

PRE-MEETING AGENDA

ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
DECEMBER 7, 2009

The City Commission will meet for a pre-meeting study session on Monday, December 7, 2009 at 5:30 p.m. 2nd floor Conference Room at the former City Hall, 100 E. Church Street, to discuss the following:

- I. Closed Session to Discuss Real Estate Acquisition
- II. Other Items as Time Permits

COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
DECEMBER 7, 2009
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 16, 2009 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. PRESENTATION
 - 1. Gary Owen of Robertson, Eaton and Owen, P.C. will present the FY 2008-09 Comprehensive Annual Financial Report
- VI. COMMUNICATIONS
 - 1. C-1. Communication from Comcast on changes to their channel lineup.
- VII. CONSENT AGENDA
 - A. RESOLUTIONS
 - 1. CR09-058. Resolution setting a Public Hearing date to hear and consider comments to a Special Assessment District to cover the portion of the expenses incurred for the maintenance and enforcement of the downtown parking lots.
 - 2. CR09-059. Resolution to change the 2nd meeting in January to Tuesday, January 19, 2010, in observance of Martin Luther King Jr. Day.
 - 3. CR09-060. Resolution to approve waiving the late penalty fee on city property taxes for senior citizens, totally and permanently disabled individuals and certain others as provided by Public Act 166 of 1977.
 - 4. CR09-061. Resolution to approve the purchase of a police vehicle and the trade-in of a patrol vehicle.
 - 5. CR09-062. Resolution to award bid for maintenance and removal of street and park trees.
- VIII. PUBLIC COMMENTS

I X. REGULAR AGENDA

A. RESOLUTIONS

1. R09-194. Resolution to approve the Comprehensive Annual Financial Report; designations to General Fund Unassigned Fund Balance, and year-end encumbrances and carry-forwards.
2. R09-195. Resolution to accept a Justice Assistance Grant from the US Department of Justice for the purchase of computer and security equipment for the Police Department.
3. R09-196. Authorization to pay off all General Obligation Debts, except Series A, B and C of the bond issue for the downtown government complex.
4. R09-197. Resolution authorizing the fuel surcharge to outside users be increased from \$.05/gal to \$.07/gal, and that the appropriate budget amendments be made.
5. R09-198. Resolution to approve a one-year contract between the City of Adrian and Quick Service Transportation, Inc. to provide Dial-A-Ride services.
6. R09-199. Resolution to approve an agreement with MDOT for the issuance of permits to allow for routine maintenance the City performs in MDOT right-of-ways and authorizing Dane Nelson, Kristin Bauer and Shane Horn to apply for said permits.
7. R09-200. Resolution authorizing the use of drug forfeiture funds to purchase wheel load scales for enforcement of the Motor Vehicle Code truck weight regulations.

X. PUBLIC COMMENTS

X I. COMMISSION COMMENTS

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MINUTES

**MINUTES
ADRIAN CITY COMMISSION
NOVEMBER 16, 2009
7:00 P.M.**

Official proceedings of the November 16, 2009 regular meeting of the City Commission, Adrian, Michigan.

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

PRESENT: Mayor McDowell, Commissioners Osborne, Miller, Clegg, DuMars, Carrico and Warren

Mayor McDowell in the Chair.

Commissioner DuMars moved to approve the minutes of the November 2, 2009 regular meeting of the Adrian City Commission, seconded by Commissioner Clegg, motion carried by a unanimous vote.

Commissioner Miller moved to approve the minutes of the November 9, 2009 special meeting of the Adrian City Commission, seconded by Commissioner DuMars, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher #3148 through #3155	\$ 125,515.39
General Fund Vouchers #19546 through #19560	\$ 290,486.71
Clearing Account Vouchers amounting to	<u>\$ 942,682.80</u>
TOTAL EXPENDITURES	<u>\$1,358,684.90</u>

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

PROCLAMATION

1. Proclamation presented to Kate Condon in recognition of Homeless Awareness Month.

COMMUNICATION

1. C-1. State Revenue Sharing Update – Administrator Nelson explained the August-October payments of revenue sharing from the State.

PUBLIC COMMENTS

There were none.

REGULAR AGENDA

SPECIAL ORDER

1. Public hearing to hear and consider comments to the confirmation of the Special Assessment Roll for SAD #377 – Summit St. from Division to Winter Streets.

RESOLUTIONS

RESOLUTION R09-183

RE: ENGINEERING DEPT. – Confirm Special Assessment Roll for SAD #377 – Summit St. from Division to Winter Streets

WHEREAS, the City Assessor has reported the Special Assessment Roll for SAD #377 to the City Commission for improvements on Summit Street from Division to Winter Streets, together with the certificate relating thereto; and

WHEREAS, 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 said Roll and considering any objections thereto; and

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

NOW, THEREFORE, BE IT RESOLVED that the special assessment project cost for SAD #377 in the amount of \$215,653.28 for improvements on Summit St. from Division to Winter Streets is hereby confirmed; and be it

FURTHER, RESOLVED that the Special Assessment Roll in the amount of \$41,294.93 for improvements on Summit Street from Division to Winter Streets, said project being known and designated as SAD #377, be and the same is hereby confirmed.

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

RESOLUTION R09-184

RE: CITY COMMISSION – Election of Mayor Pro-Tem

WHEREAS, Section 4.4 of the City Charter provides for the election of Mayor Pro-Tem at the first meeting following each regular city election; and

WHEREAS, a written ballot has been taken and Commissioner Greg DuMars has received a majority of the votes cast.

NOW, THEREFORE, BE IT RESOLVED that Commissioner Greg DuMars is hereby recognized as Mayor Pro-Tem for the City of Adrian until the next regular City election.

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

RESOLUTION R09-185

RE: CITY COMMISSION – Election of Acting Mayor

WHEREAS, the City Commission has, in the past, found it necessary to establish the position of Acting Mayor; and

WHEREAS, a written ballot has been taken and Commissioner Michael Clegg has received a majority of the votes cast.

NOW, THEREFORE, BE IT RESOLVED, that Commissioner Michael Clegg is hereby recognized as the Acting Mayor for the City of Adrian until the next regular City election.

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

RESOLUTION R09-186

RE: ADRIAN PUBLIC LIBRARY – Acceptance of Gift Donation from Albert Swindle Jr. to the Adrian Public Library

WHEREAS, Albert Swindle Jr., passed away August 28, 2009 with his estate designating a donation of \$5,000 to the Adrian Public Library for the purchase of books; and

WHEREAS, although the specified use of this generous donation was generally identified as book purchases, the Library Director, after consulting with Jewel Swindle, indicates more specifically that these funds will be used to purchase materials for the small business area and recreational reading; and

WHEREAS, in accordance with the Gift and Donation Policy adopted by the City Commission (Resolution #R04-182, dated November 1, 2004); gift donations with a value of \$9,999 or less may be formally accepted by the City Commission and appropriate budget amendments approved to provide proper stewardship; and

WHEREAS, the funds have been invested in the Swindle Trust Account in the Endowment Trust Fund (701-000.00-295.000), with the remaining funds, along with investment earnings, to be allocated in future budgets; and

WHEREAS the Library Director and City Administrator recommend approval of this resolution accepting the Albert Swindle Jr. gift donation, with the remaining funds, along with investment earnings, to be allocated in future budgets.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the Albert Swindle Jr. gift donation in the amount of \$5,000 (which has no match requirement), with the remaining funds, along with investment earnings, to be allocated in future budgets.

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

RESOLUTION R09-187

RE: REVOCATION OF OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE NUMBER 3-08-0001 FOR ADRIAN RENAISSANCE, LLC. FOR THE PROPERTY LOCATED AT 101-105 & 109-111 EAST MAUMEE STREET, CITY OF ADRIAN, LENAWEE COUNTY, MICHIGAN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE OBSOLETE PROPERTY REHABILITATION ACT, PUBLIC ACT 146 OF 2000

WHEREAS, the Adrian Downtown Development Authority and Adrian City Commission has adopted the Blueprint for downtown Adrian in an effort to revitalize and re-energize downtown Adrian; and

WHEREAS, the aforementioned action plan consists of a variety of recommendations aimed at assisting in the economic redevelopment of downtown Adrian; and

WHEREAS, the aforementioned plan identifies a need to encourage private investment in the downtown, both in new developments, as well as the retention, restoration and reuse of historic and/or architecturally significant buildings; and

WHEREAS, the Adrian Downtown Development Authority seeks to work in partnership with private property owners to realize this goal; and

WHEREAS, the State of Michigan has established the Obsolete Property Rehabilitation Act (OPRA), Public Act 146 of 2000; and

WHEREAS, Public Act 146 of 2000 was developed to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units to provide for the exemption from certain taxes, to levy and collect a specific tax upon the owners of certain facilities, to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates, to prescribe powers and duties of certain local government officials and to provide penalties; and

WHEREAS, the City of Adrian, Lenawee County, Michigan is a qualified local governmental unit under Public Act 146 of 2000; and

WHEREAS, Public Act 146 of 2000 requires the qualified local governmental unit to establish an Obsolete Property Rehabilitation District; and

WHEREAS, the Adrian City Commission, through resolution R06-148 dated October 16, 2006, created an Obsolete Property Rehabilitation District encompassing the entire Downtown Development District; and

WHEREAS, the Adrian City Commission, through resolution R07-217 dated December 17, 2007, granted an Obsolete Property Rehabilitation Exemption Certificate to Adrian Renaissance, LLC for a period of twelve (12) years for rehabilitation work that was proposed on their property at 101-105 East Maumee Street within the City of Adrian Downtown Development District; and

WHEREAS, the Adrian City Commission, through resolution R07-218 dated December 17, 2007, granted an Obsolete Property Rehabilitation Exemption Certificate to Adrian Renaissance, LLC. for a period of twelve (12) years for rehabilitation work that was proposed on their property at 109-111 East Maumee Street within the City of Adrian Downtown Development District; and

WHEREAS, the State of Michigan State Tax Commission issued an Obsolete Property Rehabilitation Exemption Certificate, Certificate Number 3-08-0001, dated February 04, 2008 to Adrian Renaissance, LLC. for property located at 101-105 and 109-111 East Maumee Street for a period of twelve (12) years beginning December 31, 2008 and ending December 30, 2020 for real property investment in the amount of \$9,000,000 and freezing the taxable value of the real property related to aforementioned certificate at \$176,627; and

WHEREAS, Adrian Renaissance, LLC. has failed to commence any real property improvements for property located at 101-105 and 109-111 East Maumee Street; and

WHEREAS, Adrian Renaissance, LLC. has failed to meet any of the expected project likelihood for property located at 101-105 and 109-111 East Maumee Street; and

WHEREAS, Adrian Renaissance, LLC. has entered tax delinquency for property located at 101-105 and 109-111 East Maumee Street; and

WHEREAS, the legislative body of the qualified local governmental unit may, by resolution, revoke the Obsolete Property Rehabilitation Exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body in the exemption certificate, or a duly authorized extension of that time, **or that the holder of the Obsolete Property Exemption Certificate has not proceeded in good faith with the operation of the rehabilitated facility** in a manner consistent with the purposes of this Act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by resolution, hereby revokes the Obsolete Property Rehabilitation Exemption Certificate granted on December 17, 2007 to Adrian Renaissance, LLC. for property at 101-105 East Maumee Street with legal description: BEG SW COR LOT 28 ORIGINAL PLAT TH ELY 65.32 FT TH NLY 84.35 FT TH WLY 65.03 FT TH SLY 84.35 FT TO POB EX SLY 6 FT; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Adrian City Commission, by resolution, hereby revokes the Obsolete Property Rehabilitation Exemption Certificate granted on December 17, 2007 to Adrian Renaissance, LLC. for property at 109-111 East Maumee Street with legal description: E 9.62 FT OF S 63 FT LOT 28 & W 11.6 FT OF S 73 FT LOT 29 ALSO BEG 11.63 FT E OF SW COR SD LOT TH N 127.33 FT TH E 7.35 FT TH N 20.17 FT TH E .5 FT TH N 1 FT TH E 7.27 FT TH S 148.6 FT TH W 15.12 FT TO POB ORIGINAL PLAT.

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

RESOLUTION R09-188

**RE: MEMORANDUM OF UNDERSTANDING – Transfer of Jurisdiction
between the City of Adrian and MDOT for Portions of M-52**

WHEREAS, the two-way street conversion project in downtown Adrian includes the transfer of jurisdiction for portions of M-52 between the City of Adrian and the Michigan Department of Transportation (MDOT); and

WHEREAS, this transfer requires execution of a Memorandum of Understanding to be executed between the parties, a copy of said Memorandum of Understanding being attached hereto and made a part hereof.

NOW, THEREFORE, IT IS HEREBY RESOLVED that Dane C. Nelson, City Administrator, is hereby authorized to execute the attached Memorandum of Understanding on behalf of the City of Adrian; and be it

FURTHER, RESOLVED that the Adrian City Commission does hereby indicate its support for the intent of the contract, being the transfer of jurisdiction of portions of M-52 as set forth in the agreement.

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

RESOLUTION R09-189

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

WHEREAS, a project authorization has been proposed, which grants \$4,000 for services for an Energy Audit; and be it

RESOLVED, that the City Commission of the City of Adrian does hereby approve Agreement 2007-0156, Authorization #Z7 in the amount of \$4,000 from the FY 2009 Section 5311 Capital/American Recovery and Reinvestment Act; and be it

FURTHER, RESOLVED that the services and funds from the project authorization be granted to the Adrian Dial-A-Ride in accordance with the terms of the project authorization; and

HEREBY, authorizes the Mayor, Gary E. McDowell, and City Clerk, Pat Baker, to execute the project authorization #Z7 for and on behalf of the City of Adrian.

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

RESOLUTION R09-190

RE: OAKWOOD CEMETERY – Riding Mower and Attachments

WHEREAS, sealed bids were received October 27, 2009 for the purchase of a front-mount mower and attachments for Oakwood Cemetery; and

WHEREAS, said bids have been tabulated and recommendations made by Mark Gasche, Parks & Recreation Director, and the City Administrator; and

WHEREAS, the Parks and Recreation Director has indicated that there are insufficient funds in the Cemetery Capital Equipment account (101-691.00-977.000) in the amount of \$1,465.62 and has asked that he be authorized to use funds from the Cemetery Capital Improvement account (101-691.00-975.000) to cover this shortage; and

WHEREAS, the Assistant Finance Director has indicated that there are sufficient funds in both of the aforementioned accounts to cover this expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the bid for a riding mower and attachments be awarded to Buck & Knobby of Ottawa Lake, MI in the amount of \$15,165.62, less trade-in of two mowers in the amount of \$2,200.00, for a total of \$12,965.62, and be it

FURTHER, RESOLVED that a budget amendment be made in the amount of \$1,465.62 from the Cemetery Capital Improvement account (101-691.00-975.000) to cover the additional expense.

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

Commissioner Osborne questioned the need for the enclosed cab and also what would be scaled back in the Capital Improvement account to pay for it. Mark Gasche, Parks & Recreation Director, stated that the cab was necessary as the mower would also be used for snow removal in the winter. Sealcoating in the Capital Improvements account would be reduced by the \$1,465 to pay for the cab.

RESOLUTION R09-191

RE: PARKS & RECREATION – Addition to Piotter Center

WHEREAS, representatives of the Adrian Senior Center have requested that improvements be made to the Piotter Center kitchen area to provide more space in the cooler/freezer area; and

WHEREAS, the design of a 15' x 18' addition has been completed for this purpose, which is acceptable to representatives of the Adrian Senior Center; and

WHEREAS, the Department on Aging has obtained a grant from the American Recovery and Reinvestment Act (ARRA) in the amount of \$27,013.00 to be applied to this project and that the remaining funds necessary are available from the Thelma Swigert Estate account, which was received by the City of Adrian for senior center projects.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the bid of ACP of Lenawee of Clayton, MI is hereby accepted to construct a 15' x 18' addition to the Piotter Center as set forth in the bid specifications; and be it

FURTHER, RESOLVED that payment for said addition shall be made from a \$27,013.00 grant to the Department on Aging with the remaining \$47,930.00 to be applied from the Thelma Swigert Estate account; and be it

FURTHER, RESOLVED that an additional sum of \$5,000 is hereby authorized to be expended from the Thelma Swigert Estate account to complete the project which would include concrete planters and shelving units for the freezer/cooler area in the kitchen of the Piotter Center.

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

Commissioner Clegg was concerned about using so much from the Swigert Estate account and also felt that the Department on Aging should provide more financial support as the City is looking at difficult financial times. There was considerable discussion between Commission members and Tom MacNaughton, Director of the Department on Aging.

RESOLUTION R09-192

RE: POLICE DEPT. – Traffic Control Order on Kimole Lane

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

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

TCO 09-4 – “No Parking” sign, 23 feet south of the “No Parking in Drive” sign on the east curb line of Kimole Lane adjacent to 770 Riverside.

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

RESOLUTION R09-193

RE: PARKS & RECREATION – Purchase of New Vehicle and Sale of 2001 Pontiac Montana Mini-Van

WHEREAS, sealed bids were received for the purchase of a new or used SUV for use by the Recreation division in order to replace a 2001 Pontiac mini-van; and

WHEREAS, during the bid process it was determined that a replacement mini-van would better suit the needs of the department, which are primarily to transport several participants to recreational activities as well as having available cargo space; and

WHEREAS, prices were obtained from Adrian Dodge for a Dodge Caravan, as Dodge is the only American manufacturer of mini-vans; and

WHEREAS, the Parks and Recreation Director believes that a 3.8 liter engine would better suit the needs of his department to effectively transport numerous participants to activities.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the original bids for the purchase of a SUV are hereby rejected; that the sale of the 2001 Pontiac Montana is hereby approved to Michael Donahue in the amount of \$4,510.00; and that the bid process be waived and the bid price accepted from Adrian Dodge for the purchase of a 2010 Dodge Caravan SXT with a 3.8 liter V-6 engine in the amount of \$23,178.00; and be it

FURTHER, RESOLVED that payment shall be made from the Recreation Capital Account, as well as \$668.00 from the Recreation Capital Improvement Account.

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

AYES: Mayor McDowell, Commissioners Warren, Miller, Carrico, Clegg and DuMars

NAYS: Commissioner Osborne

ABSTAINED: None

Commissioner Osborne questioned the need to replace a vehicle that is only 8 years old with relatively low mileage and no maintenance issues. Mark Gasche, Parks & Recreation Director, explained the many things the vehicle is used for and that the idea was to replace it before it began having maintenance issues.

MISCELLANEOUS

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

PUBLIC COMMENTS

1. Harold Frederick, 1340 Oregon Rd., questioned the purchase of a new van (Resolution R09-193) when there is nothing wrong with the current van.
2. Kathy LeBlanc, 201 E. Maumee St., would like to talk to Commissioners about her ideas to offset some of the deficits that the City is experiencing.
3. Duane Doyle, 604 Tabor St., suggested moving the fence at the Water Plant to the south side of the pond to create a smaller area that would need to be secured and would then allow fishing on Lake Adrian.

COMMISSION COMMENTS

1. Mayor McDowell thanked Dusty Steele for his wonderful service as Commissioner and also welcomed Commissioners Warren and Carrico.

The next regular meeting of the Adrian City Commission will be held on Monday, December 7, 2009, at 7:00 p.m. in the Commission Chambers on the 2nd floor of Adrian City Hall, 100 E. Church St., Adrian, MI 49221.

