopost for the past 20 years and have been very pleased with their equipment & service.

The City Charter allows the bid process to be waived when it is determined that no advantage to the City would result in obtaining additional quotes. I, therefore, urge your favorable consideration authorizing the purchase of a new folder/inserter from Neopost at a cost of \$14,810.00, which includes the first year service contract.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:bjw



MEMORANDUM – UTILITIES DEPARTMENT

DATE: November 30, 2010

TO: Dane C. Nelson, City Administrator

FROM: Shane A. Horn, Utilities Director 

SUBJECT: Neopost Folder Inserter Machine

Our existing machine that is used to fold and insert our monthly utility bills into envelopes has been out of service for the past month. The existing machine is seven years old and has approached its useful life. We have logged over 700,000 units through this machine over the past seven years. We have utilized the services of Neopost Inc. of Southfield, MI for over 20 years as our provider of this equipment. Attached is a quote to replace our existing machine for a total cost of \$14,810.00. This price includes the first year service contract. Neopost Inc. recently brought out a demo unit and provided on-site training with our staff. They brought out their demo unit a second time and ran a cycle of bills as well as an insert. They would continue to take care of us until a potential new machine arrives. I have attempted to discuss our needs with another supplier but they have been unwilling to bring a demo unit out and have not followed through with a proposal for their equipment. I had budgeted for the replacement of this machine in last year's capital budget. Due to budget constraints and also because the machine was running satisfactorily, I removed this expense from the current fiscal year capital budget.

Funds are available in the large meter replacement account in the water fund capital budget (496-531.00-977.502) for this expense. I respectfully recommend that that we proceed with this emergency replacement and waive the bidding process. We have had a long relationship with Neopost Inc. and are familiar with their equipment. They also provide exceptional service and have always been very responsive to our service requests.

cc: Jeff Pardee, Finance Director
Nancy Dart, Office Manager



Purchase Agreement

Document #:

Date:

11/19/2010

P.O. Required: Yes No

P.O. #:

Equipment Address

Contact: Shane Horn
 Company: City of Adrian
 Address: 135 E. Maumee
 City: Adrian State: MI Zip: 49221
 Phone: (517) 263-2161
 Email:

Invoice Address

Contact: SAME
 Company:
 Address:
 City: State: Zip:
 Phone:
 Tax Exempt: Yes Tax Exempt Certificate Attached Yes No

Meter Funding & Licensing

Connect to Existing Reset Account Depositor Number:

Post Office Name:

State:

Zip:

Item	Description	Qty	Unit Price	Extended Price	Annual Services
DS758704301D	DS 75 3 station Expert	1	\$13,265	\$13,265	1545
DS752895562K	High Capacity Vertical Stacker				
Shipping:				\$13,265	1,545
Totals:					

Your Suite of Business Services

- Premier Plus Maintenance
- Premier Maintenance
- Standard Maintenance
- Custom Maintenance (for eligible accounts)
- Postage Meter Rental with Postage-On-Call
- neoFunds Postal Management (automatically included for eligible meters)
- Online Advantage
- Online Rate Protection
- Online Postal Expense Management
- Online USPS eServices
- Online USPS eServices with Electronic Return Receipt
- Online Custom Service 1
- Online Custom Service 2
- Rate Change Protection/eRCP Contract
- Software Advantage (for electronic shipping and accounting applications)
- Professional Installation & Training

Your Acknowledgement

This document consists of an Equipment Purchase Agreement ("Purchase Agreement"), Postage Meter Rental Agreement, Maintenance Agreement, and an Online Services and Software Agreement with Neopost USA Inc. It also contains a neoFunds Account Agreement with Mailroom Finance, Inc. Your signature constitutes an offer to enter into the Purchase Agreement and, if applicable, the other agreements, and acknowledges that you have received, read, and agree to all applicable terms and conditions (version P-10.09), which are also available at <http://www.neopostinc.com/terms/Purchase-10-09.pdf>, and that you are authorized to sign the agreements on behalf of the customer identified above. The applicable agreements will become binding on the companies identified above only after an authorized individual accepts your offer by signing below, or when the equipment is shipped to you.