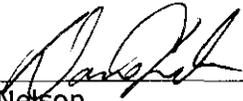
Gary E. McDowell
Mayor

Pat Baker
City Clerk

CHECK
REGISTER

December 7, 2009

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 #3156 through #3163..... \$ 155,623.45

General Fund

Vouchers #19561 through #19590 \$ 699,918.07

Clearing Account Vouchers

amounting to..... \$5,409,707.11

TOTAL EXPENDITURES \$6,265,248.63

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

December 7, 2009

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<u>Receiving</u>			
3156	City of Adrian: Payroll	Payroll for Nov 13	\$ 50,659.90
3157	City of Adrian: Clearing Acct	Nov 16 Check Register	\$ 81,604.12
3158	City of Adrian: Utilities	Various Water Bills	\$ 194.28
3159	Citizens Gas Fuel Co	Various Heat Bills	\$ 1,533.67
3160	Consumers Energy	Various Electric Bills	\$ 38,030.46
3161	City of Adrian: Payroll	Payroll for Nov 20	\$ 15,375.46
3162	Verizon North	Water Plant Phone	\$ 42.23
3163	City of Adrian: Payroll	Payroll for Nov 25	\$ 49,787.45
Total			\$ 237,227.57
Less: CK# 3157			\$ 81,604.12
TOTAL			\$ 155,623.45

WW = \$ 114,070.19

WAT= \$ 123,157.38

7-Dec-09

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
19561	\$ 17.00	Len County Register of Deeds	Record non payment of Opra
19562	\$ 211,592.21	City of Adrian: Payroll	Payroll for Nov 13
19563	\$ 14,390.55	First Federal Bank	Soc Security for Nov 13
19564		City of Adrian: Utilities	Transfer State MI Funds
19565	\$ 109.28	Verizon North	Police, DPW, Heritage Phone
19566		***VOID***	
19567		***VOID***	
19568	\$ 306.00	State of Michigan	Bond Closing Fees
19569	\$ 702.10	Lenawee Fuels Inc	Cemetery Gasoline
19570	\$ 50.00	William Greene	Recreation Refund
19571		City of Adrian: Utilities	Transfer State MI Funds
19572	\$ 833,091.82	City of Adrian: Clearing Acct	Nov 16 Check Register
19573	\$ 2,679.18	City of Adrian: Utilities	Various Water Bills
19574	\$ 4,120.51	Quick Service Transportation	Payroll W/E Nov 14
19575	\$ 30,442.59	Consumers Energy	Various Electric Bills
19576	\$ 1,365.30	Citizens Gas Fuel Co	Various Heat Bills
19577	\$ 11,127.38	City of Adrian: Payroll	Payroll for Nov 20
19578	\$ 2,310.11	First Federal Bank	Soc Security for Nov 20
19579	\$ 156.21	Verizon North	Police,Fire,Rec,Heritage Phone
19580		City of Adrian: Utilities	Transfer State MI Funds
19581	\$ 118,202.70	Blue Cross Blue Shield of MI	Dec Hospitalization Ins
19582	\$ 352.35	Verizon North	Various Phone Bills
19583	\$ 196.95	City of Adrian: Water Dept	Correct Receipts
19584	\$ 4,565.00	Quick Service Transportation	Payroll W/E Nov 21
19585	\$ 251,763.05	City of Adrian: Payroll	Payroll for Nov 25
19586	\$ 14,672.32	First Federal Bank	Soc Security for Nov 25
19587	\$ 25,755.03	Lenawee Fuels Inc	DPW Gas & Diesel Fuel
19588	\$ 433.17	Consumers Energy	Heritage Park Electric
19589	\$ 239.88	Verizon North	Police Phone Bills
19590	\$ 4,369.20	Quick Service Transportation	Payroll W/E Nov 28

\$ 1,533,009.89

\$ (833,091.82) Less: CK# 19572

\$ 699,918.07

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. AARP	43.00		
2. ABBEY CARPET OF ADRIAN INC	1,551.89		
3. CITY OF ADRIAN	166.17		
4. ADRIAN COMMUNICATIONS	164.00		
5. ADRIAN ENVIRONMENTAL LLC	600.00		
6. ADRIAN MECHANICAL SERVICES C	412.00		
7. ADRIAN PUBLIC SCHOOLS	42,878.16		
8. ADRIAN-TECUMSEH FENCE CO	40.00		
9. AIRGAS GREAT LAKES	282.81		
10. ALL METALS INC.	88.20		
11. ALLOWAY	330.00		
12. AMAZON CREDIT PLAN	622.76		
13. AMERICAN LIBRARY ASSOC	45.00		
14. AMERICAN OFFICE SOLUTIONS	100.30		
15. AMERICAN WATER WORKS ASSN	1,615.00		
16. ANTIQUES AND REFINISHING	320.00		
17. ARCH WIRELESS	31.52		
18. ARMINTROUT'S NURSERY	2,288.00		
19. ASSOCIATED ENGINEERS	3,400.00		
20. AUTO ZONE COMMERCIAL	38.28		
21. BADER & SONS CO	318.50		
22. BAKER & TAYLOR BOOKS	416.64		
23. BELL EQUIPMENT CO	1,831.33		
24. BELSON ASPHALT PAVING INC	18,785.23		
25. BRUCE & JOAN BENEDICT TRUST	111,872.42		
26. BEST AIRE LLC	2,088.27		
27. BLACK SWAMP EQUIPMENT	260.00		
28. BLISSFIELD PARTS CO INC	21.56		
29. BOOK OF THE MONTH CLUB	80.00		
30. BRAKES-N-MORE	243.33		
31. BRONNER'S CHRISTMAS WONDERLA	305.00		
32. BUCK & KNOBBY EQUIP CO INC	259.82		
33. CARRUTH, HAYDEN	12.51		
34. CATES, WILLIAM	25.66		
35. CHAMBERS CONTROL COMPANY	480.00		
36. CHEMSEARCH	168.17		
37. CITIZENS GAS FUEL CO	1,500.00		
38. CLARKE	461.30		
39. CMP DISTRIBUTORS, INC.	100.50		
40. COBRA PRODUCTS INC	187.00		
41. COMFORT ENTERPRISES INC.	592.41		
42. COMPLI CHEK	1,414.00		
43. COMPUTER CARE COMPANY, INC.	239.85		
44. CONTINENTAL SERVICE	1,676.61		
45. CORE TECHNOLOGY CORP.	630.00		
46. CROSS LAKE CONSTRUCTION	3,220.20		
47. CTI & ASSOCIATES, INC.	3,177.00		
48. CUSTOM TRUCK REPAIR, L.L.C.	331.20		
49. D&P COMMUNICATIONS, INC.	16,401.00		
50. DAN'S FARM SUPPLY INC	119.46		
51. DOAN CONSTRUCTION CO	235.50		
52. DTC COMMUNICATIONS INC	260.21		
53. EAST JORDAN IRON WORKS INC	40.80		
54. EASTERN MI UNIVERSITY	500.00		
55. STEVE EBERLE	400.00		
56. SHIRLEY EHNIS	10.92		
57. EXECUTONE COMMUNICATIONS LLC	3,488.36		
58. EXTERIOR SYSTEMS INC	779.63		
59. FASTENAL COMPANY	528.53		
60. FEDERAL EXPRESS	130.48		
61. FIRST FEDERAL BANK	2,379,861.92		
62. FISHER SCIENTIFIC COMPANY LL	455.01		
63. GALE	158.39		
64. GALLANT & SON	40.47		
65. HERBERT GARDNER	54.82		
66. GE SECURITY	632.26		
67. GENERAL CHEMICAL CORP	5,580.38		
68. GENPOWER PRODUCTS INC.	4,256.00		
69. GENTNER MATERIALS	1,432.69		
70. GENTNER TRUCKING CO	1,977.07		
71. GOVERNMENTAL BUSINESS SYSTEM	2,533.50		
72. GRAINGER INC.	878.76		
73. GRAINGER PARTS OPERATIONS	238.77		
74. GRAPHICS UNLIMITED	379.25		
75. GRATZ, KEVIN	25.85		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. T. L. HART INC	7,455.00		
77. HASSELBRING CLARK CO.	2,468.00		
78. HERITAGE PLUMBING & HEATING	2,417.50		
79. HILLS AUTO & TRUCK REPAIR IN	84.75		
80. HME INC.	43.78		
81. HUBBARDS AUTO CENTER	624.05		
82. HUNTINGTON NATIONAL BANK	1,517,043.22		
83. HURON LIME INC.	9,117.99		
84. HYDRO METER SERVICES INC	1,964.74		
85. ICMA RETIREMENT CORPORATION	155.76		
86. IDEAL GASES, INC.	104.25		
87. IDEXX LABORATORIES, INC.	3,021.79		
88. IMAGE MASTER	3,500.00		
89. INDUSTRIAL MILL SUPPLY CORP	173.12		
90. INFOGEOGRAPHICS INC	540.00		
91. INGRAM LIBRARY SERVICES	139.92		
92. INTERNATIONAL MUNICIPAL	60.00		
93. IOTT, ROBERT	75.00		
94. J.E. JOHNSON DEVELOPMENT GRO	509,218.00		
95. CITY OF JACKSON	1,003.68		
96. JACKSON CITY-COUNTY VISA	57.19		
97. LUYE JACKSON REBUILDERS	149.50		
98. JACKSON TRUCK SERVICE INC.	47.92		
99. JAMES DELIVERY SERVICE	190.00		
100. JOHNSON CONTROLS INC	10.00		
101. JONES CHEMICALS, INC.	3,116.19		
102. ROBERT KEYES	2,164.16		
103. KNISEL'S TREE SERVICE	4,900.00		
104. KRIEGHOFF-LENAWEE COMPANY	4,759.00		
105. BRENT KUBALEK	154.71		
106. KUHLMAN CORP.	24,933.76		
107. LAB SAFETY SUPPLY INC.	141.64		
108. WALTER GREG LANFORD	80.11		
109. LANSING SANITARY SUPPLY INC	472.35		
110. LAYS AUTOMATIC TRANSMISSION	1,950.00		
111. LEGACY PRINTING	40.00		
112. LENAWEЕ COUNTY COMMUNITY	45.00		
113. LENAWEЕ COUNTY PRINTER	1,379.16		
114. LENAWEЕ COUNTY REGISTER OF D	59.00		
115. LENAWEЕ COUNTY TREASURER	695.46		
116. LENAWEЕ TIRE & SUPPLY CO	1,845.69		
117. LENCO PAINTING, INC.	260.00		
118. LEXIS NEXIS RM INC	492.32		
119. M B ELECTRIC LLC	5,545.00		
120. MAPLE CITY SWINGERS	356.25		
121. PATRICK MCDONALD	563.08		
122. GARY MCDOWELL	276.10		
123. MCGOWAN ELECTRIC SUPPLY INC	74.38		
124. TOM MCNAUGHTON	275.00		
125. METROPOLITAN UNIFORM CO	1,113.83		
126. MICH STATE HOUSING DEVEL.	20.00		
127. MICHIGAN LIBRARY CONSORTIUM	285.31		
128. MICHIGAN MUNICIPAL WORKER'S	53,976.00		
129. MICHIGAN OFFICE SOLUTIONS	111.60		
130. MICHIGAN REC & PARK ASSOC	75.00		
131. STATE OF MICHIGAN	463.00		
132. MICROMARKETING LLC	618.02		
133. MIDWEST TAPE	219.86		
134. MILLER, CANFIELD, PADDOCK &	52,687.74		
135. MISS DIG SYSTEM INC	783.48		
136. JEAN MISSELDINE	92.40		
137. MUNICIPAL EMPLOYEES' RETIRE	71,161.64		
138. MUNICIPAL WEB SERVICES	5,950.00		
139. MUSEUM OF FINE ARTS	151.95		
140. NANTZ, LITOWICH, SMITH, GIRA	140.00		
141. NEXTEL COMMUNICATIONS	1,055.75		
142. NOVAPRINT USA INC	800.00		
143. PAINTERS SUPPLY & EQUIP. CO	32.10		
144. PARAGON LABORATORIES INC	770.00		
145. PEERLESS SUPPLY INC	565.46		
146. PLATINUM PLUS	1,640.47		
147. POE'S TOWING	50.00		
148. POHLKAT INC	160,000.00		
149. PRO-SEAL SERVICE GROUP	4,758.71		
150. PROMEDICA PHYSICIANS GROUP	180.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. PVS TECHNOLOGIES INC	8,868.35		
152. QUICK SERVICE TRANSPORTATION	2,203.76		
153. QUILL CORPORATION	999.36		
154. RACO INDUSTRIES	89.63		
155. RECORDED BOOKS LLC.	486.55		
156. RED PAINT PRINTING LLC	95.00		
157. RITCHIE, ALICE	13.30		
158. S N S CLEANING SERVICE	525.00		
159. SCHODORF TRUCK BODY & EQUIPM	16.12		
160. SCHUG CONCRETE CONSTRUCTION	1,184.00		
161. LENNY SCOTT	100.00		
162. SCOTTY'S BODY SHOP	100.00		
163. SEBCO BOOKS	117.95		
164. SERVICE ELECTRIC CO OF ADRIA	5,312.00		
165. SHERWIN NURSERIES INC	2,832.75		
166. SHERWIN-WILLIAMS CO	50.77		
167. SHIVELY-BOUMA INC	1,525.00		
168. SIEMENS PUBLIC INC	38,423.21		
169. SIEMENS WATER TECHNOLOGIES	609.00		
170. SIGN LANGUAGE SIGNS, INC.	275.00		
171. SIRCHIE FINGER PRINT LABORAT	134.89		
172. SLUSARSKI EXCAVATING & PAVIN	101,207.40		
173. ANN-MARIE SNYDER	200.00		
174. SOUTHERN MI REC & PARK ASSO	80.00		
175. SPACE INC	132.65		
176. STADIUM TROPHY	56.00		
177. STAPLES	547.93		
178. STATE CHEMICAL MFG CO.	186.06		
179. STAUDER BARCH & ASSOC INC	18,940.00		
180. STEVENSON LUMBER, INC.	150.47		
181. STITCH WIZARD EMBROIDERY INC	116.00		
182. STONEY CREEK NURSERY	250.00		
183. SUNSHINE MEDICAL SUPPLY, INC	716.00		
184. SUPER LAUNDROMAT &	238.60		
185. SYNAGRO CENTRAL	61,696.80		
186. T-MOBILE	29.99		
187. TASTE OF HOME	29.98		
188. TDS SECURITY	414.75		
189. TECUMSEH HERALD	102.00		
190. TELEPHONE JACK'S	290.00		
191. TETRA TECH MPS	16,695.00		
192. THOMAS SCIENTIFIC	921.61		
193. THOMSON WEST	168.00		
194. TOLEDO DOOR & WINDOW	366.00		
195. TRACTOR SUPPLY COMPANY	143.86		
196. TRAPPER BOB'S ANIMAL CONTROL	125.00		
197. TRUCK & TRAILER SPECIALITIES	1,741.53		
198. TURFGRASS INC.	2,907.00		
199. U S POSTMASTER	1,985.00		
200. UNDERWOOD'S NURSERY LLC	2,660.00		
201. UNIQUE BOOKS, INC.	58.74		
202. UNUM LIFE INSURANCE COMPANY	2,354.35		
203. USA BLUEBOOK	683.38		
204. USA UTILITIES	1,800.00		
205. UTILITIES INSTRUMENTATION SE	1,710.00		
206. VAN BRUNT TRANSPORT INC	2,100.00		
207. VENTURE TECHNOLOGY GROUPS IN	128.18		
208. VILLARREAL, RICHARD	12.96		
209. WASHOVIA REMEDIATORS	4,122.50		
210. WATER ENVIRONMENT FED.	98.00		
211. WATER ENVIRONMENT FEDERATION	76.75		
212. WEED MAN	609.00		
213. WENN SEAL COATING	14,915.00		
214. KRISTEN WETZEL	42.35		
215. WT.COX SUBSCRIPTIONS	4,875.16		

TOTAL ALL CLAIMS 5,409,707.11

COMMUNICATIONS



RECEIVED
NOV 24 2009

December 1, 2009

Dane C. Nelson, City Administrator
City of Adrian
100 E. Church St.
Adrian, MI 49221

Dear Mr. Nelson:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of changes to the channel lineup effective December 22, 2009. Customers will be notified of these changes via newspaper advertisement.

World Fishing Network (WFN) channel 743 will be added to the Sports Entertainment Package. Bravo (ch. 175), Syfy (ch. 127) and Syfy HD (ch. 194) will move from the Digital Classic service level to the Digital Starter service level.

Also, effective January 5, 2010, MavTV (ch. 744) will be added to the Sports Entertainment Package.

Please direct any customer calls about Comcast products, services and prices to 1-888-COMCAST. Our Customer Account Executives are available 24 hours a day, 7 days a week. As always, feel free to contact me directly at 734-254-1888 with any questions you may have.

Sincerely,

Frederick G. Eaton
Government Affairs Manager
Comcast, Michigan Region
41112 Concept Drive
Plymouth, MI 48170

cc: Commission

CONSENT AGENDA

CR-1

CR09-058

December 7, 2009

RE: FINANCE DEPARTMENT – Downtown Parking Special Assessment – Notice of Intent

RESOLUTION

WHEREAS, in accordance with the recommendations of the Blueprint for Downtown Adrian, short-term parking meters were removed from streets and parking lots in June, 2004; and

WHEREAS, after several meetings of the Ad-Hoc Downtown Parking Advisory Committee to review the Auto Fund Parking Budget and Parking Enforcement Operations, the following Financial Plan and Special Assessment proposal has been developed; and

WHEREAS, the cost to maintain parking lots in the Downtown Development District for FY2009-10 amount to \$116,200, detailed as follows:

Operating Budget	\$114,100
Capital Budget	<u>-0-</u>
Total Expenses	\$114,100; and

WHEREAS, estimated Revenue for FY2009-10 is detailed as follows:

Parking Permits	\$ 30,000
10-hr Meter Revenue	8,000
Parking Fines	30,000
Interest Income	100
Contribution-DDA 2-mill	10,000
Contribution-General Fund	<u>6,000</u>
Total Revenue	<u>\$ 86,200</u>
Shortfall	<u>\$ 30,000</u> ; and

WHEREAS, the City Administrator recommends that the \$30,000 shortfall be recouped through a special assessment to downtown property owners who benefit from the removal of parking meters and maintenance of a viable downtown parking system for the purpose of revitalizing the central business district; and

WHEREAS, required plans, reports and recommendations have been filed pursuant to the provisions of Article I, Section 70-6 of the Adrian City Code of Ordinances; and

WHEREAS, such plans include the Auto Parking Fund Financial Plan, purpose of the Special Assessment, the Special Assessment District, and the methodology utilized by the City Assessor to apportion the Special Assessment to property owners within the District.

NOW, THERFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution:

1. Adopts the FY2009-10 Auto Parking Fund Financial Plan, including:

Lighting	\$ 11,000
General Lot Maintenance	20,601
Snow Removal	25,511
Equipment Maintenance	5,700
Lot Striping	7,700
Administrative Expenses	2,700
Total Maintenance	\$ 73,212
Enforcement Costs	24,888
Depreciation	<u>16,000</u>
Total Expenses	<u>\$114,100</u>

Revenue Projections:	
Parking Permits	\$ 30,000
10-hr Meter Revenue	8,000
Parking Fines	30,000
Interest Income	100
Contribution-DDA 2-mill	10,000
Contribution-General Fund	6,000
Downtown Special Assessment	<u>30,000</u>
Total Revenue	<u>\$114,100</u>

2. As indicated in the aforementioned Financial Plan, the City intends to levy a Special Assessment in the amount of \$30,000.
3. The Special Assessment proposed to partially defray the expenses detailed in the Auto Parking Fund Financial Plan shall be levied on the lands and premises within the proposed Special Assessment District according to the methodology employed by the City Assessor and on file with the City Clerk.
4. The Report, including the Proposed Special Assessment, shall be filed with the City Clerk forthwith to be available for public examination.
5. The City Commission will meet at a Public Hearing in the Commission Chambers at Adrian City Hall (100 E. Church Street) at 7:00 p.m. on Monday, December 21, 2009, for the purpose of hearing and considering comments regarding the Proposed Special Assessment District, or to the inclusion of any property within the proposed Special Assessment District.
6. The City Clerk shall mail notice of the intention to adopt said Special Assessment to all interested parties pursuant to the provisions of Article I, Section 70-6 of the Adrian City Code of Ordinances.

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



Office of the City Administrator

135 E. Maumee St. • Adrian, Michigan 49221-2703
(517) 264-4881 • Fax (517) 264-4882

December 8, 2009

Downtown Adrian Property Owner

RE: DOWNTOWN PARKING ASSESSMENT

Dear Sir or Madam:

During their December 3rd regular meeting, the Adrian City Commission established a public hearing to hear and consider public comments on the reauthorization of the annual downtown parking assessment levied on property owners benefiting from the municipally owned and operated parking system. As was the case in year one of the parking plan adopted by the City Commission in 2006, the plan again calls for a \$30,000 benefit assessment to be spread out amongst the downtown property owners.

Downtown parking remains a concern of the City of Adrian as it is in many larger communities. As a municipal government, we struggle to balance the objectives of creating a customer friendly downtown while also sustaining our infrastructure and parking system operations.

In January of 2003, the Adrian City Commission and Downtown Development Authority Board of Directors adopted the Blueprint for Downtown Revitalization. This highly inclusive process created a lengthy revitalization strategy for which the City and other community stakeholders participated in focus groups and surveys about what they would like to see in downtown Adrian. As a result, a number of recommendations were devised for accomplishing the many objectives laid out by the community. To date, the City of Adrian, through its Downtown Development Authority, has been highly successful in implementing a number of these strategies.

Included in that document were suggestions regarding the downtown parking system. I am pleased to say that the City of Adrian has followed each of the recommendations laid out by the consultant, including the removal of all on-street and many of the off-street parking meters. Through the removal of the meters, the City was creating a more customer friendly parking situation. In doing so, however, a number of challenges arose, including the following:

- The City must ensure the appropriate turnover of “premier” parking spaces to ensure that such are available for customers as opposed to being fully consumed by business owners and employees. This is a demand of many of our downtown

“respect for the individual voice, service for the common good”

businesses and has been a complaint of some, at times, when enforcement has not been active downtown.

- The City must ensure that the parking system remains financially solvent. The City has estimated that the parking system costs approximately \$126,000 to operate. In an effort to be as equitable as possible (per the recommendations of the Ad-Hoc Parking Committee), the City determined that it would be most appropriate to spread the costs out across all of the stakeholders. This includes: downtown property owners, business owners, employees, residents and the City of Adrian. The projected FY 2009/10 parking system expenditures are as follows:

1.	Parking System Operations (i.e., lighting, snow removal, maintenance, enforcement)	\$ 114,100
2.	Capital Budget – Bond Proceeds (i.e., proposed reconstruction of Toledo Street Parking Lot)	\$250,000

The following reflects our projected revenue sources for FY 2007/08:

1.	Permit Sales	\$ 30,000
2.	Meters	\$ 8,100
3.	Fines	\$ 30,000
4.	DDA Contribution (operating)	\$ 10,000
5.	Downtown Assessment	\$ 30,000
6.	City General Fund Contribution (operating)	\$ 6,000
7.	City Bond Capital Contribution (Toledo St.)	\$250,000

I should note that the numbers provided for both the DDA contribution and the City General Fund are artificially low considering that it is our intention to participate at a much higher rate with the necessary capital improvements, including parking lot reconstruction. The City has estimated the reconstruction costs of the parking lot on Church Street (lot #'s 8 and 5) to be approximately \$350,000. This is only representative of the costs to reconstruct one lot while the City owns eight downtown lots. As you can imagine, this makes our annual allotment of \$55,000 for capital expenditures artificially low under the premise that the City, through other revenue sources (i.e. taxes, grants, etc.), will cover the remaining costs.

In an effort to make the parking system more “user-friendly,” the City Commission has instituted a number of improvements for our downtown stakeholders. These include the implementation of the downtown parking validation system adopted by the City Commission in the spring of 2007 in an effort to ensure validation of parking violations received by legitimate customers of participating downtown businesses. In addition, the City now allows those vehicles maintaining a City of Adrian Parking Permit to park in any metered or marked “permit parking only” location. Such was done in effort to promote the sale of parking permits while also ensuring the adequate availability of parking spaces for permit holders.

Furthermore, I wish to remind you that this system was devised through numerous hours of meetings by a Mayoral-appointed Ad-Hoc Parking Committee. This committee was comprised of downtown business and property owners and maintained representation from the Adrian Area Chamber of Commerce and the City. The group also consisted of business owners outside of the downtown district.

Attached to this letter is an official notice of the public hearing which will be held during the December 17th regular meeting of the Adrian City Commission. Should you desire to address the Commission regarding the proposed assessment, you are encouraged to attend this meeting.

Should you have any further questions, or desire additional information regarding the proposed downtown parking assessment, please contact the Adrian City Clerk's Office at 517.264-4866 or via e-mail at pbaker@ci.adrian.mi.us.

The City of Adrian appreciates your interest in this item and looks forward to continuing our work together to make Adrian a better place to be for all of our community stakeholders!

Sincerely,


Dane C. Nelson
City Administrator

REETZ	XA0-000-0002-02	217	W	MAUMEE ST	
	XA0-000-0002-02				\$0.00
HENRY, GILBERT E	XA0-000-0004-00	213	W	MAUMEE ST	
	XA0-000-0004-00				\$0.00
HENRY, GILBERT E	XA0-000-0006-00	201	W	MAUMEE ST	\$0.00
AWAD, JAMAL	XA0-000-0014-00	101	W	MAUMEE ST	\$99.11
TERLESKY	XA0-000-0021-00	(203-) 209	N	MAIN ST	
	XA0-000-0021-00				\$0.00
LASALLE BANK	XA0-000-0023-00	202	N	MAIN ST	
	XA0-000-0023-00				
	XA0-000-0023-00				\$419.38
RKJ LLC (Ron Kelly)	XA0-000-0024-01	150	N	MAIN ST	
	XA0-000-0024-01				\$87.79
SOTO, PAUL	XA0-000-0024-02	104		TOLEDO ST	\$89.18
CLARKE	XA0-000-0025-00	146	N	MAIN ST	
	XA0-000-0025-00				\$109.72
WIESMAN	XA0-000-0029-00	115	E	MAUMEE ST	
	XA0-000-0029-00				\$415.20
CITY OF ADRIAN	XA0-000-0030-01	135 (-139)	E	MAUMEE ST	
	XA0-000-0030-01				\$739.98

CITY OF ADRIAN	XA0-000-0031-00 XA0-000-0031-00	143	E	MAUMEE ST	\$811.56
ROOF, KENNETH & TERESA	XA0-000-0032-00 XA0-000-0032-00	153	E	MAUMEE ST	\$103.45
ROOF, KENNETH & TERESA	XA0-000-0033-00 XA0-000-0033-00	155	E	MAUMEE ST	\$113.53
BOWERS INC	XA0-000-0034-01 XA0-000-0034-01	122	E	MAUMEE ST	\$94.61
BURCIAGA	XA0-000-0034-02	0	E	MAUMEE ST	\$0.00
ADRIAN PHYSICIANS ASSN	XA0-000-0035-01 XA0-000-0035-01 XA0-000-0035-01 XA0-000-0035-01 XA0-000-0035-01 XA0-000-0035-01 XA0-000-0035-01	142 (-146)	E	MAUMEE ST	\$0.00
REDINK INC	XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00 XA0-000-0037-00	(136-138)	(E)	(MAUMEE ST)	\$702.45
BRENNER, JON	XA0-000-0040-00 XA0-000-0040-00 XA0-000-0040-00 XA0-000-0040-00	102 (-104)	E	MAUMEE ST	\$243.51
CITY OF ADRIAN	XA0-000-0044-00	111 (-119)	E	CHURCH ST	\$0.00
RANSOM	XA0-000-0046-00 XA0-000-0046-00	142	S	MAIN ST	\$96.94
CITY OF ADRIAN	XA0-000-0059-00	123	E	CHURCH ST	\$0.00
ADRIAN PHYSICIANS ASSN	XA0-000-0063-01	147	E	CHURCH ST	\$0.00
FIRST PRESBYTERIAN CHURCH	XA0-000-0064-00 XA0-000-0064-00	128	S	BROAD ST	\$3.26

CITIZENS GAS FUEL CO	XA0-000-0067-00	117	N	WINTER ST	\$80.03
GATEHOUSE MEDIA	XA0-000-0068-00 XA0-000-0068-00	133	(N)	(WINTER ST)	\$261.81
GATEHOUSE MEDIA INC	XA0-000-0071-00 XA0-000-0071-00	155	N	WINTER ST	\$0.00
RAISIN RIVER DEVELOPMENT	XA0-000-0072-00 XA0-000-0072-00	205	N	WINTER ST	\$0.00
POWELL	XA0-000-0074-00 XA0-000-0074-00	213	N	WINTER ST	\$0.00
COURTHOUSE COMMONS, INC	XA0-000-0076-01 XA0-000-0076-01 XA0-000-0076-01 XA0-000-0076-01	227	N	WINTER ST	\$587.98
D & T LAND MGT CORP	XA0-000-0080-02 XA0-000-0080-02 XA0-000-0080-02	113	W	FRONT ST	\$0.00
AES COMPANY	XA0-000-0081-03 XA0-000-0081-03	235-243	N	MAIN ST	\$0.00
REAL ESTATE, LLC	XA0-000-0086-00 XA0-000-0086-00	231	N	MAIN ST	\$0.00
FAMILY COUNSELING & CHILDREN	XA0-000-0086-05 XA0-000-0086-05	225	N	MAIN ST	\$0.00
RAYMOND, JOHN	XA0-000-0088-00 XA0-000-0088-00 XA0-000-0088-00	215 215	N N	MAIN ST WINTER ST	\$0.00
NOE	XA0-000-0090-00	204	N	WINTER ST	\$0.00
ONE SIXTY PARTNERSHIP	XA0-000-0091-01 XA0-000-0091-01	160	N	WINTER ST	\$240.41
CHASE, JOYCE & DOUGLAS	XA0-000-0092-00 XA0-000-0092-00	144 144	N N	WINTER ST WINTER ST	\$0.00
CHASE, JOYCE & DOUGLAS	XA0-000-0093-00 XA0-000-0093-00	142	N	WINTER ST	\$0.00
BISHOP LIVING TRUST	XA0-000-0094-00 XA0-000-0094-00	139	N	MAIN ST	\$60.80
BISHOP LIVING TRUST	XA0-000-0095-00	141	N	MAIN ST	

	XA0-000-0095-00				\$76.31
CHASE, JOYCE C & DOUGLAS A	XA0-000-0096-00 XA0-000-0096-00	132	N	WINTER ST	\$8.84
JODIS, DENIS & CAROL	XA0-000-0097-00 XA0-000-0097-00 XA0-000-0097-00	216A-C 216B 216C	N (N)	MAIN ST (MAIN ST) (MAIN ST)	\$10.70
FAMILY COUNSELING & CHILDREN	XA0-000-0100-00 XA0-000-0100-00	220 (-224)	N	MAIN ST	\$0.00
FIRST FEDERAL	XA0-000-0102-00 XA0-000-0102-00	230 (-234)	N	MAIN ST	\$15.51
VAN OPYNEN	XA0-000-0103-01	240 (242)	N	MAIN ST	\$0.00
VAN OPYNEN	XA0-000-0106-00 XA0-000-0106-00	114 (-116)	E	FRONT ST	\$0.00
SEAWAY FOOD TOWN INC	XA0-000-0107-01 XA0-000-0107-01	124	E	FRONT ST	\$243.97
WIESMAN	XA0-000-0111-01 XA0-000-0111-01 XA0-000-0111-01	147		TOLEDO ST	\$227.22
KROLL, RUBEN & CHRISTINE	XA0-000-0112-00 XA0-000-0112-00 XA0-000-0112-00	151		TOLEDO ST	\$15.51
TAYLOR	XA0-000-0113-00	203	N	BROAD ST	\$72.90
MCFARLAND, DAVID C & GAYET	XA0-000-0114-00 XA0-000-0114-00	209	N	BROAD ST	\$0.00
BURNETT	XA0-000-0115-00 XA0-000-0115-00 XA0-000-0115-00	215	N	BROAD ST	\$93.06
JEFFREY, MARGIE I TRUSTEE	XA0-000-0116-01 XA0-000-0116-01	223	N	BROAD ST	\$46.53
KNISEL	XA0-000-0117-00 XA0-000-0117-00	227	N	BROAD ST	\$0.00
TONKERY, ROY & PATRICIA	XA0-000-0118-00 XA0-000-0118-00 XA0-000-0118-00	114 (-116)	W	MAUMEE ST	\$558.36
DJ ENTERPRISES II LLC	XA0-000-0119-00 XA0-000-0119-00	235	N	BROAD ST	\$0.00

WASHOVIA SERVICES INC	XA0-000-0120-01	241	N	BROAD ST	
	XA0-000-0120-01				\$31.02
DALY, JAMES & ANN MARIE	XA0-000-0121-01	152	E	FRONT ST	
	XA0-000-0121-01				
	XA0-000-0121-01				
	XA0-000-0121-01				\$0.00
WIESMAN, PAUL AND SHERI	XA0-000-0123-01	146		TOLEDO ST	
	XA0-000-0123-01				\$0.00
FIRST BAPTIST CHURCH	XA0-000-0124-00	119	N	BROAD ST	\$0.00
ADRIAN PUBLIC SCHOOLS	XA0-000-0126-00	159	E	MAUMEE ST	
	XA0-000-0126-00				\$0.00
CROSWELL OPERA HOUSE	XA0-100-0162-00	129	E	MAUMEE ST	
	XA0-100-0162-00				
	XA0-100-0162-00				\$1,744.88
WEIER TRUST	XA0-100-0164-00	125	E	MAUMEE ST	
	XA0-100-0164-00				
	XA0-100-0164-00				\$157.27
JACOBITZ, MICHAEL H	XA0-100-0165-00	123	E	MAUMEE ST	
	XA0-100-0165-00				
	XA0-100-0165-00				\$135.25
ALLEN & JONES INVESTMENTS	XA0-100-0166-00	121	E	MAUMEE ST	
	XA0-100-0166-00				
	XA0-100-0166-00				
	XA0-100-0166-00				\$176.85
M 3 LIMITED PARTNERSHIP	XA0-100-0167-00	113	E	MAUMEE ST	
	XA0-100-0167-00				
	XA0-100-0167-00				
	XA0-100-0167-00				\$511.83
RENAISSANCE ADRIAN, LLC	XA0-100-0168-00	109	E	MAUMEE ST	
	XA0-100-0168-00				
	XA0-100-0168-00				
	XA0-100-0168-00				\$305.08
RENAISSANCE ADRIAN, LLC	XA0-100-0169-00	101 (-107)	E	MAUMEE ST	
	XA0-100-0169-00				
	XA0-100-0169-00				
	XA0-100-0169-00				\$46.53
MOORE JR, CHARLES & NATALIE	XA0-100-0170-00	110	N	MAIN ST	
	XA0-100-0170-00				
	XA0-100-0170-00				\$113.22

MOORE, CHARLES & NATALIE	XA0-100-0171-00	112	N	MAIN ST	
	XA0-100-0171-00				
	XA0-100-0171-00				\$179.92
BOLDT	XA0-100-0172-00	114	N	MAIN ST	
	XA0-100-0172-00				
	XA0-100-0172-00				\$141.61
SALA	XA0-100-0173-00	116 (-118)	N	MAIN ST	
	XA0-100-0173-00				
	XA0-100-0173-00				\$218.23
KABE INVESTMENTS	XA0-100-0174-00	120	N	MAIN ST	
	XA0-100-0174-00				\$80.65
HILL, RANDY P POST 1957 AMVET	XA0-100-0175-00	122	N	MAIN ST	
	XA0-100-0175-00				\$258.55
HILL, RANDY P POST 1957 AMVET	XA0-100-0176-00	124	N	MAIN ST	
	XA0-100-0176-00				
	XA0-100-0176-00				\$388.68
MCGRATH, MICHAEL & ALICE	XA0-100-0177-00	126	N	MAIN ST	
	XA0-100-0177-00				\$238.85
STEELE, JOE ANN AGREEMENT	XA0-100-0178-00	128	N	MAIN ST	\$0.00
STEELE, HARRY B & JOE ANN	XA0-100-0179-01	130	N	MAIN ST	
	XA0-100-0179-01				
	XA0-100-0179-01				\$562.16
YUEN, WYLIE & LOUISE	XA0-100-0180-00	134	N	MAIN ST	
	XA0-100-0180-00				\$212.02
COPELAND TRUST NO 1	XA0-100-0181-01	136	N	MAIN ST	
	XA0-100-0181-01				\$265.69
STEELE, JOE ANNE AGREEMENT	XA0-100-0181-02	132	N	MAIN ST	\$41.57
SWARTZLANDER TRUST, DUANE	XA0-100-0187-01	142 (-144)	N	MAIN ST	
	XA0-100-0187-01				
	XA0-100-0187-01				\$151.38
WEYENBERG JR TRUST	XA0-100-0188-00	155	N	MAIN ST	
	XA0-100-0188-00				\$90.73
BLUE POINT PROPERTIES	XA0-100-0190-01	151 - 153	N	MAIN ST	
	XA0-100-0190-01				\$139.20
LANGLEY	XA0-100-0191-00	149	N	MAIN ST	

	XA0-100-0191-00				\$630.17
NOE, MARGARET	XA0-100-0192-00 XA0-100-0192-00	147	N	MAIN ST	\$23.58
GARZA ENTERPRISES INC	XA0-100-0193-00 XA0-100-0193-00	145	N	MAIN ST	\$150.14
BISHOP LIVING TRUST	XA0-100-0194-00 XA0-100-0194-00	143	N	MAIN ST	\$64.52
ATKINS, CAVIN	XA0-100-0195-00 XA0-100-0195-00	137	N	MAIN ST	\$58.94
CITIZENS GAS FUEL CO	XA0-100-0198-02 XA0-100-0198-02	127 (-131)	N	MAIN ST	\$455.84
MCDOWELL	XA0-100-0200-01 XA0-100-0200-01 XA0-100-0200-01	123	N	MAIN ST	\$71.97
EATON, RONALD & KATHIE	XA0-100-0201-00 XA0-100-0201-00	121	N	MAIN ST	\$124.55
EATON, RONALD & KATHIE	XA0-100-0202-00 XA0-100-0202-00	119	N	MAIN ST	\$124.08
EATON, RONALD & KATHIE	XA0-100-0203-00 XA0-100-0203-00 XA0-100-0203-00	117	N	MAIN ST	\$147.35
EATON, RONALD & KATHIE	XA0-100-0204-00 XA0-100-0204-00 XA0-100-0204-00 XA0-100-0204-00	115	N	MAIN ST	\$317.96
WILLIAMS, RICHARD & YELEN	XA0-100-0205-00 XA0-100-0205-00 XA0-100-0205-00	111	N	(MAIN ST)	\$168.44
BOWERS INC	XA0-100-0206-00 XA0-100-0206-00 XA0-100-0206-00	109	N	MAIN ST	\$82.98
MODEL CONSTRUCTION	XA0-100-0207-00 XA0-100-0207-00 XA0-100-0207-00	107	N	MAIN ST	\$139.59
HARTUNG, DOUGLAS & SARA	XA0-100-0208-00 XA0-100-0208-00 XA0-100-0208-00	102	W	MAUMEE ST	\$76.00

HARTUNG, DOUGLAS & SARA	XA0-100-0209-00 XA0-100-0209-00 XA0-100-0209-00	104 (-106)	W	MAUMEE ST	\$124.08
FLINT, DUANE & CAROL	XA0-100-0210-00 XA0-100-0210-00 XA0-100-0210-00	108	W	MAUMEE ST	\$94.61
INTER-CONNECTIONS DROP-IN	XA0-100-0211-00 XA0-100-0211-00	110	W	MAUMEE ST	\$52.73
WILLIAMS, RICHARD & YELENA	XA0-100-0211-01 XA0-100-0211-01 XA0-100-0211-01	112	W	MAUMEE ST	\$180.85
KINTNER, KENNETH & PATRICIA	XA0-100-0212-00 XA0-100-0212-00 XA0-100-0212-00	118	W	MAUMEE ST	\$58.63
THE HUNTINGTON NATIONAL BANK	XA0-100-0215-01	120	W	MAUMEE ST	\$0.00
THE HUNTINGTON NATIONAL BANK	XA0-100-0219-01 XA0-100-0219-01 XA0-100-0219-01	202	W	MAUMEE ST	\$440.02
REETZ	XA0-100-0220-00 XA0-100-0220-00	237 235	W W	MAUMEE ST MAUMEE ST	\$0.00
CAVAZOS	XA0-100-0222-01 XA0-100-0222-01 XA0-100-0222-01	112 (-114)	S	WINTER ST	\$139.59
ROSALES	XA0-100-0223-01 XA0-100-0223-01 XA0-100-0223-01	116 (-118)	S	WINTER ST	\$628.16
SOLMONSON, KENNETH H	XA0-100-0224-01 XA0-100-0224-01 XA0-100-0224-01	120 (-124)	S	WINTER ST	\$116.33
CHURCH	XA0-100-0225-00 XA0-100-0225-00 XA0-100-0225-00	127	W	MAUMEE ST	\$164.41
CHURCH	XA0-100-0226-00 XA0-100-0226-00 XA0-100-0226-00	125	W	MAUMEE ST	\$155.10
JAKBRF REAL II LLC	XA0-100-0227-00 XA0-100-0227-00 XA0-100-0227-00	123	W	MAUMEE ST	\$301.20

FRIENDS COMMUNICATIONS OF	XA0-100-0228-00 XA0-100-0228-00 XA0-100-0228-00	121	W	MAUMEE ST	\$196.36
FOX	XA0-100-0229-00 XA0-100-0229-00 XA0-100-0229-00 XA0-100-0229-00	117	W	MAUMEE ST	\$992.33
WILLIAMS LLC, JERDEN	XA0-100-0230-00 XA0-100-0230-00 XA0-100-0230-00	115	W	MAUMEE ST	\$174.02
WILLIAMS, RICHARD	XA0-100-0231-00 XA0-100-0231-00 XA0-100-0231-00	113	W	MAUMEE ST	\$129.12
BROWN	XA0-100-0232-00 XA0-100-0232-00 XA0-100-0232-00	109	W	MAUMEE ST	\$258.40
DOERFLER	XA0-100-0233-00 XA0-100-0233-00 XA0-100-0233-00	105 (-107)	W	MAUMEE ST	\$225.99
COX, GUY C & KRIS U	XA0-100-0233-01 XA0-100-0233-01 XA0-100-0233-01 XA0-100-0233-01	108 (-118)	S	MAIN ST	\$280.73
BERMAN	XA0-100-0234-00 XA0-100-0234-00 XA0-100-0234-00	116	S	MAIN ST	\$100.50
BERMAN	XA0-100-0235-00 XA0-100-0235-00 XA0-100-0235-00	118	S	MAIN ST	\$153.24
BERMAN	XA0-100-0236-00 XA0-100-0236-00 XA0-100-0236-00	120	S	MAIN ST	\$82.67
MICHENER, SCOTT P	XA0-100-0237-00 XA0-100-0237-00 XA0-100-0237-00	122	S	MAIN ST	\$89.96
MAROWELLI	XA0-100-0238-00 XA0-100-0238-00 XA0-100-0238-00	124	S	MAIN ST	\$88.72