Customer Signature

Date

Print Name & Title

Account Rep: _____

Location: _____

Visit us on the Web at www.neopostinc.com

Neopost USA Form 001-1009 Sale

For Neopost Use Only:

RE: UTILITIES DEPARTMENT –Administration – Neopost Folder/Inserter Machine

RESOLUTION

WHEREAS, the Utilities Department utilizes a folder/inserter machine to fold and insert over 6,000 monthly utility bills into envelopes, as well as making the machine available to other departments for use to process assessing statements, tax bills, storm water utility bills, special assessments and other mailers; and

WHEREAS, having logged over 700,000 items over the past seven years, the existing machine is experiencing increased maintenance and is currently out of service and in need of replacement; and

WHEREAS, a quote was solicited and obtained from Neopost, Inc., Southfield, MI amounting to \$14,810.00, including the first year service contract; and

WHEREAS, although another supplier was approached, they have not responded and the City has satisfactorily been provided with similar equipment from the present vendor for over 20 years; and

WHEREAS, the Finance Director indicates that, due to economies achieved in the acquisition of water meters, there are sufficient funds available for this purpose in the Water Capital Project Fund (496-531.00-977.502); and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution to waive the bid process for the acquisition of a replacement folder/inserter machine from Neopost, Inc., Southfield, MI for an amount not to exceed \$14,810.00.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acquisition of a replacement folder/inserter machine in the Utilities Department from Neopost, Inc., Southfield, MI for an amount not to exceed \$14,810.00

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 _____ by a _____ vote.

R-11

R10-156

December 6, 2010

RE: BUILDING/INSPECTION DEPTS. – Establish Fees for Starting Work Without a Permit & Electrical & Plumbing Inspections of Fairs, Carnivals & Circuses

RESOLUTION

WHEREAS, the City of Adrian Code of Ordinances Section 10-33 provides that fees for building, electrical, mechanical and plumbing codes for appeals and other services shall be established by resolution; and

WHEREAS, the City recently adopted the fee schedule set by the State of Michigan for all applications, permits, inspections and plan examinations; and

WHEREAS, said fee schedule does not include fees for starting work without a permit or for electrical or plumbing inspections for fairs, carnivals and circuses; and

WHEREAS, the City Attorney and City Administrator recommend authorizing those fees pursuant to Section 10-33; and

NOW THEREFORE, BE IT RESOLVED, that

1. The fee for starting work without a permit is set at \$100.00; and
2. The fee for electrical inspections of fairs, carnivals and circuses is set at \$200.00; and
3. The fee for plumbing inspections of fairs, carnivals and circuses is set at \$100.00.

On motion of Commissioner _____, supported by Commissioner _____, the above Resolution was _____ by a _____ vote.

R-12

MEMO



DATE: December 2, 2010
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Printing Parks & Recreation Brochures

Bids were received November 30, 2010, for printing the Parks & Recreation program brochures. Three bids were received, with Print Comm of Flint, MI being the lowest bidder at \$9,675. However, when applying the Local Preference Policy, Spectrum Printers of Tecumseh, MI would be the lowest Lenawee County bidder at a cost of \$9,697.00. This bid includes three seasonal brochures.

Funds have been budgeted in the Parks & Recreation Operating Budget for this expense. I urge your favorable consideration to retain Spectrum Printers of Tecumseh, MI, for printing the Parks and Recreation program brochures at a cost of \$9,697.00.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:bjw

R-12

Memo

To: Dane C. Nelson, City Administrator
From: Mark K. Gasche, Parks & Recreation Director
Date: 12/2/2010
Re: Bid recommendation – Parks and Recreation Brochure Printing

Sealed bids were opened at 2:00 PM EST on Tuesday, November 30, 2010, for the printing of the Parks and Recreation Program Brochure. Eleven vendors were invited to bid with 4 responses; the bid tabulation is attached. We received three very competitive bids, so in order to compare them, we calculated the prices we received from each bidder for the number of pages and the quantity of brochures printed based on the actual numbers we printed in 2010 and the anticipated numbers for 2011. The annual prices for the three lowest bidders are listed below.

<u>Company</u>	<u>2010 Actual Numbers</u>	<u>2011 Projected Numbers</u>
Print Comm Flint, MI	\$8,495	\$9,675
Spectrum Printers Tecumseh, MI	\$8,973	\$9,697
Hamblin Co. Tecumseh, MI	\$9,164	\$10,041

Print Comm is the low bidder in both cases however when the Local Bidder Preference Policy is applied for businesses within Lenawee County, which is 2.5% for purchases between \$5,000 - \$9,999, then Spectrum Printers of Tecumseh would fall within that range.

Therefore, on the basis of being low bidder meeting specifications when the Local Bidder Preference Policy is applied, it is the staff recommendation that the bid be awarded to Spectrum Printers of Tecumseh, Michigan. The bid covers up to three seasonal brochures during 2011 for an annual amount of \$9,697.00.

The funds for these purchases are budgeted in the Recreation operating account.