MAROWELLI, KOBY K & DONNA	XA0-100-0239-00 XA0-100-0239-00 XA0-100-0239-00	126	S	MAIN ST	\$228.46
POWELL, RICHARD L	XA0-100-0240-00 XA0-100-0240-00	130	S	MAIN ST	\$100.82
HOZHO LTD (Gary Baldwin)	XA0-100-0243-01 XA0-100-0243-01 XA0-100-0243-01	136 (-140)	S	MAIN ST	\$1,284.23
GAMEN	XA0-100-0245-00 XA0-100-0245-00 XA0-100-0245-00 XA0-100-0245-00	118	W	CHURCH ST	\$259.95
PIZZA BUCKET	XA0-100-0246-00	143	S	WINTER ST	\$15.51
CLARK, RICHARD & PEGGY D	XA0-100-0247-00	131	S	WINTER ST	\$303.61
IB INVESTING, INC	XA0-100-0248-00 XA0-100-0248-00 XA0-100-0248-00 XA0-100-0248-00	127	S	WINTER ST	\$317.96
LLOYD'S OF LENAWEE LLC	XA0-100-0249-00 XA0-100-0249-00 XA0-100-0249-00	108	E	MAUMEE ST	\$140.68
RICKETTS, JOHN R	XA0-100-0250-00 XA0-100-0250-00 XA0-100-0250-00 XA0-100-0250-00 XA0-100-0250-00	110 (-112)	E	MAUMEE ST	\$109.66
BROOKET TRUSTEE, HOWARD	XA0-100-0251-00 XA0-100-0251-00 XA0-100-0251-00	114	E	MAUMEE ST	\$163.63
BURCIAGA	XA0-100-0252-00 XA0-100-0252-00 XA0-100-0252-00	(118-) 120	E	MAUMEE ST	\$308.80
LUPPO, JAMES & ASHLEY	XA0-100-0253-01 XA0-100-0253-01 XA0-100-0253-01	124	E	MAUMEE ST	\$552.16
PREMIER INVESTING LLC	XA0-100-0254-00 XA0-100-0254-00 XA0-100-0254-00	128	E	MAUMEE ST	\$99.88

REDINK CORP	XA0-100-0255-00 XA0-100-0255-00	130 (-134)	E	MAUMEE ST	\$180.85
MASONIC BUILDING LLC	XA0-100-0256-00 XA0-100-0256-00 XA0-100-0256-00 XA0-100-0256-00 XA0-100-0256-00 XA0-100-0256-00 XA0-100-0256-00	160	E	MAUMEE ST	\$731.30
THORTON, CAROL J	XA0-100-0257-00 XA0-100-0257-00	107	S	MAIN ST	\$179.92
THORTON, CAROL	XA0-100-0258-00 XA0-100-0258-00	109	S	MAIN ST	\$201.63
GROSSMAN	XA0-100-0259-00 XA0-100-0259-00	111	S	MAIN ST	\$449.48
JASMUND FAMILY LIVING TRUST	XA0-100-0261-01 XA0-100-0261-01	113	S	MAIN ST	\$108.57
HAMERMAN, WILLIAM	XA0-100-0263-01 XA0-100-0263-01 XA0-100-0263-01 XA0-100-0263-01	115 (-123)	S	MAIN ST	\$225.21
GURNEY LIVING TRUST	XA0-100-0264-01 XA0-100-0264-01 XA0-100-0264-01 XA0-100-0264-01 XA0-100-0264-01 XA0-100-0264-01	127 -131 129 131	S S S	MAIN ST MAIN ST MAIN ST	\$542.85
JJW Properties LLC	XA0-100-0267-00 XA0-100-0267-00 XA0-100-0267-00	(133-139) 137	S	MAIN ST	\$623.04
JENKINS, JOSEPH & MEKILAH	XA0-100-0268-00 XA0-100-0268-00	141	S	MAIN ST	\$0.00
JENKINS, JOSEPH & MEKILAH	XA0-100-0269-00 XA0-100-0269-00	143	S	MAIN ST	\$38.78
JENKINS, JOSEPH & MEKILAH	XA0-100-0270-00 XA0-100-0270-00	145	S	MAIN ST	\$0.00
MORRIS, DEBRA	XA0-100-0271-00 XA0-100-0271-00	149	S	MAIN ST	\$70.88

DENNIS, DEANNA	XA0-100-0272-00 XA0-100-0272-00	105	E	CHURCH ST	\$116.64
JENKINS, JOSEPH & MEKILAH	XA0-100-0273-00	133 (-141)		MARKET PLACE	\$0.00
BEAR CAVE APARTMENTS LLC	XA0-100-0279-00 XA0-100-0279-00 XA0-100-0279-00	144 (-150)	S	MAIN ST	\$612.65
FIRST UNITED PRESBYTERIAN	XA0-100-0372-00 XA0-100-0372-00	122	S	BROAD ST	\$62.04
ACKLEY, LARRY D & JUDY D	XA0-385-0001-00 XA0-385-0001-00	132	S	WINTER ST	\$131.84
MARSH	XA0-385-0002-01	136	S	WINTER ST	\$117.88
CITY OF ADRIAN	XA0-385-0002-02	138	S	WINTER ST	\$0.00
HAMERMAN, WILLIAM S	XA0-385-0004-00 XA0-385-0004-00 XA0-385-0004-00	148	S	WINTER ST	\$158.98
CITY OF ADRIAN	XA0-385-0010-00	212	W	CHURCH ST	\$0.00
CITY OF ADRIAN	XA0-385-0012-00 XA0-385-0012-00	218	W	CHURCH ST	\$0.00
BSVAK LLC	XA0-385-0013-00 XA0-385-0013-00	220	W	CHURCH ST	\$0.00
NAGY, ROBERT J	XA0-385-0015-00 XA0-385-0015-00	224	W	CHURCH ST	\$0.00
NAGY, ROBERT J	XA0-385-0016-00 XA0-385-0016-00	228	W	CHURCH ST	\$0.00
APOSTOLIC ASSEMBLY OF	XA0-385-0018-00 XA0-385-0018-00	234	W	CHURCH ST	\$0.00
CITY OF ADRIAN	XA0-385-0019-00 XA0-385-0019-00	236	W	CHURCH ST	\$31.02
CITY OF ADRIAN	XA0-385-0020-01	238	W	CHURCH ST	\$0.00
CITY OF ADRIAN	XA0-385-0021-00	309		COLLEGE AVE	\$131.99
BENEDICT TRUST	XA0-385-0025-00 XA0-385-0025-00	250	W	CHURCH ST	\$0.00
CITY OF ADRIAN	XA0-385-0026-00	307		COLLEGE AVE	\$0.00

GARRISON, NEAL & BERTHA	XA0-385-0029-00	247		PEARL ST	\$43.12
WRIGHT LIVING TRUST	XA0-385-0032-00	239		PEARL ST	\$0.00
WRIGHT LIVING TRUST	XA0-385-0034-00	235		PEARL ST	\$25.28
CITY OF ADRIAN	XA0-385-0039-01	211		PEARL ST	\$0.00
COX, JOAN E TRUST	XA0-400-3001-01	229	S	MAIN ST	\$39.86
FIRST PRESBYTERIAN CHURCH	XA0-850-0165-00	156	E	MAUMEE	\$387.75
CHRISTIAN SCIENCE CHURCH	XA0-850-0167-00 XA0-850-0167-00	147	S	MAIN ST	\$102.37
FAMILY AWARENESS CENTER	XA0-850-0219-00	199	N	BROAD ST	\$0.00
D & T LAND MGT CORP		0	N	WINTER ST	\$0.00
					\$29,983.93

CR-2

CR09-059

December 7, 2009

RE: CHANGE MEETING DATE – Observance of Martin Luther King, Jr. Day

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 18, 2010, occurs on Martin Luther King, Jr. Day.

NOW, THEREFORE, BE IT RESOLVED that said regular meeting will be held on Tuesday, January 19, 2010 at 7:00 p.m. in the Commission Chambers at Adrian City Hall.

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

CR-3

CR09-060

December 7, 2009

RE: FINANCE DEPT. – Waiver of Property Tax Penalty Under Act 166 of 1977

RESOLUTION

WHEREAS, senior citizens, totally and permanently disabled individuals and certain others, as defined in Chapter 9 and Act No. 281 of the Public Acts of 1967, as amended, may be eligible for property tax credit; and

WHEREAS, Public Act 166 of 1977 authorizes the governing body of a city to waive the portion of the late penalty fee for said senior citizens.

NOW, THEREFORE, BE IT RESOLVED that the 3% late penalty fee, effective February 17, 2010, be waived under the terms, conditions and limitations of Public Act 166 of 1977.

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

CR-4

DATE: December 2, 2009
TO: Honorable Mayor and City Commissioners
FROM: Dane C. Nelson, City Administrator
SUBJECT: Purchase of Unmarked Police Vehicle

I concur with the recommendation of the Police Chief to award the bid for a 2009 Chevrolet Impala to Greg Bell in the amount of \$14,473.00, less \$2,500 for a trade-in (net cost of \$11,973.00).

Three firms responded to the offer to bid. There are sufficient funds in the Motor Vehicle Pool for this purchase.



Dane C. Nelson
City Administrator

DCN:bjw



MEMO

Date: December 3, 2009

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

From: Terry Collins, Police Chief

Re: Authorization to Purchase One (1) Unmarked Patrol Vehicle

The FY2009-10 Motor Vehicle Pool Budget provides for the replacement of one (1) Chevrolet Impala unmarked and fully equipped patrol vehicle at an estimated cost of \$16,000, including ancillary equipment. The City of Adrian Purchasing Office, in conjunction with the Police Department, solicited and received eight (8) sealed bids on December 1, 2009, with the following results:

BIDDER	AMOUNT	TRADE-IN
Greg Bell Chevrolet Adrian MI	\$ 14,473.00 2009 Chev Impala	\$ 2,500.00
Greg Bell Chevrolet Adrian MI	\$ 24,576.04 2010 Chev Impala	\$ 2,500.00
Adrian Dodge Adrian MI	\$ 15,900.00 2009 Chev Impala (subject to availability)	\$ 2,000.00
Adrian Dodge Adrian MI	\$ 19,957.00 2010 Dodge Charger SXT	
Adrian Dodge Adrian MI	\$ 18,735.00 2010 Dodge Charger SE	
Adrian Dodge Adrian MI	\$ 16,629.00 2010 Dodge Avender SXT	
Dave Knapp Ford Adrian MI	\$ 17,317.92 2010 Ford Fusion	\$ 1,500.00
Dave Knapp Ford Adrian MI	\$ 21,239.56 2010 Ford Crown Vic	\$ 1,500.00

I respectfully recommend selection of the low bid provided by Greg Bell Chevrolet, Adrian, MI for one 2009 Chevrolet Impala at a cost of \$14,473, with a trade-in valued at \$2,500. The attached resolution has been prepared for your consideration at the next regularly scheduled Commission meeting on December 7, 2009.

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

CITY OF ADRIAN, MICHIGAN
 UNMARKED POLICE VEHICLE
 DUE DATE: DECEMBER 1, 2009

BIDDER	AMOUNT	TRADE-IN
Greg Bell Chevrolet Adrian MI	\$ 14,473.00 2009 Chev Impala	\$ 2,500.00
Greg Bell Chevrolet Adrian MI	\$ 24,576.04 2010 Chev Impala	\$ 2,500.00
Adrian Dodge Adrian MI	\$ 15,900.00 2009 Chev Impala (subject to availability)	\$ 2,000.00
Adrian Dodge Adrian MI	\$ 19,957.00 2010 Dodge Charger SXT	
Adrian Dodge Adrian MI	\$ 18,735.00 2010 Dodge Charger SE	
Adrian Dodge Adrian MI	\$ 16,629.00 2010 Dodge Avender SXT	
Dave Knapp Ford Adrian MI	\$ 17,317.92 2010 Ford Fusion	\$ 1,500.00
Dave Knapp Ford Adrian MI	\$ 21,239.56 2010 Ford Crown Vic	\$ 1,500.00

CR09-061

December 7, 2009

RE: POLICE DEPARTMENT – Authorization to Purchase One (1) Unmarked Patrol Vehicle

RESOLUTION

WHEREAS, the FY2009-10 Motor Vehicle Pool Budget provides for the replacement of one (1) Chevrolet Impala unmarked and fully equipped patrol vehicle at an estimated cost of \$16,000, including ancillary equipment; and

WHEREAS, the City of Adrian Purchasing Office, in conjunction with the Police Department, solicited and received eight (8) sealed bids on December 1, 2009, with the following results:

CITY OF ADRIAN, MICHIGAN
UNMARKED POLICE VEHICLE
DUE DATE: DECEMBER 1, 2009

BIDDER	AMOUNT	TRADE-IN
Greg Bell Chevrolet Adrian MI	\$ 14,473.00 2009 Chev Impala	\$ 2,500.00
Greg Bell Chevrolet Adrian MI	\$ 24,576.04 2010 Chev Impala	\$ 2,500.00
Adrian Dodge Adrian MI	\$ 15,900.00 2009 Chev Impala (subject to availability)	\$ 2,000.00
Adrian Dodge Adrian MI	\$ 19,957.00 2010 Dodge Charger SXT	
Adrian Dodge Adrian MI	\$ 18,735.00 2010 Dodge Charger SE	
Adrian Dodge Adrian MI	\$ 16,629.00 2010 Dodge Avender SXT	
Dave Knapp Ford Adrian MI	\$ 17,317.92 2010 Ford Fusion	\$ 1,500.00
Dave Knapp Ford Adrian MI	\$ 21,239.56 2010 Ford Crown Vic	\$ 1,500.00

; and

WHEREAS, the Police Chief and City Administrator recommend selection of the low bid provided by Greg Bell Chevrolet, Adrian, MI for one 2009 Chevrolet Impala at a cost of \$14,473, with a trade-in valued at \$2,500.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of one (1) Chevrolet Impala unmarked and fully equipped patrol vehicle from Greg Bell Chevrolet, Adrian, MI at a cost of \$14,473, with a trade-in valued at \$2,500.

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

CR-5

DATE: December 3, 2009

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Tree Care Services

The Parks and Recreation Director has recommended that the maintenance and removal of street and park trees be awarded to Wright Tree Service of Des Moines, IA for the items and prices as listed in the attached bid tabulation. It is estimated that the cost savings to utilize an outside firm would be approximately \$50,000 annually.

Fifteen firms were invited to bid with four responding. I urge your favorable recommendation to enter into a one-year contract with Wright Tree Service for maintenance and removal of street and park trees, with a two-year contract renewal if they perform satisfactorily. Funds for this work are available in the Fee Estate and Parks General Operating accounts.



Dane C. Nelson
City Administrator

DCN:bjw

CR-5

Memo

TO: Dane C. Nelson, City Administrator
FROM: Mark K. Gasche, Parks and Recreation Director
DATE: December 2, 2009
SUBJECT: Bid Recommendation – Tree Care Services

Sealed bids were received on Tuesday, December 1, 2009 for a tree care service provider for City street tree and park tree maintenance and removal. Fifteen firms were invited to bid, with four responding as follows:

	Wright Tree Service Des Moines IA	Consumers Energy Jackson, MI	Nelson Tree Service Dayton, OH	Trees Inc Sand Lake, MI
2 person crew with equipment	\$ 81.14 per hr. reg	\$ 87.78 per hr. reg	\$ 87.85 per hr. reg	\$ 89.64 per hr. reg
Aerial Crew	\$ 99.81 per hr. premium	\$ 123.10 per hr. premium	\$ 140.53 per hr. premium	\$ 168.52 per hr. premium
2 person crew with chipper and chip box	\$ 72.94 per hr. reg	\$ 78.67 per hr. reg	\$ 79.85 per hr. reg	\$ 95.29 per hr. reg
Ground Crew	\$ 91.61 per hr. premium	\$ 114.88 per hr. premium	\$ 132.53 per hr. premium	\$ 179.15 per hr. premium
2 person crew with log hauling equipment	\$ 88.67 per hr. reg	\$ 91.10 per hr. reg	\$ 93.85 per hr. reg	\$ 106.11 per hr. reg
	\$ 107.34 per hr. premium	\$ 127.33 per hr. premium	\$ 146.53 per hr. premium	\$ 199.48 per hr. premium
Additional crews	15	4	10	10
		Exceptions on insurance and performance bond		

As you recall, it was decided to contract out tree services effective January 1, 2010 as a cost savings measure due to the budget reductions this year. Consequently, we sent out requests for bids on tree services and the results are listed above. As a comparison, we computed our in-house costs for these same services. In each category and across the board with all contractors who bid we would see a savings on the hourly rate. Using the low bidder, the difference in hourly rate from our in-house costs varies from \$26 - \$52 per hour, depending on which in-house equipment we used. That is just for the actual hours we will end up contracting for these services. We will see additional savings for the "off- hours" that we don't have an outside crew, but we would still be paying our in-house staff. Of course, we also would not be getting the production during the time when the outside crew isn't working, while we would be if our staff was working. However, based on these prices, it appears that we will meet or exceed the \$50,000+ annual savings that we projected. It is estimated that this contract will be utilized for 1,000 to 1,200 crew hours annually, depending on the type of maintenance work needed and emergency work required.

After review with staff, it is my recommendation that the bid be awarded to Wright Tree Service, Des Moines, IA for the above listed rates. The funds for this work are available in the Fee Estate and

Parks General operating accounts. Staff does have a slight concern with contractual issues that may come up with Wright Tree Service and Consumers Energy. Wright currently is under contract to perform utility line clearance for Consumers and has a clause that will not allow them to use obligated crews on outside contracts. Staff has been assured that no conflict will exist, however we felt it important to make you and the Commission aware of this situation. Based on the above rates, we estimate the difference in cost between Wright Tree Service and Consumers Energy to typically be between six and seven thousand dollars per year.

The contract is for a one year period with a potential of two additional years if the contractor performs satisfactorily. Staff is requesting authorization to enter into a contract with the low bidder, Wright Tree Service, for a period of one year and further seek authorization to renew this contract if staff is satisfied with the selected contractor's performance for up to two additional years.

CITY OF ADRIAN, MICHIGAN
 UNMARKED POLICE VEHICLE
 DUE DATE: DECEMBER 1, 2009

BIDDER	AMOUNT	TRADE-IN
Greg Bell Chevrolet Adrian MI	\$ 14,473.00 2009 Chev Impala	\$ 2,500.00
Greg Bell Chevrolet Adrian MI	\$ 24,576.04 2010 Chev Impala	\$ 2,500.00
Adrian Dodge Adrian MI	\$ 15,900.00 2009 Chev Impala (subject to availability)	\$ 2,000.00
Adrian Dodge Adrian MI	\$ 19,957.00 2010 Dodge Charger SXT	
Adrian Dodge Adrian MI	\$ 18,735.00 2010 Dodge Charger SE	
Adrian Dodge Adrian MI	\$ 16,629.00 2010 Dodge Avender SXT	
Dave Knapp Ford Adrian MI	\$ 17,317.92 2010 Ford Fusion	\$ 1,500.00
Dave Knapp Ford Adrian MI	\$ 21,239.56 2010 Ford Crown Vic	\$ 1,500.00

RE: DEPARTMENT OF PARKS & RECREATION – Authorization to Contract for Tree Care Services

RESOLUTION

WHEREAS, due to anticipated budget constraints, the Department of Parks & Recreation is recommending that the tree care services currently performed in-house be privatized with an outside vendor, effective January 1, 2010; and

WHEREAS, the City of Adrian Purchasing Office, in conjunction with the Department of Parks & Recreation, received sealed bids on Tuesday, December 1, 2009 for tree maintenance and removal on City streets and in City parks; and

WHEREAS, fifteen firms were invited to bid, with four responding as follows, for 2 person aerial crew with equipment:

<u>Vendor</u>	<u>Location</u>	<u>Hourly Rate</u>	<u>Premium Rate</u>
Wright Tree Service	Des Moines, IA	\$81.14	\$ 99.81
Consumers Energy	Jackson, MI	\$87.78	\$123.10
Nelson Tree Service	Dayton, OH	\$87.85	\$140.53
Trees, Inc.	Sand Creek, MI	\$89.64	\$168.52; and

WHEREAS, the Parks & Recreation Director and City Administrator recommend selection of the low bidder, Wright Tree Service, Des Moines, IA, as the preferred bidder and engagement in the City’s Standard Professional Services Contract to provide for tree maintenance and removal on City streets and in City parks, resulting in an estimated cost savings of \$50,000+ annually for an initial contract period of one year, with a two-year extension, depending on satisfactory performance; and

WHEREAS, the Finance Director indicates that funding for this proposal is available and equally divided between the General Fund – Parks & Forestry Budget and the Fee Estate Fund.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes selection of the low bidder, Wright Tree Service, Des Moines, IA, as the preferred bidder and engagement in the City’s Standard Professional Services Contract to provide for tree maintenance and removal on City streets and in City parks for an initial contract period of one year, effective January 1, 2010, with a two-year extension, depending on satisfactory performance.

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

REGULAR
AGENDA

R-1



MEMO

Date: December 2, 2009

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

From: Jeffrey C. Pardee, Finance Director

Re: Approval of FY2008-09 Comprehensive Annual Financial Report (CAFR) and Authorization of Year-End Encumbrances and Carry-Forwards, as well as Designations of General Fund Unassigned Fund Balance

Public Act 2 of 1968, (MCL 141.424), the Uniform Budgeting and Accounting Act (as amended) specifies that the Chief Administrative Officer of each local unit shall make an annual financial report...and Chapter Eight, Section 8.7 of the City Charter further specifies that *The City Administrator shall prepare an annual report of the affairs of the City, including a financial report.* The Governmental Accounting Standards Board (GASB) Statement #54, Fund Balance Reporting, indicates that Designations of General Fund Unassigned Fund Balance can be authorized by either the Chief Administrative Officer or City Commission, and lastly, the Government Finance Officers' Association (GFOA) of the United States and Canada recommends that the legislative branch of local government authorize Year-End Encumbrances and Carry-Forwards as amendments to the ensuing year's budget.

The Comprehensive Annual Financial Report (CAFR) has been prepared and presented and the audit completed by the independent Certified Public Accounting firm Robertson, Eaton & Owen, PC, reflecting an Unqualified (clean) Opinion as follows:

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Adrian, Michigan, as of June 30, 2009, and the respective changes in financial position and cash flows, where applicable thereof, and the budgetary comparison for all the major governmental funds for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Included in the CAFR, the City Administrator recommends the following Designations to General Fund Unassigned Fund Balance:

1) City Hall	\$2,000,000
2) DPW-Motor Pool Depreciation Catch-Up	700,000
3) City Hall Complex – First Year Debt Service	500,000
4) Property Acquisitions, Demolitions and Options	50,000
5) Bohn Pool Analysis	26,000
6) Local Grant Match	<u>25,000</u>
Total	<u>\$3,301,000</u>

I respectfully recommend approval of a resolution including: 1) Comprehensive Annual Financial Report (CAFR), 2) Designations to General Fund Unassigned Fund Balance detailed above, and 3) year-end encumbrances and carry-forwards in the total amount of \$1,148,777.92 (copy attached), of which \$341,359.00 pertains to the General Fund.

The attached resolution has been prepared for your consideration at the December 7, 2009 Commission Meeting. If you have any questions or need for further information, please contact my office.

**CITY OF ADRIAN
ENCUMBRANCE REPORT
JUNE 30 2009**

ACCOUNT #	PO#	VENDOR	DESCRIPTION	AMOUNT
GENERAL FUND				
101-172 ADMINISTRATION				
00-728.000	44960	Quill Corporation	Shredder	\$999.99
101-226 PERSONNEL				
00-739.000	44826	Extreme Glow	Neon Necklaces	\$231.00
00-803.000		Carry Forward	Legal Fees	\$21,200.00
				\$21,431.00
101-276 CEMETERY				
00-743.000	44256	Coyne Textile	Short Sleeve Shirts	\$26.08
00-743.000	44264	Mugs-N-More	Chamois Shirts	\$103.00
				\$129.08
101-301 POLICE DEPT				
00-957.170		Carry Forward	302 Training Funds	\$4,260.00
00-809.000	42824	Metropolitan Uniform	Reserves Uniforms	\$180.58
				\$4,440.58
101-336 FIRE DEPT				
00-741.000	42658	Time Emergency	Spanner Wrench	\$60.00
00-741.000	44090	Lansing Sanitary	Laundry Detergent	\$81.25
00-741.000	44412	Time Emergency	Bullard Shields	\$125.85
00-809.000	43777	J. Stickney	Physicals	\$1,983.24
00-931.000	44113	MB Electric	Outdoor Lights	\$6,655.00
00-931.000	44660	Adrian Mechanical	Repair AC	\$2,295.00
00-933.000	42818	Air Source One	Air Quality Test	\$108.62
00-933.000	44982	Rescue Equipment Sales	Service Rescue Tool	\$40.00
00-977.000	44487	Spencer Mfg	Repair Corrosion	\$3,500.00
				\$14,848.96
101-441 DEPT PUBLIC WORKS				
00-743.000	44268	Mug's-N-More	Chamois Shirts	\$103.00
00-957.000	44049	Arborist Skills	EHAP Training	\$375.00
				\$478.00
101-443 MOTOR VEHICLE POOL				
00-776.089	44620	Fastenal Co.	Bolts, Nuts, Washers	\$32.56
00-975.000		Carry Forward	Fuel Pumps	\$15,350.00
				\$15,382.56
101-691 RECREATION				
00-728.000	44823	Quill Corp	Toner & Office Supplies	\$570.31
00-728.000	44824	Quill Corp.	Office Supplies	\$165.83
00-741.054		Carry Forward	Little League Funds	\$5,554.00
00-741.058	44745	Bronner's Christmas	Lights, Bulbs, Etc	\$4,218.60
00-741.061	44650	Gear Up	Lifeguard Sweatshirts	\$140.00
00-743.000	44268	Mug's-N-More	Chamois Shirts	\$51.50
00-801.000	44528	Dailey Engineering	Design Kitchen	\$1,500.00
00-801.055	44568	Sanchin Systems	Karate Instructor	\$189.75
00-801.056	44568	Sanchin Systems	Karate Instructor	\$376.87
00-977.000	44746	Brock Enterprises	Umbrellas	\$1,214.50

**CITY OF ADRIAN
ENCUMBRANCE REPORT
JUNE 30 2009**

ACCOUNT #	PO#	VENDOR	DESCRIPTION	AMOUNT
	00-977.000	44748 Barco Products	Display Board	\$752.50
				\$14,733.86
101-696 P & F GARAGE				
	00-801.000	44733 Maple City Glass	Glass Repair & Mirrors	\$862.50
101-697 PARKS & TREES				
	00-743.000	44264 Mugs-N-More	Chamois Shirts	\$257.50
	00-801.000	44343 Adrian Locksmith	Door Replacement	\$2,600.00
	00-974.000	43652 Adrian Locksmith	P&F Doors	\$2,836.81
	00-974.000	43653 MB Electric	P&F Electric	\$2,242.15
	00-974.000	43654 Lenco Painting	P&F Painting	\$994.00
	00-974.000	43655 Schug Concrete	P&F Concrete	\$8,846.00
	00-974.000	43656 Adrian-Tecumseh Fence	P&F Fencing	\$37,425.00
	00-974.000	43657 Slusarski Excavating	P&T Paving	\$122,890.00
	00-974.000	43691 Mich Building Spec.	P&T General	\$14,487.40
	00-974.000	43714 Noron	P&F Renovation	\$20,043.10
	00-974.000	43715 Esko Roofing	P&F Renovation	\$18,030.00
	00-974.000	43718 Jackson Sprinkler	P&F Renovation	\$4,461.20
	00-974.000	44092 Commspec Inc	Cat 6 Install	\$569.07
	00-974.000	44371 Black Swamp	Port-a-Toilet	\$95.00
	00-975.000	44704 Schug Concrete	Sidewalk: Island	\$4,950.00
	00-975.000	44705 Doan Construction	Redi-Mix	\$3,000.00
				\$243,727.23
101-698 HERITAGE				
	00-801.000	41015 USA Utilities	Boring New Drain	\$1,600.00
	00-801.000	44367 Weed Man	Lawn Fertilization	\$1,827.00
				\$3,427.00
101-738 ADRIAN PUBLIC LIBRARY				
	00-952.000	Carry Forward	Electronic Resources	\$4,960.00
	00-959.000	44539 JRH Architects	Books	\$133.55
	00-969.000	44764 Maple City Glass	Power Closers	\$3,900.00
	00-975.000	41555 Otis Elevator	Elevator Upgrades	\$5,248.85
	00-975.000	43816 Service Electric	Security System	\$2,085.00
	00-975.000	43948 Heritage Plumbing	Install Sump Pump	\$600.00
	00-975.000	44642 Adrian Mechanical	Grinder Pump	\$2,865.00
	00-975.000	44699 Morley Carpet	Flooring	\$830.84
				\$20,623.24
101-801 PLANNING COMMISSION				
	00-805.000	44979 American Planning Assoc	Membership	\$275.00
TOTAL GENERAL FUND				\$341,359.00
				=====
MAJOR STREET FUND				
202-474 TRAFFIC SERVICE MAINT				
	00-776.109	44576 Terminal Design	Fonts Complete Family	\$397.50

CITY OF ADRIAN
ENCUMBRANCE REPORT
JUNE 30 2009

ACCOUNT #	PO#	VENDOR	DESCRIPTION	AMOUNT
TOTAL MAJOR STREET				\$397.50 =====
 LOCAL STREET FUND				
203-451 STREET CONSTRUCTION				
	05-801.203	44228 Smith Paving	C&G Summit St	\$60,085.85
	05-801.203	44229 Slusarski Excavating	Paving Summit St	\$57,223.20
	80-702.209	Carry Forward	Paving Alleys	\$35,520.00
	80-801.203	44229 Slusarski Excavating	Paving Alleys	\$39,480.00
 203-474 TRAFFIC SERVICEMAJINT				
	00-776.109	44576 Terminal Design	Fonts Complete Family	\$397.50
TOTAL LOCAL ST				\$192,706.55 =====
 FEE ESTATE				
205-696 P&F GARAGE				
	00-801.000	44733 Maple City Glass	Glass Repair & Mirrors	\$862.50
 205-699 FEE MAINTENANCE				
	00-776.000	44586 North Branch Nursery	Magnolias	\$270.00
	00-776.000	44998 McGowan Electric	Bulbs	\$63.95
	00-801.000	44367 Weed Man	Lawn Fertilization	\$4,298.50
	00-957.000	44049 Arborist Skills	EHAP Training	\$375.00
	00-975.000	41428 Cross Lake Construction	Island Pk Bridge	\$655.00
TOTAL FEE ESTATE				\$6,524.95 =====
 DDA- TIFA				
281-290 ADMINISTRATION				
	00-976.000	Carry Forward	Façade Program	\$77,900.00
TOTAL DDA-TIFA				\$77,900.00
 WATER PLANT CAPITAL				
496-548 CAPITAL EQUIPMENT				
	00-977.556	43265 Chemical Containment	Poly Tank	\$3,956.00
 496-549 WATER PLANT IMPROVEMENTS				
	00-977.533	Carry Forward	Security Fencing	\$5,000.00
TOTAL WATER PLANT CAPITAL				\$8,956.00 =====
 WASTEWATER CAPITAL				
497-554 WASTEWATER PLANT CAPITAL				
	00.975.144	Carry Forward	U.V. Bulbs	\$25,000.00

**CITY OF ADRIAN
ENCUMBRANCE REPORT
JUNE 30 2009**

ACCOUNT #	PO#	VENDOR	DESCRIPTION	AMOUNT
497-555 SEWER COLLECTION SYSTEM				
	00-975.127	44608 Assoc Engineers	Arch Lining Design	\$28,100.00
	00-975.127	Carry Forward	Manhole Renovation	\$200,000.00
	00.977.553	Carry Forward	Sewer Camera	\$70,000.00
TOTAL WASTEWATER CAPITAL				\$323,100.00 =====
WASTEWATER				
590-540 TREATMENT PLANT				
	00-741.133	44468 Total Electric Power	Arrestor	\$1,162.65
	00-741-133	44676 Professional Pump	Hinge Pad & Flap Valve	\$172.68
	00-741.133	44678 Applied Industrial	Ball Bearings	\$561.52
	00-743.000	44268 Mug's-N-More	Chamois Shirts	\$77.25
	00-748.000	43673 Midwest Gas Inst.	Grill Filters	\$12.80
	00-801.133	44138 Utilities Instrumentation	Prev Maintenance	\$3,786.00
	00-801.133	44396 Utilities Instrumentation	Prev Maintenance	\$1,893.00
590-543 BROAD ST STATION				
	00-801.00	44677 Pro-Seal Service	Repair Crane	\$4,422.50
TOTAL WASTEWATER				\$12,088.40 =====
WATER DEPARTMENT				
591-536 PURIFICATION & PUMPING				
	00-743.000	44265 Mugs-N-More	Chamois Shirts	\$68.50
	00-801.000	43378 Spicer	Dam Inspection	\$1,200.00
	00-801.124	42274 Detroit Elevator	Elevator Service	\$372.00
	00-801.124	42820 Adrian Mechanical	Annual Contract	\$365.00
	00-801.501	42821 Environmental Resources	Annual Contract	\$253.16
	00-801.501	43094 Siemans Water Tech.	Deionized Water Serv	\$879.00
591-537 MAINT & DISTRIBUT				
	00-743.000	44264 Mugs-N-More	Chamois Shirts	\$257.50
	00-743.507	44265 Mugs-N-More	Chamois Shirts	\$51.50
591-538 ADMIN CUST SERV				
	00-743.508	44265 Mugs-N-More	Chamois Shirts	\$51.50
TOTAL WATER				\$3,498.16 =====
INFORMATION TECHNOLOGY				
661-220 GIS SERVICES				
	00-811.000	44477 Environmental Resource	Arc Editor	\$4,800.00
	00-811.000	44478 Environmental Resource	Engine Runtime	\$1,450.00
	00-812.000	43779 Geographic Info	GIS Data Transfer	\$1,062.00

**CITY OF ADRIAN
ENCUMBRANCE REPORT
JUNE 30 2009**

ACCOUNT #	PO#	VENDOR	DESCRIPTION	AMOUNT
	00-977.000	Carry Forward	GIS Equipment	\$34,700.00
 661-221 TELECOMMUNICA				
	00-977.000	43780 D & P Communications	Fiber Optic Equipment	\$1,400.00
	00-977.000	43839 D & P Communications	Fiber Optic Miles Dr	\$14,000.00
 661-290 ADMINISTRATION				
	00-811.000	43735 Digital Ally	Software	\$1,300.00
	00-811.000	44489 Collective Data	Training	\$1,250.00
	00-811.000	Carry Forward	Ticket Software	\$62,000.00
	00-812.000	44300 Municipal Webb Serv	Website Redesign	\$17,080.00
	00-977.000	41204 Executone Communication	P&F Phones	\$5,309.69
	00-977.000	44983 McGowan Electric	Pull Line	\$53.84
	00-977.000	Carry Forward	Equipment	\$37,800.00
			TOTAL INFO TECHNOLOGY	\$182,205.53
				=====
 FIRE MOTOR POOL				
662-443 MOTOR VEH POOL				
	00-934.000	44981 Luye Jackson	Solenoid & Connector	\$41.83
			TOTAL FIRE MOTOR POOL	\$41.83
			 GRAND TOTAL:	 \$1,148,777.92

RE: DEPARTMENT OF FINANCE – Approval of FY2008-09 Comprehensive Annual Financial Report (CAFR) and Authorization of Year-End Encumbrances and Carry-Forwards, as well as Designations of General Fund Unassigned Fund Balance

RESOLUTION

WHEREAS, Public Act 2 of 1968, (MCL 141.424), the Uniform Budgeting and Accounting Act (as amended) specifies that the Chief Administrative Officer of each local unit shall make an annual financial report...and Chapter Eight, Section 8.7 of the City Charter further specifies that *“The City Administrator shall prepare an annual report of the affairs of the City, including a financial report”*; and

WHEREAS, the Governmental Accounting Standards Board (GASB) Statement #54, Fund Balance Reporting, indicates that Designations of General Fund Unassigned Fund Balance can be authorized by either the Chief Administrative Officer or City Commission, and lastly, the Government Finance Officers’ Association (GFOA) of the United States and Canada recommends that the legislative branch of local government authorize year-end encumbrances and carry-forwards as amendments to the ensuing year’s budget; and

WHEREAS, the Comprehensive Annual Financial Report (CAFR) has been prepared and presented and the audit completed by the independent Certified Public Accounting firm Robertson, Eaton & Owen, PC, reflecting an Unqualified (clean) Opinion as follows:

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Adrian, Michigan, as of June 30, 2009, and the respective changes in financial position and cash flows, where applicable thereof, and the budgetary comparison for all the major governmental funds for the year then ended in conformity with accounting principles generally accepted in the United States of America; and

WHEREAS, included in the CAFR, the City Administrator recommends the following Designations to General Fund Unassigned Fund Balance:

1) City Hall	\$2,000,000
2) DPW-Motor Pool Depreciation Catch-Up	700,000
3) City Hall Complex – First Year Debt Service	500,000
4) Property Acquisitions, Demolitions and Options	50,000
5) Bohn Pool Analysis	26,000
6) Local Grant Match	<u>25,000</u>
Total	<u>\$3,301,000</u> , and

WHEREAS, the Finance Director and City Administrator recommend approval of this resolution including: 1) Comprehensive Annual Financial Report (CAFR); 2) Designations to General Fund Unassigned Fund Balance detailed above; and 3) Year-

end encumbrances and carry-forwards in the total amount of \$1,148,777.92 (copy attached), of which \$341,359.00 pertains to the General Fund.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution and in accordance with Public Act 2 of 1968, (MCL 141.424), the Uniform Budgeting and Accounting Act (as amended), hereby approves this resolution including: 1) Comprehensive Annual Financial Report (CAFR); 2) Designations to General Fund Unassigned Fund Balance detailed above; and 3) year-end encumbrances and carry-forwards in the total amount of \$1,148,777.

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



Date: December 3, 2009

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

From: Terrence Collins, Police Chief

Re: ACCEPTANCE OF JUSTICE ASSISTANCE GRANT AWARD

In collaboration with the Lenawee County Sheriff's Department, the Adrian City Commission, by Resolution #R09-063 dated April 6, 2009, authorized submission of a Justice Assistance Grant (209-SB-B9-0449) application in the amount of \$80,219 (\$59,745 for City of Adrian Forensic Computer Equipment and Security Equipment for the new Police Facility and \$20,474 the Lenawee County Police Training Program).

The United States Department of Justice, under the expanded grant funding provided by the American Recovery and Investment Act, awarded the grant funding May 29, 2009 in the amount of \$80,219, for the period March 1, 2009 through February 28, 2013.

I respectfully recommend acceptance of the Justice Assistance Grant Award (209-SB-B9-0449) in the amount of \$80,219. The attached resolution has been prepared for consideration by the City Commission at its regularly scheduled meeting on December 7, 2009. If you have any questions or need for further information, please contact my office.



Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

May 29, 2009

Mr. Dane Nelson
City of Adrian
100 East Church Street
Adrian, MI 49221-2720

Dear Mr. Nelson:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, *Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants*, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbp.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review within 60 days from the date of this letter. For assistance in developing an EEOP, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

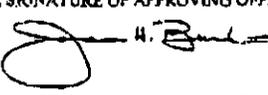
Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY	
	Grant	
	PROJECT NUMBER 2009-SB-B9-0449	PAGE 1 OF 1
This project is supported under FY09 Recovery Act (BJA-Byrne JAG) Pub. L. No. 111-5, 42 USC 3750-375F		
1. STAFF CONTACT (Name & telephone number) Judy B. Poston (202) 616-1283	2. PROJECT DIRECTOR (Name, address & telephone number) James Schwartz Deputy Chief 100 East Church Street Adrian, MI 49221-2720 (517) 264-4898	
3a. TITLE OF THE PROGRAM BJA FY 09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation		3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)
4. TITLE OF PROJECT Law Enforcement Equipment and Procedures Project		
5. NAME & ADDRESS OF GRANTEE City of Adrian 100 East Church Street Adrian, MI 49221-2720	6. NAME & ADDRESS OF SUBGRANTEE	
7. PROGRAM PERIOD FROM: 03/01/2009 TO: 02/28/2013	8. BUDGET PERIOD FROM: 03/01/2009 TO: 02/28/2013	
9. AMOUNT OF AWARD \$ 80,219	10. DATE OF AWARD 05/29/2009	
11. SECOND YEAR'S BUDGET	12. SECOND YEAR'S BUDGET AMOUNT	
13. THIRD YEAR'S BUDGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") and by 42 U.S.C. 3751(a). The stated purposes of the Recovery Act are: to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize state and local government budgets. In order to minimize and avoid reductions in essential services and counterproductive state and local tax increases, the Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars.		