CITY OF ADRIAN, MICHIGAN
 RECREATION BROCHURE
 DUE DATE: NOV. 30, 2010

	Spectrum Printers Tecumseh MI	PrintComm Flint MI	Hamblin Co Tecumseh Mi	Muzzall Graphics Haslett MI
16 pages 7,500 copies	\$2,598.00	\$ 2,558.00	\$ 2,582.00	\$ 3,699.00
16 pages 8,000 copies	\$ 2,673.00	\$ 2,653.00	\$ 2,669.00	\$ 3,873.00
16 pages 9,000 copies	\$ 2,822.00	\$ 2,828.00	\$ 2,841.00	\$ 4,242.00
20 pages 7,500 copies	\$ 3,418.00	\$ 3,406.00	\$ 3,573.00	\$ 4,513.00
20 pages 8,000 copies	\$ 3,512.00	\$ 3,511.00	\$ 3,686.00	\$ 4,724.00
20 pages 9,000 copies	\$ 3,702.00	\$ 3,734.00	\$ 3,913.00	\$ 5,157.00
Over/under charge	None	None	None	
Hrly Prep Work	\$ 50.00	\$ 75.00	\$ 55.00	\$ 60.00
Delivery within 10 working days?	Yes	Yes	Yes	Yes

R10-157

December 6, 2010

RE: DEPARTMENT OF PARKS & RECREATION – Annual Program Brochure Printing

RESOLUTION

WHEREAS, the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Tuesday, November 30, 2010 for printing of the Parks & Recreation Annual Program Brochure; and

WHEREAS, eleven (11) vendors were invited to bid and four (4) responded, including three (3) that were competitive, with the following results:

<u>Company</u>	<u>2010 Actual Numbers</u>	<u>2011 Projected Numbers</u>
Print Com Flint, MI	\$8,495	\$9,675
Spectrum Printers Tecumseh, MI	\$8,973	\$9,697
Hamblin Co. Tecumseh, MI	\$9,164	\$10,041

WHEREAS, Print Comm is the low bidder in both cases; however, when the Local Bidder Preference Policy is applied for businesses within Lenawee County, which is 2.5% for purchases between \$5,000 - \$9,999, then Spectrum Printers of Tecumseh would fall within that range; and

WHEREAS, the bid covers up to three seasonal brochures during 2011 for an annual amount of \$9,697.00; and

WHEREAS, on the basis of being the low bidder meeting specifications when the Local Bidder Preference Policy is applied, the Parks & Recreation Director and City Administrator recommend that the bid be awarded to Spectrum Printers of Tecumseh, Michigan for printing of the Parks & Recreation Annual Program Brochure at an estimated annual cost (depending on volume purchased) of \$9,697.00; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2010-11 Parks & Recreation Operating Budget for this purpose in the appropriate sub-accounts for the individual activities.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby accepts the low bid (when the Local Bidder Preference Policy is applied) from Spectrum Printers of Tecumseh, Michigan for printing of the Parks & Recreation Annual Program Brochure at an estimated annual cost (depending on volume purchased) of \$9,697.00

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



MISCELLANEOUS

M-1

TO: DANE C NELSON, CITY ADMINISTRATOR
FROM: MARCIA M. BOHANNON, TRANSPORTATION COORDINATOR

ADRIAN D.A.R.T. PASSENGER RIDERSHIP REPORT FOR OCTOBER 2010

WEEK END:	OCT 1	OCT 8	OCT 15	OCT 22	OCT 29	TOTAL
MONDAY	0	303	272	252	251	1078
TUESDAY	0	285	270	260	234	1049
WEDNESDAY	0	275	275	251	274	1075
THURSDAY	0	303	282	238	294	1117
FRIDAY	289	314	270	262	268	1403
		1480	1369	1263	1321	5722

SERVICE DAYS	OCT 2010	OCT 2009	+/-	SEP 2010
	(21)	(22)		(21)
SENIORS	737	691	46	703
HDCP SENIORS	806	1012	-206	839
HANDICAPPED	2564	2858	-294	2624
WHEELCHAIRS **	384	423	-39	482
GENERAL	1615	1879	-264	1593
	5722	6440	-718	5759

RIDERSHIP INFORMATION INCLUDES NIGHT SERVICE.

NOVEMBER	2008	6050	2009	5594	-8%
DECEMBER	2008	6734	2009	6419	-5%
JANUARY	2009	7368	2010	6532	-11%
FEBRUARY	2009	7417	2010	6267	-16%
MARCH	2009	7540	2010	7288	-3%
APRIL	2009	6915	2010	6388	-8%
MAY	2009	6119	2010	5598	-9%
JUNE	2009	6453	2010	5639	-13%
JULY	2009	6098	2010	5747	-6%
AUGUST	2009	5711	2010	5986	5%
SEPTEMBER	2009	5788	2010	5759	-1%
OCTOBER	2009	6440	2010	5722	-11%
		78633		72939	-7%

** WHEELCHAIR TOTALS ARE INCLUDED IN HANDICAPPED PASSENGER TOTALS