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>		<p>Grant</p>		<p>PAGE 1 OF 9</p>																	
<p>1. RECIPIENT NAME AND ADDRESS (Including Zip Code)</p> <p>City of Adrian 100 East Church Street Adrian, MI 49221-2720</p>		<p>4. AWARD NUMBER: 2009-SB-89-D-49</p>		<p>3. PROJECT PERIOD: FROM 02/01/2009 TO 02/28/2013</p> <p>BUDGET PERIOD: FROM 02/01/2009 TO 02/28/2013</p>																	
<p>1A. GRANTEE IRS/VENDOR NO.</p> <p>386004660</p>		<p>8. SUPPLEMENT NUMBER</p> <p>00</p>		<p>7. ACTION</p> <p>Initial</p>																	
<p>3. PROJECT TITLE</p> <p>Law Enforcement Equipment and Procedures Project</p>		<p>9. PREVIOUS AWARD AMOUNT</p> <p>\$ 0</p>		<p>10. AMOUNT OF THIS AWARD</p> <p>\$ 80,219</p>																	
		<p>11. TOTAL AWARD</p> <p>\$ 80,219</p>																			
<p>12. SPECIAL CONDITIONS</p> <p>THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).</p>																					
<p>13. STATUTORY AUTHORITY FOR GRANT</p> <p>This project is supported under FY09 Recovery Act (BJA-Byrne JAG) Pub. L. No. 111-5, 42 USC 3750-3758</p>																					
<p>15. METHOD OF PAYMENT</p> <p>PAPRS</p>																					
<p>AGENCY APPROVAL</p>			<p>GRANTEE ACCEPTANCE</p>																		
<p>16. TYPED NAME AND TITLE OF APPROVING OFFICIAL</p> <p>James H. Burch II Acting Director</p>		<p>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL</p> <p>Diane Nelson City Administrator</p>																			
<p>17. SIGNATURE OF APPROVING OFFICIAL</p> 		<p>19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL</p> 		<p>19A. DATE</p> <p>0-1-2009</p>																	
<p>AGENCY USE ONLY</p>																					
<p>20. ACCOUNTING CLASSIFICATION CODES</p> <table border="1"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>BUD. ACT.</th> <th>DIV. OFC.</th> <th>DTV. REG.</th> <th>SUB.</th> <th>POMS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>B</td> <td>SB</td> <td>80</td> <td>00</td> <td>00</td> <td></td> <td>80219</td> </tr> </tbody> </table>				FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	DTV. REG.	SUB.	POMS	AMOUNT	9	B	SB	80	00	00		80219	<p>21. ISBUCT0262</p>	
FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	DTV. REG.	SUB.	POMS	AMOUNT														
9	B	SB	80	00	00		80219														

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

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PROJECT NUMBER 2009-SB-89-0449

AWARD DATE 05/29/2009

SPECIAL CONDITIONS

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 29 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

c-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. **RECOVERY ACT – Conflict with Other Standard Terms and Conditions**
The recipient understands and agrees that all other terms and conditions contained in this award, or in applicable OJP grant policy statements or guidance, apply unless they conflict or are superseded by the terms and conditions included here that specifically implement the American Recovery and Reinvestment Act of 2009, Public Law 111-5 ("ARRA" or "Recovery Act") requirements. Recipients are responsible for contacting their grant managers for any needed clarifications.

	Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 3 OF 9
PROJECT NUMBER 2009-SB-B9-0449		AWARD DATE 05/29/2009	
SPECIAL CONDITIONS			
<p>7. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.</p>			
<p>The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:</p>			
<ol style="list-style-type: none"> a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. 			
<p>The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at [wet site], for programs relating to methamphetamine laboratory operations.</p>			
<p>Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.</p>			
<p>8. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.</p>			
<p>9. The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by law and detailed by the BJA in program guidance for the Justice Assistance Grant (JAG) Program. Compliance with these requirements will be monitored by BJA.</p>			
<p>10. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.</p>			





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PROJECT NUMBER 2009-SB-B9-0449

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SPECIAL CONDITIONS

11. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
12. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?arca=policyAndPractice&page=1046>.
13. The recipient agrees that funds received under this award will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
14. **RECOVERY ACT - JAG - Trust Fund**
The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of either the Edward Byrne Memorial Justice Assistance Grant Program (JAG) or Recovery JAG Program. The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Financial Status Report (SF-269).
15. **RECOVERY ACT - Access to Records; Interviews**
The recipient understands and agrees that DOJ (including OJP and the Office of the Inspector General (OIG)), and its representatives, and the Government Accountability Office (GAO), shall have access to and the right to examine all records (including, but not limited to, books, papers, and documents) related to this Recovery Act award, including such records of any subrecipient, contractor, or subcontractor.

The recipient also understands and agrees that DOJ and the GAO are authorized to interview any officer or employee of the recipient (or of any subrecipient, contractor, or subcontractor) regarding transactions related to this Recovery Act award.
16. **RECOVERY ACT - One-time funding**
The recipient understands and agrees that awards under the Recovery Act will be one-time awards and accordingly that its proposed project activities and deliverables are to be accomplished without additional DOJ funding.

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>	<p>AWARD CONTINUATION SHEET Grant</p>	<p>PAGE 1 OF 9</p>
<p>PROJECT NUMBER 2009-SB-B9-0449 AWARD DATE 05/29/2009</p>		
<p style="text-align: center;"><i>SPECIAL CONDITIONS</i></p> <p>17. RECOVERY ACT – Separate Tracking and Reporting of Recovery Act Funds and Outcomes The recipient agrees to track, account for, and report on all funds from this Recovery Act award (including specific outcomes and benefits attributable to Recovery Act funds) separately from all other funds, including DOJ award funds from non-Recovery Act awards awarded for the same or similar purposes or programs. (Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate.)</p> <p>Accordingly, the accounting systems of the recipient and all subrecipients must ensure that funds from this Recovery Act award are not commingled with funds from any other source.</p> <p>The recipient further agrees that all personnel (including subrecipient personnel) whose activities are to be charged to the award will maintain timesheets to document hours worked for activities related to this award and non-award-related activities.</p> <p>18. RECOVERY ACT – Subawards – Monitoring The recipient agrees to monitor subawards under this Recovery Act award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.</p> <p>19. RECOVERY ACT – Subawards – DUNS and CCR for Reporting The recipient agrees to work with its first-tier subrecipients (if any) to ensure that, no later than the due date of the recipient's first quarterly report after a subaward is made, the subrecipient has a valid DUNS profile and has an active registration with the Central Contractor Registration (CCR) database.</p> <p>20. RECOVERY ACT - Quarterly Financial Reports The recipient agrees to submit quarterly financial status reports to OJP. At present, those reports are to be submitted on-line (at https://grants.ojp.usdoj.gov) using Standard Form SF 269A, not later than 45 days after the end of each calendar quarter. The recipient understands that after October 15, 2009, OJP will discontinue its use of the SF 269A, and will require award recipients to submit quarterly financial status reports within 30 days after the end of each calendar quarter, using the government-wide Standard Form 425 Federal Financial Report form (available for viewing at www.whitehouse.gov/omb/grants/standard_forms/ffr.pdf). Beginning with the report for the fourth calendar quarter of 2009 (and continuing thereafter), the recipient agrees that it will submit quarterly financial status reports to OJP on-line (at https://grants.ojp.usdoj.gov) using the SF 425 Federal Financial Report form, not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the grant period.</p>		





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PROJECT NUMBER 2009-SB-B9-0449

AWARD DATE 05/29/2009

SPECIAL CONDITIONS

21. RECOVERY ACT – Recovery Act Transactions Listed in Schedule of Expenditures of Federal Awards and Recipient Responsibilities for Informing Subrecipients

(a) The recipient agrees to maintain records that identify adequately the source and application of Recovery Act funds, to maximize the transparency and accountability of funds authorized under the Recovery Act as required by the Act and in accordance with 2 CFR 215.21, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations" and OMB A-102 Common Rules provisions (relating to Grants and Cooperative Agreements with State and Local Governments).

(b) The recipient agrees to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. This condition only applies if the recipient is covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This shall be accomplished by identifying expenditures for Federal awards made under the Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and inclusion of the prefix "ARRA-" in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

(c) The recipient agrees to separately identify to each subrecipient the Federal award number, CFDA number, and amount of Recovery Act funds, and to document this identification both at the time of subaward and at the time of disbursement of funds. When a recipient awards Recovery Act funds for an existing program, the information furnished to subrecipients shall distinguish the subawards of incremental Recovery Act funds from regular subawards under the existing program.

(d) The recipient agrees to require its subrecipients to specifically identify Recovery Act funding on their SEFA information, similar to the requirements for the recipient SEFA described above. This information is needed to allow the recipient to properly monitor subrecipient expenditure of Recovery Act funds as well as facilitate oversight by the Federal awarding agencies, the DOJ OIG, and the GAO.

22. RECOVERY ACT – Reporting and Registration Requirements under Section 1512 of the Recovery Act.

(a) This award requires the recipient to complete projects or activities which are funded under the Recovery Act and to report on use of Recovery Act funds provided through this award. Information from these reports will be made available to the public.

(b) The reports are due no later than ten calendar days after each calendar quarter in which the recipient receives the assistance award funded in whole or in part by the Recovery Act.

(c) Recipients and their first-tier recipients must maintain current registrations in the Central Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with Recovery Act funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

(d) The recipient shall report the information described in section 1512(c) of the Recovery Act using the reporting instructions and data elements that will be provided online at www.FederalReporting.gov and ensure that any information that is pre-filled is corrected or updated as needed.



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SPECIAL CONDITIONS

23. RECOVERY ACT – Provisions of Section 1512(c)

The recipient understands that section 1512(c) of the Recovery Act provides as follows:

Recipient Reports- Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency shall submit a report to that agency that contains—

- (1) the total amount of recovery funds received from that agency;
- (2) the amount of recovery funds received that were expended or obligated to projects or activities; and
- (3) a detailed list of all projects or activities for which recovery funds were expended or obligated, including—
 - (A) the name of the project or activity;
 - (B) a description of the project or activity;
 - (C) an evaluation of the completion status of the project or activity;
 - (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - (E) for infrastructure investments made by state and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment.
- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

24. RECOVERY ACT – Protecting State and Local Government and Contractor Whistleblowers (Recovery Act, section 1553)

The recipient recognizes that the Recovery Act provides certain protections against reprisals for employees of non-Federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act. The text of Recovery Act is available at www.ojp.usdoj.gov/recovery.

25. RECOVERY ACT – Limit on Funds (Recovery Act, section 1604)

The recipient agrees that none of the funds under this award may be used by any State or local government, or any private entity, for construction costs or any other support of any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

26. RECOVERY ACT – Infrastructure Investment (Recovery Act, sections 1511 and 1602)

The recipient agrees that it may not use any funds made available under this Recovery Act award for infrastructure investment absent submission of a satisfactory certification under section 1511 of the Recovery Act. Should the recipient decide to use funds for infrastructure investment subsequent to award, the recipient must submit appropriate certifications under section 1511 of the Recovery Act and receive prior approval from OJP. In seeking such approval, the recipient shall give preference to activities that can be started and completed expeditiously, and shall use award funds in a manner that maximizes job creation and economic benefits. The text of the Recovery Act (including sections 1511 and 1602) is available at www.ojp.usdoj.gov/recovery.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 8 OF 9

PROJECT NUMBER 2009-SB-B9-0449

AWARD DATE 05/29/2009

SPECIAL CONDITIONS

27. RECOVERY ACT – Buy American Notification (Recovery Act, section 1605)

The recipient understands that this award is subject to the provisions of section 1605 of the Recovery Act ("Buy American"). No award funds may be used for iron, steel, or manufactured goods for a project for the construction, alteration, maintenance, or repair of a public building or public work, unless the recipient provides advance written notification to the OJP program office, and a Grant Adjustment Notice is issued that modifies this special condition to add government-wide standard conditions (anticipated to be published in subpart B of 1 C.F.R. part 176) that further implement the specific requirements or exceptions of section 1605.

Section 1605 of the Recovery Act prohibits use of any Recovery Act funds for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States, subject to certain exceptions, including United States obligations under international agreements.

For purposes of this special condition, the following definitions apply:

"Public building" and "public work" means a public building of, and a public work of, a governmental entity (the United States; the District of Columbia; commonwealths, territories, and minor outlying islands of the United States; State and local governments; and multi-State, regional, or interstate entities which have governmental functions). These buildings and works may include, without limitation, bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and the construction, alteration, maintenance, or repair of such buildings and works.

"Manufactured good" means a good brought to the construction site for incorporation into the building or work that has been--

- (1) Processed into a specific form and shape; or
- (2) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

"Steel" means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

For purposes of OJP grants, projects involving construction, alteration, maintenance, or repair of jails, detention facilities, prisons, public crime victims' shelters, police facilities, or other similar projects will likely trigger this provision.

NOTE: The recipient is encouraged to contact the OJP program manager – in advance – with any questions concerning this condition, including its applicability to particular circumstances.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET**
Grant

PAGE 9 OF 9

PROJECT NUMBER 2009-SB-B9-4449

AWARD DATE 05/29/2009

SPECIAL CONDITIONS

28. **RECOVERY ACT – Wage Rate Requirements under Section 1606 of the Recovery Act**
(a) Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.
- Pursuant to Reorganization Plan No. 14 and the Copeland Act, 40 U.S.C. 3145, the Department of Labor has issued regulations at 29 CFR Parts 1, 3, and 5 to implement the Davis-Bacon and related Acts. Regulations in 29 CFR 5.5 instruct agencies concerning application of the standard Davis-Bacon contract clauses set forth in that section. The standard Davis-Bacon contract clauses found in 29 CFR 5.5(a) are to be incorporated in any covered contracts made under this award that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).
- (b) For additional guidance on the wage rate requirements of section 1606, contact your awarding agency. Recipients of grants, cooperative agreements and loans should direct their initial inquiries concerning the application of Davis-Bacon requirements to a particular federally assisted project to the Federal agency funding the project. The Secretary of Labor retains final coverage authority under Reorganization Plan Number 14.
29. **RECOVERY ACT – NEPA and Related Laws**
The recipient understands that all OJP awards are subject to the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 et seq.) and other related Federal laws (including the National Historic Preservation Act), if applicable. The recipient agrees to assist OJP in carrying out its responsibilities under NEPA and related laws, if the recipient plans to use Recovery Act funds (directly or through subaward or contract) to undertake any activity that triggers these requirements, such as renovation or construction. (See 28 C.F.R. Part 61, App. D.) The recipient also agrees to comply with all Federal, State, and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award.
30. **RECOVERY ACT – Misuse of award funds**
The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
31. **RECOVERY ACT – Additional Requirements and Guidance**
The recipient agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide) guidance and clarifications of Recovery Act requirements.
32. **RECOVERY ACT - JAG - Delinquent section 1512(c) reports**
The recipient acknowledges that it has certified that it will comply with all reporting requirements under section 1512(c) of the Recovery Act. (An online reporting mechanism is anticipated to be available for award recipient use by October 10, 2009.) Further to this certification, a failure to comply with the section 1512(c) reporting requirements may, in addition to other penalties, subject the recipient to the following:
(1) After failure to report section 1512(c) data for two consecutive reporting periods, the recipient may be— (a) precluded from drawing down funds under any OJP award, and/or (b) deemed ineligible for future discretionary OJP awards, until such time as the recipient becomes current in its section 1512(c) reporting obligations; and
(2) After failure to report section 1512(c) data for three consecutive reporting periods, the recipient, upon written demand of the Director of BJA, shall return to OJP any unexpended award funds (including any unexpended interest earned on award funds) within 15 calendar days of the date of the demand notice. Thereafter, the recipient's award shall be converted to a cost-reimbursable grant until such time as the recipient becomes current in its section 1512(c) reporting obligations, and remains current for not less than two additional consecutive reporting periods.

AR

R09-195

December 7, 2009

RE: POLICE DEPARTMENT – ACCEPTANCE OF JUSTICE ASSISTANCE GRANT AWARD

RESOLUTION

WHEREAS, in collaboration with the Lenawee County Sheriff’s Department, the Adrian City Commission, by Resolution #R09-063 dated April 6, 2009, authorized submission of a Justice Assistance Grant (209-SB-B9-0449) application in the amount of \$80,219 (\$59,745 for City of Adrian Forensic Computer Equipment and Security Equipment for the new police facility and \$20,474 for the Lenawee County Police Training Program); and

WHEREAS, the United States Department of Justice, under the expanded grant funding provided by the American Recovery and Investment Act, awarded the grant funding May 29, 2009 in the amount of \$80,219, for the period March 1, 2009 through February 28, 2013; and

WHEREAS, the Police Chief and City Administrator recommend acceptance of the Justice Assistance Grant Award (209-SB-B9-0449) in the amount of \$80,219 and approval of the necessary budget amendments.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes acceptance of the Justice Assistance Grant (JAG) Award (209-SB-B9-0449) in the amount of \$80,219.

BE IT, FURTHER, RESOLVED that the FY2009-10 Budget be amended as follows:

General Fund

Revenue:

(101-301.00-540.000) Police JAG Grant – Equipment & Training \$80,219

Expenditures:

Police Department:

(101-301.00-741.00) Police Operating Supplies \$ 8,450

(101-301.00-977.00) Police Capital Equipment 51,295

Total 59,745

Non-Dept.- Transfers Out:

(101-965.00-969.997) Lenawee County Sheriff’s Department 20,474

Total \$80,219

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

R.3



MEMO

Date: December 3, 2009

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

From: Jeffrey C. Pardee, Finance Director

Re: **Authorization to Pay Off All General Obligation Debt Except for Series A, B, & C Bonds for Downtown Government Complex**

The City of Adrian, from time to time, has entered into various General Obligation Debt instruments to acquire and renovate sundry properties for purposes of enhancing public services or provide for future development. Issuance of Series A, B, and C Bonds, through the Federal Stimulus Program (American Recovery & Reinvestment Act of 2009), has enabled the City to obtain funds at a reduced interest rate of 3.71%; and sufficient funds were borrowed (net proceeds after issuance expenses - \$7,005,379) under the aforementioned program to not only acquire and renovate the Downtown Government Complex but, in addition, retire all outstanding General Fund General Obligation Debt in the amount of \$4,008,777.56 including principal and interest (see attached schedule).

To ensure sufficient funds are available in future budgets to defray the annual debt service payments for the Series A, B and C Bonds (estimated to be \$450,000 annually), the Finance Director and City Administrator respectfully recommend that authorization be given to retire all other outstanding General Fund-General Obligation debt.

The attached resolution has been prepared for consideration by the City Commission at its next regularly scheduled meeting on December 7, 2009. If you have any questions or need for further information, please contact my office.

**CITY OF ADRIAN
PAYOFF OF GENERAL OBLIGATION DEBT
December 7, 2009**

DESCRIPTION	VENDOR	FINANCING VEHICLE	PAY OFF AMOUNT As of December 7, 2009		
			PRINCIPAL	INTEREST	TOTAL
Purchase 135 E. Maumee for New City Hall	First Federal Bank	Land Contract	\$1,285,000.00	\$48,161.10	\$1,333,161.10
Purchase 153-155 E. Maumee for New Police Facility	First Federal Bank	Installment Purchase Agreement	\$495,522.11	\$7,856.01	\$503,378.12
Purchase Marvin Farm Property for Future Economic Development	First Federal Bank	Installment Purchase Agreement	\$532,964.49	\$10,358.21	\$543,322.70
Purchase 381 Miles Drive for New Parks & Forestry Maintenance Facility	Huntington National Bank	Installment Purchase Agreement	\$497,900.43	\$1,143.74	\$499,044.17
Renovation of 381 Miles Drive for New Parks & Forestry Maintenance Facility	Huntington National Bank	Installment Purchase Agreement	\$1,000,000.00	\$17,999.05	\$1,017,999.05
Purchase 250 W. Church Street Property for Future Development	Bruce & Joan Benedict Trust	Land Contract	\$108,614.00	\$3,258.42	\$111,872.42
		TOTAL	<u>\$3,920,001.03</u>	<u>\$88,776.53</u>	<u>\$4,008,777.56</u>

RE: DEPARTMENT OF FINANCE – Authorization to Pay Off All General Obligation Debt Except for Series A, B, & C Bonds for Downtown Government Complex

RESOLUTION

WHEREAS, the City of Adrian, from time to time, has entered into various General Obligation Debt instruments to acquire and renovate sundry properties for purposes of enhancing public services or provide for future development; and

WHEREAS, issuance of Series A, B, and C Bonds, through the Federal Stimulus Program (American Recovery & Reinvestment Act of 2009), has enabled the City to obtain funds at a reduced interest rate of 3.71%; and

WHEREAS, sufficient funds were borrowed (net proceeds after issuance expenses - \$7,005,379) under the aforementioned program to not only acquire and renovate the Downtown Government Complex but, in addition, retire all outstanding General Fund General Obligation Debt in the amount of \$4,008,777.56, including principal and interest, as detailed below:

**CITY OF ADRIAN
PAYOFF OF GENERAL OBLIGATION DEBT
December 7, 2009**

DESCRIPTION	VENDOR	FINANCING VEHICLE	PAY OFF AMOUNT		
			As of December 7, 2009		
			PRINCIPAL	INTEREST	TOTAL
Purchase 135 E. Maumee for New City Hall	First Federal Bank	Land Contract	\$1,285,000.00	\$48,161.10	\$1,333,161.10
Purchase 153-155 E. Maumee for New Police Facility	First Federal Bank	Installment Purchase Agreement	\$495,522.11	\$7,856.01	\$503,378.12
Purchase Marvin Farm Property for Future Economic Development	First Federal Bank	Installment Purchase Agreement	\$532,964.49	\$10,358.21	\$543,322.70
Purchase 381 Miles Drive for New Parks & Forestry Maintenance Facility	Huntington National Bank	Installment Purchase Agreement	\$497,900.43	\$1,143.74	\$499,044.17

Renovation of 381 Miles Drive for New Parks & Forestry Maintenance Facility	Huntington National Bank	Installment Purchase Agreement	\$1,000,000.00	\$17,999.05	\$1,017,999.05
Purchase 250 W. Church Street Property for Future Development	Bruce & Joan Benedict Trust	Land Contract	\$108,614.00	\$3,258.42	\$111,872.42
		TOTAL	\$3,920,001.03	\$88,776.53	\$4,008,777.56

WHEREAS, to ensure sufficient funds are available in future budgets to defray the annual debt service payments for the Series A, B and C Bonds (estimated to be \$450,000 annually), the Finance Director and City Administrator respectfully recommend that authorization be given to retire all other outstanding General Fund-General Obligation debts.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the retirement of all outstanding General Fund-General Obligation debts in the amount of \$4,008,777.56, as detailed above, excluding the recently issued Series A, B and C Bonds under the American Recovery and Reinvestment Act for purposes of funding the Downtown Government Complex.

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

R.4

DATE: December 3, 2009
TO: Honorable Mayor and City Commissioners
FROM: Dane C. Nelson, City Administrator
SUBJECT: Fuel Surcharge

As indicated on the attached memo from Kristin Bauer, the LISD has requested to purchase gasoline from city pumps located on Race Street. Since 1980, for other such users, a charge of \$.05 per gallon has been added to the actual cost of gas to cover other known costs associated with the pumps. A new review of the cost structure indicates that these "other" costs are now \$.07 per gallon.

Rather than simply assess a surcharge of \$.07 per gallon for known actual costs involved, I would ask the Commission to consider additional charges for this service. For every penny above the \$.07, revenue would increase by \$2,050 per year. The proposed resolution increases the surcharge to \$.07 to cover such known costs, but does not add any other charges for unknown costs or unknown future issues. As such, in the event the Commission wishes to insert a different surcharge other than \$.07 per gallon, this may be done at the time the resolution is considered.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:bjw

R-4

December 2, 2009



MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

Cc: Cindy Prue, Asst. Finance Director
Mark Bishop, Fleet Manager

SUBJECT: Fuel Cost & Usage Evaluation

In October of 2009 we were approached by the Lenawee Intermediate School District (LISD) inquiring on the possibility to purchase gas at our pumps at 231 Race St. This request prompted us to analyze the cost of maintaining our system and providing fuel to outside consumers.

Historically, the City of Adrian has provided gas to several groups outside of the City Departments, those being the LISD, Lenawee Transportation, and the Adrian Public Schools. The City purchases approximately 205,000 gallons of gas and diesel every fiscal year. The following is a breakdown of the total gas and diesel usage:

	Gas & Diesel Total Gallons Used	% of Overall Use
Adrian Public Schools	96,000	47%
City of Adrian	79,000	38%
Lenawee Transportation	28,000	14%
LISD	1,800	1%

Since 1980 the City of Adrian has charged outside user's \$0.05/gal of fuel over our purchase price. After analyzing the costs involved with running this system, including DEQ certifications, licenses, repairs and replacements, maintenance and administration costs, it was determined that this cost is \$0.07/gal.

At this time I recommend that the City of Adrian raise the per gallon charge to a minimum of \$0.07/gal over our purchase price. This new cost does not provide for any additional revenue for this service. Each additional \$0.01 increase above

the \$0.07, it would generate estimated revenue of approximately \$2,050/year based on prior year's usage.

I recommend these changes in fuel costs become effective Jan. 1, 2010 and in addition we would allow LISD to fuel all their buses at our facility.

If increase in the fuel surcharge are not made I recommend we not allow the LISD busses to fuel at our facility as we are currently running at a loss.

RE: CITY ENGINEER – Authorization to Increase Fuel Surcharge to Outside Users

RESOLUTION

WHEREAS, the Lenawee Intermediate School District (LISD) has requested to purchase fuel at the city’s Race Street pump facilities, which prompted the City Engineer to perform a fuel cost & usage evaluation to determine whether or not our current surcharge of \$.05/gallon is sufficient to cover our costs; and

WHEREAS, the aforementioned evaluation determined that a surcharge of \$.05/gallon is not sufficient to cover our costs and that before we respond to the LISD request, the surcharge should be increased to \$.07/gallon, which would increase motor vehicle revenue by \$4,100 per year; and

WHEREAS, the City Engineer, Finance Director and City Administrator recommend increasing the current fuel surcharge to outside users from \$.05/gallon to \$.07/gallon, that LISD be allowed to purchase their fuel through the City facilities, and that appropriate budget amendments be made.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes that the fuel surcharge levied to outside users be increased from \$.05/gallon to \$.07/gallon, and that the LISD be allowed to purchase their fuel through the City facilities.

BE IT, FURTHER, RESOLVED that the FY2009-19 Budget be amended as follows:

Motor Vehicle Pool (Fund 662)

Revenue:		
(662-000.00-676.001)	Contribution-Adrian Public Schools	\$3,000
(662-000.00-676.002)	Contribution-LISD	100
(662-000.00-676.003)	Contribution-Lenawee Transportation	<u>1,000</u>
	Total	\$4,100
Expenses:		
(662-990.00-990.000)	Motor Pool Contingency Account	<u>\$4,100</u>
	Total	<u>\$ -0-</u>

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

R-5

R09-198

December 7, 2009

RESOLUTION

WHEREAS, the City of Adrian has been contracting Dial-A-Ride services with Quick Service Transportation, Inc., and be it,

RESOLVED, a new one (1) year contract with Quick Service Transportation, Inc., has been proposed, reference: MDOT 2007-0156/Z9/S1, now therefore be it,

FURTHER RESOLVED, that a new one (1) year contract between the City of Adrian and Quick Service Transportation, Inc., be executed for a period ending September 30, 2010 canceling all previous contracts between said parties, and,

HEREBY, authorize the Mayor, Gary E McDowell, and the City Clerk, Pat Baker, to sign the aforementioned contract.

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

CITY OF ADRIAN

QUICK SERVICE TRANSPORTATION, INC.

OPERATIONS CONTRACT

THIS OPERATIONS CONTRACT, Effective October 1, 2009 by and between the City of Adrian, Michigan, a Michigan Municipal Corporation, hereinafter called the "CITY" and Quick Service Transportation, Inc., a Michigan Corporation, of Adrian, Michigan, hereinafter called the "COMPANY".

WITNESSETH:

WHEREAS, the CITY desires to have the COMPANY operate a Dial-A-Ride transportation system (hereinafter referred to as the "DART" system), under the General Transportation Fund Program and Act 327 of the Public Acts of 1972, and,

WHEREAS, the COMPANY desires to contract with the CITY for the operation of the DART system,

NOW, THEREFORE, in consideration of the mutual promises contained herein, the COMPANY and the CITY agree as follows:

THE COMPANY SHALL:

1. Employ sufficient drivers to operate approximately six (6) vehicles to be used in the DART system. The COMPANY will further employ sufficient dispatchers to operate the system. The COMPANY will hire said drivers and dispatchers and with the approval of the CITY will establish their rates of compensation and other terms and conditions of employment, and said drivers and dispatchers will be employees of the COMPANY and not of the CITY; provided, however, that the CITY reserves the right to review, through the CITY ADMINISTRATOR or his agent, the qualifications of said employees and to recommend to the COMPANY that the COMPANY rejects the services of any such person if, in the judgement of the CITY ADMINISTRATOR, said employee is not sufficiently qualified; provided, further, that the CITY reserves the right to require the COMPANY to remove from DART system service any employee whose actions on the job are, in the judgement of the CITY, detrimental to the operation of the DART system; and provided, further, that all future employees, hired to drive DART system vehicles, will first obtain, at the expense to the CITY, a physical and medical examination in accordance with standards established by the CITY. The COMPANY shall, at all times, carry Workers Compensation Insurance on said drivers and dispatchers and shall do all things legally required of it as the employer of said drivers and dispatchers, and will, upon request by the CITY, furnish to the CITY forthwith proof that the COMPANY'S obligations under this Section are being met.

2. Provide supervision of drivers and dispatchers, including work schedules approved by the CITY.
3. Require said drivers and dispatcher to undergo initial training and continuing training, according to a program outline to be provided by the CITY. It is understood that the duration of the initial training will be approximately one (1) week. Such drivers and dispatchers shall be and remain employees of the COMPANY at all times during such training.
4. Purchase necessary supplies related to the dispatching under the DART system including forms used for necessary records of operations and fares. The CITY will reimburse the COMPANY for such purchases. Types and quantities of forms, and form design and layout will be as specified by the CITY. The CITY, at its option, elects to furnish some or all of such necessary supplies directly to the COMPANY.
5. Operate the DART system service according to an operations plan provided by the CITY, which will include specific service hours, service area boundaries, a fare structure, and radio procedures.
6. Provide all general supervision and clerical and administrative work necessary and required by the CITY for the performance of this contract and the operation of the DART system, including the bookkeeping, recording of data, preparation of reports, handling of system revenues and other such work related to the DART system.
7. Furnish garage facilities acceptable to the CITY for the DART system vehicles and a dispatch center.
8. Provide all cleaning of and all operating supplies and maintenance for the DART system vehicles, including a daily checking of vehicle condition. Operating supplies shall include, but shall not be limited to, oil, anti-freeze, transmission fluid, grease, windshield washer fluid and all other miscellaneous supplies and fluids required in vehicle operation. Maintenance shall include all vehicle maintenance and repair with the exception of items covered by insurance or vehicle warranty.
9. Provide heat, light, electrical power and restroom facilities for the dispatch center located at 377 Logan St., Adrian, MI.
10. Handle DART system revenues in a manner to be determined by the CITY.
11. Furnish to the CITY daily, weekly, and monthly summaries of service including origination to destination sheets and amounts of fares received, in a format to be approved by the CITY, and will furnish other reports of maintenance and operations as required by the CITY.

12. At all times, permit the CITY, the Michigan State Transportation Commission, or representatives thereof, and their consultants, access to all dispatching areas; providing, however, that said access will not interfere unreasonably with the legitimate business activities of the COMPANY employees. The COMPANY shall permit the CITY'S and the authorized representative of the Michigan Department of Transportation, hereinafter referred to as the M.D.O.T., to inspect all work, materials, payrolls, records of personnel, invoices for materials, and other relevant data and records, and to audit the books, records, and accounts of the COMPANY pertinent to the Contract and the development and operation of the DART system and keep the same available for inspection for three (3) years from the date of final payment for operation of the DART system.

13. In connection with the performance of work under this Contract, agrees to comply with the provision of the State of Michigan "Non-Discrimination Clause for All State Contracts", as set forth in Appendix "A" attached hereto and made a part hereof. The COMPANY (hereinafter in Appendix "A" referred to as the "CONTRACTOR") further covenants that it will comply with the Civil Rights Act of 1964 (78 Stat. 252) and will require a similar covenant on the part of any contractor or subcontractor employed in the performance of this Contract.

14. Indemnify and save harmless, the CITY, M.D.O.T., and all officers, agents, and employees thereof, from any and all claims, losses, or liability resulting from the negligence or intentional wrong-doing of any officer, agent, servant, or employee of the COMPANY. The COMPANY also agrees to reimburse the CITY for costs incurred for repair or replacement of dispatching and other equipment and facilities furnished by the CITY resulting from use by the COMPANY or its employees for purposes unrelated to the DART system. The COMPANY further agrees that any such use is to be made only with prior express written permission of the CITY.

15. Keep itself fully informed of and shall, at all times, comply with all local, state, and federal laws, rules and regulations, applicable to this Contract and the work to be done hereunder.

16. Not assign any of its rights or duties under this Contract without the express written consent of the CITY.

17. Promptly pay the CITY for gasoline provided to it by the CITY for use in the DART system vehicles.

18. Shall provide to each employee a copy of the driver rule book and procedure manual, hereinafter referred to as the "MANUAL". The COMPANY shall require that all employees abide by the MANUAL. The COMPANY will enforce all rules and regulations in the MANUAL and in cases of employee infractions, the COMPANY will follow the discipline procedure outlined in the MANUAL. The CITY reserves the right to change the MANUAL any time it deems necessary.

19. Ensure that D.B.E.'s as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that D.B.E.'s have the maximum opportunity to compete for and perform contracts. The M..D.O.T. has set a 2009 D.B.E. goal for participation and all parties agree to put forth good faith efforts to meet this goal.

20. The COMPANY agrees that the costs reported under this Contract will represent only those items that are properly chargeable in accordance with this Contract. The COMPANY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

THE CITY SHALL:

21. Receive Federal Section 5311 operating funds as provided in contracts between the M.D.O.T. and the City, and State Local Bus Operating assistance as provided to the City by M.D.O.T. per Act 51 of the Public Acts of 1951, as amended and disburse same to Quick Service based on documented costs incurred and in conformance with State and Federal regulations. This compensation to Quick Service shall not exceed \$240,000 which is a reimbursement estimate for the operating costs.

22. Use M.D.O.T.'s current "Local Public Transit Revenue and Expense Manual" in the determination of eligible project costs.

23. Supply licensed and registered vehicles and radio dispatching equipment to be used in the DART system.

24. Provide general supervision of the DART system and its operation and will provide competent periodic inspection of the general condition of the vehicles.

25. Provide an operating plan including, but not necessarily limited to, hours of service, service area boundaries, a fare structure, radio procedure, layout for dispatch and reporting forms, dispatch procedures and training schedules.

26. Retain the right to set and change levels of service including, but not limited to, hours, number of vehicles, service area, and use of vehicles. Failure of the COMPANY to provide services of said levels shall be construed as a breach of this Contract.

27. Provide maintenance for the DART system's radio equipment.

28. Pay the COMPANY for installation of telephone trunklines and telephones in the dispatch center and will reimburse the COMPANY for the monthly telephone billings. Said telephone facilities shall be used only in connection with the DART system.

29. Provide standards for preventive maintenance of vehicles, lists of parts and items to be retained in inventory, and master copies of standard forms for daily recording of vehicle use and maintenance.

30. Provide advertising and promotion for the DART system. No publication of the COMPANY may state or imply that DART system is a service of the COMPANY.

31. Sell to the COMPANY, at costs to the CITY, all gasoline required for the operation for the DART system.

32. Pay the COMPANY actual costs incurred for each "Driver Hour" according to the attached approved Wage Scale plus mandatory fringe benefits, including but not limited to, Social Security, Unemployment Compensation and Workers Compensation. Overtime will be at one and one-half (1-1/2) times said rates. "Driver hour" shall be construed to mean an hour during which a driver is operating a vehicle in service, training for said operation, or spending time in the performance of other DART system work as authorized by the CITY. Meal periods, during which the vehicle is taken out of service shall not be included under "driver hour".

A. Pay the COMPANY actual costs incurred for premiums to provide employee and or employee plus one coverage under a basic group health insurance plan for full-time seniority employees with one (1) or more years of service, who are not otherwise covered by another substantially equivalent group health insurance plan paid by another employer.

B. Pay the COMPANY actual costs incurred for vacation pay for all full-time and regular part-time employees with at least one (1) year of continuous service. Each eligible employee will receive a one (1) week vacation paid annually. Upon completion of five (5) years of employment, each eligible employee will receive two (2) weeks vacation paid annually. Upon completion of ten (10) years of employment, each eligible employee will receive three (3) weeks vacation paid annually and said employees with at least twenty (20) years of continuous service will receive four (4) weeks of vacation annually.

Vacation pay will be based upon the average number of hours worked by the employee per week during the preceding calendar year beginning October 1, and the employee's rate of pay at the time the vacation is taken; provided that, for these purposes, an employee whose average number of hours worked per week is at least 36 shall have his or her average number of hours increased by four (4), to a maximum of 44 average hours per week.

- C. Pay the COMPANY actual costs incurred for six paid holidays: Thanksgiving Day holiday, Christmas Day holiday, Independence Day holiday, New Year's Day holiday, Labor Day holiday, and Memorial Day holiday provided they work all scheduled hours the normally scheduled work day before and after the holiday, unless the employee is on an approved vacation or leave of absence. All employees will be provided two paid personal days each calendar year providing forty-eight (48) hours notice to the employer.
- D. Pay a thirty five (\$0.35) cent per hour premium for drivers assigned to training during time that they are actually performing the training.
- E. Institute a 401(k) plan, paying all administrative fees, and matching the following amounts:
 - \$0.10 for every \$1.00 contributed by the employee, to a maximum match of \$100.00 per year, per participant for the first year.
 - \$0.15 for every \$1.00 contributed by the employee, to a maximum match of \$150.00 per year, per participant thereafter.

33. Pay the COMPANY actual costs incurred for each "Dispatch Hour" according to the attached approved Wage Scale plus mandatory fringe benefits, including but not limited to, Social Security, Unemployment Compensation and Workers Compensation. Dispatchers' health insurance and vacation pay, including sick and accident insurance for the office manager, will be reimbursed at the current level being offered by the COMPANY. Overtime will be at one and one-half (1-1/2) times said rates. Time spent by the dispatcher(s) for which that rate will be paid shall include reasonable time spent in dispatcher training activities, but shall exclude meal breaks during which the COMPANY'S employee is not dispatching service.

34. Pay the COMPANY monthly for cleaning maintenance, and the furnishing of operating supplies for the DART system vehicles. Payment shall be made upon submission by the COMPANY of detailed cost statements. The CITY reserves the right to provide any or all such services at its cost.

35. Pay the COMPANY per month to include a portion of the cost for heat, water, and electricity located at 377 Logan St., Adrian, MI.

36. Pay to the COMPANY \$1400.00 per month for the performance of all obligations under this Contract not covered by Sections 28, 32, 33, 34, and 35 hereof, including but not limited to scheduling, supervising, bookkeeping, record keeping and reporting.

37. Pay to the COMPANY the necessary legal fees pertaining to on-going union negotiations and union personnel problems of Quick Service employees providing transit service to the city. It is understood the legal services obtained will be in behalf of the CITY'S best interest.

IT IS FURTHER AGREED THAT:

38. No member of or delegate to the Congress of the United States or the Legislature of the State of Michigan shall be admitted to any share or part of the Contract or to any benefits arising therefrom or part of the Contract or to any benefits arising therefrom.

39. No member, officer, or employee of the CITY, or of a local public body, during his tenure or for one (1) year after, shall have any interest, direct or indirect, in this Contract or the proceeds thereof.

40. This Contract will terminate September 30, 2010, however, if the revenue received by the CITY from the COMMISSION regarding the DART system shall be terminated for any reason, this Contract may also be terminated immediately by the CITY; provided, further that the CITY chooses in the event of any breach by the COMPANY, without thereby waiving any claims for damages; and provided; further, that the CITY may, at its' discretion and for any reason, terminate this Contract upon thirty days (30) written notice to the COMPANY. The parties may extend this Contract for periods of one (1) year by execution of an amendment, approved by M.D.O.T.

41. The COMPANY recognizes that the CITY has certain obligations with the COMMISSION providing for DART system services in the CITY regarding reports, forms, audits, etc. The COMPANY further recognizes that the CITY has contracted with the COMPANY to perform various functions and meet certain responsibilities concerning DART system which are, under the Contract with the COMMISSION, in the first instance the responsibility of the CITY. The COMPANY agrees that this Contract between itself and the CITY shall be construed in light of the Contract between the CITY and M.D.O.T. in order to accomplish the objectives of those required by M..D.O.T. and the COMPANY agrees to perform accordingly.

42. In the event of a conflict between the terms and conditions of the subcontract and those of the prime agreement, the terms and conditions of the prime agreement shall prevail.

43. All terms and conditions included in the prime contract are incorporated in the subcontract.

44. The provisions of this Contract shall bind and insure to the benefit of the successors and assigns of the parties hereto, and with approval of M.D.O.T

CITY OF ADRIAN, MICHIGAN

BY: _____

TITLE: _____

BY: _____

TITLE: _____

QUICK SERVICE TRANSPORTATION, INC.

BY: _____

TITLE: _____

ATTACHMENT A
WAGE SCALE
EFFECTIVE OCTOBER 1, 2009

	CURRENT	DRIVERS	PART-TIME DISPATCH	DISPATCH	OFFICE MANAGER
START	\$9.01	\$9.26	\$9.36	\$10.20	\$11.24
4 MONTHS	\$9.25	\$9.50	\$9.60	\$10.34	\$11.38
1 YEAR	\$9.50	\$9.75	\$9.85	\$10.51	\$11.55
2 YEARS	\$9.65	\$9.90	\$10.00	\$10.60	\$11.64
3 YEARS	\$9.90	\$10.15	\$10.25	\$10.87	\$11.91
4 YEARS	\$10.15	\$10.40	\$10.50	\$11.12	\$12.16
5 YEARS	\$10.40	\$10.65	\$10.75	\$11.37	\$12.42
10 YEARS	\$11.75	\$12.00	\$12.10	\$12.65	\$13.69
15 YEARS	\$12.50	\$12.75	\$12.85	\$13.42	\$14.46
20 YEARS	\$13.00	\$13.25	\$13.35		

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its

agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.

8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

March 1998

R-6

December 3, 2009

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: 2010 MDOT Annual Permit &
Resolution



In keeping with our yearly requirements by the Michigan Department of Transportation (MDOT) I am submitting the Performance Resolution to be added to the agenda for a City Commission meeting. This resolution is required for us to receive our Annual Permit for operations within the MDOT Right of Way.

ANNUAL APPLICATION AND PERMIT FOR MISCELLANEOUS OPERATIONS WITHIN STATE TRUNKLINE RIGHT OF WAY

MDOT FORMS at: <http://mdotwas1.mdot.state.mi.us/public/webforms>

All permit and application fees are Nonrefundable, based on Act No. 561 of Public Acts 2002

This permit is incomplete without "General Conditions and Supplemental Specifications"

THIS SPACE FOR MDOT USE ONLY		
PERMIT NO.		
APPL. DATE	DATE ISSUED	
FEE AMOUNT: \$	<input type="checkbox"/> Cash <input type="checkbox"/> Exempt <input type="checkbox"/> Billable	BY
DEPT. BOND NO.	BOND AMOUNT \$	

APPLICANT NAME (Property or Facility Owner) CITY OF ADRIAN		MAILING ADDRESS 135 E. MAUMEE ST	
CITY ADRIAN	STATE Mi	ZIP CODE 49221	

CONTACT'S NAME KRISTIN BAUER	PHONE NUMBER (517) 264-4894	EMAIL ADDRESS KBAUER@ci.adrian.mi.us	CELL PHONE NUMBER (517) 605-1173
--	---------------------------------------	--	--

REQUEST: I do hereby make application for a permit to use the right of way of the state trunkline highways for the operation specified below for the following time frame and location.

EXPIRES: DEC, 31 2010	TYPE OF PERMIT: <input type="checkbox"/> Statewide <input type="checkbox"/> TSC <input checked="" type="checkbox"/> Regional (For TSC or Regional) List Counties where activity is being performed: LENAWEE
------------------------------	--

THIS PERMIT IS VALID ONLY FOR THE FOLLOWING PROPOSED OPERATIONS IN THE TYPE OF RIGHT OF WAY AS NOTED:

FREE	LIMITED	(Check appropriate items covered by this permit)
<input checked="" type="checkbox"/>	N/A	1. UTILITY TREE TRIMMING AND TREE REMOVAL – See supplemental specifications – item 8
<input checked="" type="checkbox"/>	N/A	2. UNDERGROUND UTILITY OPERATIONS – Prior approval shall be obtained from the Department for any maintenance or construction operations which would require pavement coring or cutting. <ul style="list-style-type: none"> a. Installation of individual services from an existing facility to either side of the right of way. Services to the far right of way (crossing under the pavement) shall not exceed (3") diameter with this permit. b. Installation of cathodic protection devices. c. Installation of additional cable (electric or communication) in existing conduits. d. Installation of carrier pipes in an existing casing or tunnel. e. Adjustment and/or reconstruction of manholes. f. Routine maintenance of all existing underground facilities.
<input type="checkbox"/>	N/A	3. AERIAL UTILITY OPERATIONS – These are limited to: <ul style="list-style-type: none"> a. Adding/removing poles, conductors, guys and anchors within an existing lead. b. Construction of a new or additional aerial crossing and service drop that do not require a new pole outside of the existing lead. c. Routine maintenance of all existing aerial facilities.
<input type="checkbox"/>	N/A	4. GEOPHYSICAL EXPLORATION – Geophysical exploration permits require that the Advance Notice be accompanied by a certificate of the fee owner consent when conducting operations upon the easement right of way. Annual permits are for transverse cable crossing only.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. LAND SURVEYS
<input checked="" type="checkbox"/>	N/A	6. BANNERS – Legends shall be specified on the advance notice form.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. EMERGENCY OPERATIONS – See general conditions.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. EMERGENCY HAZARDOUS SPILL/MATERIAL CLEANUP
<input type="checkbox"/>	N/A	9. SOIL BORINGS (Note: Monitoring wells require an Individual Permit from the appropriate Region/TSC office and are <u>not</u> covered by an Annual Permit)
<input type="checkbox"/>	N/A	10. ROUTE CLOSURES – Attach event name, date, time and detour route
<input type="checkbox"/>	N/A	11. SIDEWALK CAFÉ (RENEWAL ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	12. BILLBOARD VEGETATION SURVEY
<input type="checkbox"/>	N/A	13. OTHER (SPECIFY): _____

I certify that I accept the following:

1. I am the legal owner of this property, the owner's authorized representative, or have statutory authority to work within the right-of-way.
2. Commencement of work set forth in the permit application constitutes acceptance of the permit as issued.
3. Failure to object within ten (10) days to the permit as issued constitutes acceptance of the permit as issued.
4. If this permit is accepted by either of the above methods, I will comply with the provisions of the permit.
5. I agree that form 2204 (Advance Notice and Approval of Permitted Activities) will be submitted 5 days prior to the start of each activity being performed. **No work shall begin until the form has been approved. Failure to submit the form 2204 may result in a stop work order.**

APPLICATION/AUTHORIZED AGENT	NAME AND TITLE (PLEASE PRINT OR TYPE) KRISTIN BAUER CITY ENGINEER	DATE 12/3/09
If Authorized agent- I hereby certify that I am acting as an authorized agent on behalf of the named applicant. Certificate of Agent attached.	SIGNATURE 	FEDERAL TAX ID NUMBER (If applicable) 38-6004654

MDOT USE ONLY – DO NOT WRITE BELOW THIS LINE

DEPARTMENTAL DATA	RECOMMENDED FOR ISSUANCE	
Surety Type: <input type="checkbox"/> Resolution <input type="checkbox"/> Exempt <input type="checkbox"/> Bond <input type="checkbox"/> Indemnification <input type="checkbox"/> Retainer Letter <input type="checkbox"/> Cash	NAME AND TITLE	DATE
LIABILITY INSURANCE: <input type="checkbox"/> Exempt <input type="checkbox"/> Required <input type="checkbox"/> Self-Insured	APPROVED FOR ISSUANCE	
ATTACHMENTS:	U-PERMIT ENG. OR REGION/TSC U-P ENGINEER	DATE

GENERAL CONDITIONS

This permit is issued subject to the following conditions:

1. This permit grants to the permittee only those rights specifically stated and no other. Maintenance work within the trunkline right of way may require a separate permit unless authorized within the scope of the annual permit. Individual permits must be secured for any work in limited access right of way.
 2. Issuance of this permit does not relieve permittee from meeting any and all requirements of law, or of other public bodies or agencies. The permittee shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, or individuals for the activities hereby permitted.
 3. The permittee agrees as a condition of this permit to:
 - a. Have in the permittee's or the permittee's representative's possession on the job site at all times the approved permit or a copy thereof, with necessary plans or sketches.
 - b. Give advance notice of permitted activity to the Department Region Utilities-Permits Engineer or designated representative at least five (5) days prior to commencement of any operations covered by this permit, or as specified (form 2204).
 - c. Perform no work except emergency work, unless authorized by the Department, on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 - d. Provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit.
 - e. Furnish, install and maintain all necessary traffic controls and protection during permittee's operations in accordance with the Michigan Manual of Uniform Traffic Control Devices and any supplemental specifications set forth herein.
 - f. Advise the Region Utilities-Permits Engineer or designated representative within seven (7) days of completion of work authorized by this permit, so that final inspection may be made and surety deposit released (where applicable). Surety deposit will not be released until the work authorized by the permit has been completed and inspected, and all inspection charges billable to the permittee are paid.
 4. Nothing in this permit shall be construed to grant any rights what so ever to any public utilities, except as to the consent herein specifically given, nor to impair any existing rights granted in accordance with the constitution or laws of this state.
 5. Any operations in the trunkline right of way not covered by permit and the appropriate Department specifications are in violation of the jurisdictional authority of the Department, with respect to the control of the trunkline right of way, unless approved by the Region Utilities-Permits Engineer. Any change or alteration in the permit activities requires prior approval of the Department and may require a new permit.
 6. Performance of the requirements of this permit is the responsibility of the permittee. The permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit, by the specified completion date. The permittee shall meet all requirements of the current Department Standard Specifications for Construction, and the Supplemental Specifications set forth on/or incorporated as a part of this permit.
 7. The construction, operation and maintenance of the facility covered by this permit shall be performed without cost to the Department unless specified herein. The permittee shall be responsible for the cost of restoration of the state trunkline and right of way determined by the Department to be damaged as a result of the activities of the permittee.
 8. Facilities allowed on state trunkline right of way shall be placed and maintained in a manner which will not impair the state trunkline or interfere with the reasonable safe and free flow of traffic. Failure of the permittee to maintain the facilities located within the State trunkline right of way so as not to interfere with the operation, maintenance or use of the state trunkline by the traveling public may result in revocation of the permit.
 9. The permittee is solely and fully responsible for all activities undertaken pursuant to the permit. Any and all actions by the Department and those governmental bodies performing permit activities for the Department pursuant to a maintenance contract, including but not limited to any approved reviews and inspections of any nature, permit issuing, and final acceptance or rejection of the work or activity authorized by the permit shall not be construed as a warranty or assumption of liability on the part of the Department or those governmental bodies. It is expressly understood and agreed that any such actions are for the sole and exclusive purposes of the Department and the governmental bodies acting in a governmental capacity. Any such actions by the Department and governmental bodies will not relieve the permittee of its obligations hereunder, nor are such actions by the Department and the governmental bodies to be construed as a warranty as to the propriety of the permittee's performance. The permittee shall indemnify and save harmless the State of Michigan, Michigan Transportation Commission, the Department and all officers, agents and employees thereof, and those governmental bodies performing permit activities for the Department and all officers, agents and employees thereof, pursuant to a maintenance contract, against any and all claims for damages arising from operations covered by this permit except claims resulting from the sole negligence or unwilling acts or omissions of said indemnitee, its agent, or employees. In addition, permittee upon request shall furnish proof of insurance coverage for the term of this permit in an amount pre-specified.
 10. This permit is not assignable and not transferable unless specifically agreed to by the Department.
 11. The permittee, upon request of the Department, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the Department may take any necessary action to protect the trunkline interest and the permittee shall reimburse the Department for its costs in doing same. The permittee expressly waives any right to claim damages or compensation in the event this permit is revoked.
 12. The permittee shall, upon request by the Department, furnish a performance surety deposit in the form of a bond, cash, certified check, or (when authorized by the Department) an irrevocable letter of credit in such amount as deemed necessary by the Department to guarantee restoration of the trunkline highway or performance under the conditions of the permit.
 13. The permittee hereby acknowledges and agrees that the Department has the right to demand completion by the permittee, or the performance surety, or to complete any uncompleted activity authorized by this permit which adversely affects the operation and/or maintenance of the state trunkline highway, or which is not completed by the expiration date of the permit, including:
 - a. Completion of construction of driveway and/or approach (not authorized by annual permit).
 - b. Removal of materials.
 - c. Restoration of the trunkline facilities and right of way as necessary for the reasonably safe and efficient operations of the trunkline highway.
- The permittee further agrees to immediately reimburse the Department in full for all such costs incurred by the Department upon receipt of billing, and that upon failure to pay, the Department may effect payment with the performance surety deposit. Should the surety deposit be insufficient to cover expenses incurred by the Department, the permittee shall pay such deficiency upon billing by the Department. If the surety deposit exceeds the expense incurred by the Department, any excess will be returned or released to the depositor upon completion of the work to the satisfaction of the Department.
14. The Department reserves the right during the time any or all of the work is being performed to assign an inspector to protect the trunkline interest, and to charge the permittee all such costs incurred. In addition, the permittee may be billed any engineering and review fees incurred by the Department or its agent in connection with the work covered by this permit.

15. **Emergency Operations:** In time of disaster or emergency, or when utility lines or facilities are so damaged as to constitute a danger to life and property of the public. Access to the same may be had by the most expeditious route. Work is to be done in a manner which will provide the traveling public with maximum possible safety. Notice of such situations shall be given to the nearest police authority and the Department as soon as can reasonably be done under the circumstances. During normal Department working hours, the permittee shall advise the Region Utilities-Permits Engineer of any operations within right of way which affect traffic operations or the highway structure of facilities prior to performance of the work. After normal Department working hours, the permittee, at the beginning of the first working day after the emergency operation, shall advise the Region Utilities-Permits Engineer of any operations which affect traffic operations or the highway structures and facilities. If determined necessary by the Region Utilities-Permits Engineer, the permittee shall secure an individual permit for such work after notification.
16. Upon the Department's request, as built drawings of work performed will be furnished to the Department within 30 days after completion of the work.
17. The permittee shall give notice to public utilities in accordance with Act 53, P.A. of 1974, as amended, and comply with all applicable requirements of this act. The permittee shall also comply with requirements of Part 91, Soil Erosion and Sedimentation Control (SESC), of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, controlling soil erosion and sedimentation.
18. The permittee acknowledges that the Department is without liability for the presence of the permittee's facility which is located within the trunkline right of way. Acceptance by the Department of work performed, and/or notice of termination of performance obligations for the surety and/or the permittee do not relieve the permittee of full responsibility for the permittee's work or for the presence of the permittee's facility in the trunkline right of way.
19. Where the Department has accepted an Indemnification Commitment in lieu of bond and/or insurance policies, such commitment is incorporated into this permit by reference.
20. It is illegal to discharge substances other than storm water into the Department's storm sewer system unless permission has been obtained in writing for other discharges.
21. The permittee shall be responsible for obtaining information on permitted environmental site closures within MDOT right of way. MDOT has implemented a program that allows environmental contamination to remain within the right of way by use of a permit. Issued permit information can be obtained from the Region/TSC in which the permit is issued. If the permittee will encounter a site area identified as a site closure permit area, the permittee shall follow instructions and conditions set forth in Supplemental Specifications #3 and specifications found in form 2205-C, "Special Conditions for Underground Construction".

SUPPLEMENTAL SPECIFICATIONS

1. Construction and Maintenance of Facilities – To construct and maintain utility crossings of limited access highways, access for the utility's service vehicles may be from county roads, service roads, and openings authorized in limited access right of way fences. The construction of utilities across limited access highways should be for the purpose of serving a general area rather than providing individual services, unless extenuating circumstances necessitate such crossings.

Equipment, vehicles or personnel will not operate within a distance of 30 feet from the edge of the pavement of roadways or ramps on limited access highways. At locations where utilities have been constructed in medians having a width greater than 80 feet or have otherwise been allowed to remain or to be constructed in limited access right of way, ingress and egress shall be by such routes as specified by the Department, which may also specify additional safety provisions.

2. Restoration- Restoration of the trunkline highway and right of way will be such that it will provide a condition equal to or better than the original condition, in accordance with Michigan Department of Transportation Standard Specifications.
3. Excavation and Disposal of Excavated Material – The permittee shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The permittee shall assume the full responsibility for this protection and shall not proceed in these areas before approval of the methods by the Department.

Construction equipment and excavating material shall not be stocked in such locations that it creates a traffic hazard or interferes with the flow of traffic; and on limited access highways, shall be a minimum of 30 feet from the traveled way. Sod and topsoil shall be stacked separately from other excavated material. The permittee shall dispose of all surplus and unsuitable material outside of the limits of the highway, unless the permit provides for disposal at approved locations within right of way. In the latter case, the material shall be leveled and trimmed in an approved manner.

When the permittee is excavating within trunkline right of way and discovers existing contaminated soil and/or an abandoned underground storage tank, special permit specifications entitled "Special Conditions for Underground Construction" (Form 2205-C) shall apply.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
JACKSON

KIRK T. STEUDLE
DIRECTOR

November 30, 2009

RE: 2010 Annual Permits, Performance Resolution for Governmental Bodies

Dear Permit Applicant,

It is that time of year again to get your new Annual Permit and to update your Performance Resolution. I have attached both of these forms along with last years Annual Permit form and a blank advanced notice form. Please fill out the Annual Permit Application along with the Performance Resolution for 2010 and return them to me as soon as possible.

You will be covered under your 2009 Annual Permit until I receive the 2010 application. Please have the applications to me by the end of January.

The forms I have attached are as follows:

1. Annual application and permit for miscellaneous operations within state trunkline right of way.
2. Performance resolution for governmental bodies.
3. Advance notice of permitted activity in the state trunkline right of way. Send this in 5 days prior to any work being performed under an Annual or Individual Permit within the Michigan Department of Transportation right of way.

If you have any questions, please do not hesitate to call.

Sincerely,

Jared T. Boll
Utility/Drainage Engineer
Jackson TSC
2750 N. Elm Road
Jackson, MI 49201-6802
Phone: 517-780-6205
Fax: 517-780-5454
Email: bollj@michigan.gov

ANNUAL

APPLICATION AND PERMIT FOR MISCELLANEOUS OPERATIONS WITHIN STATE TRUNKLINE RIGHT OF WAY

Information required by Act 368 of P.A. 1925 and Act 51 of P.A. 1951 to authorize permitted activities.

MDOT Forms at: <http://mdotwas1.mdot.state.mi.us/public/webforms/>

This permit is incomplete without "General Conditions and Supplemental Specifications."

THIS SPACE FOR MDOT USE ONLY	
PERMIT NO. 99062-0018-09-0018	
APPL. DATE 07/01/2009	DATE ISSUED 01/01/2009
FEE AMOUNT \$ 0.00	<input type="checkbox"/> Cash BY <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Billable
DEPT. BOND NO.	BOND AMOUNT \$ 0.00

APPLICANT'S NAME CITY OF ADRIAN			CONTRACTOR'S NAME		
MAILING ADDRESS 100 E. CHURCH ST.			MAILING ADDRESS		
CITY ADRIAN	STATE MI	ZIP CODE 49221	CITY	STATE	ZIP CODE
CONTACT'S NAME KRISTIN BAUER		PHONE NO. (517) 264-4894	CONTACT'S NAME		PHONE NO. () -
EMAIL ADDRESS		CELL PHONE NO. ()	EMAIL ADDRESS		CELL PHONE NO. ()

REQUEST: I do hereby make application for a permit to use the right of way of state trunkline highways for the operation specified below for the following time frame and location.

FROM: 01/01/2009	TO: Dec. 31, 2009	<input type="checkbox"/> Statewide <input type="checkbox"/> Region	<input checked="" type="checkbox"/> TSC: Jackson TSC <input type="checkbox"/> Counties:
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THIS PERMIT IS VALID ONLY FOR THE FOLLOWING PROPOSED OPERATIONS IN THE TYPE OF RIGHT OF WAY AS NOTED:

- FREE** **LIMITED** (Check appropriate items covered by this permit.)
- N/A 1. UTILITY TREE TRIMMING AND TREE REMOVAL - See supplemental specifications - item 8
 - 2. UNDERGROUND UTILITY OPERATIONS - PRIOR APPROVAL SHALL BE OBTAINED FROM THE UTILITIES/PERMITS ENGINEER FOR ANY MAINTENANCE OR CONSTRUCTION OPERATIONS WHICH REQUIRE CUTTING PAVEMENT OR BORING OPERATIONS.
 - a. Installation of individual services from an existing facility to either side of the right of way. Services to the far right of way (crossing under the pavement) shall not exceed (3") diameter with this permit.
 - b. Installation of cathodic protection devices.
 - c. Installation of additional cable (electric or communication) in existing conduits.
 - d. Installation of carrier pipes in an existing casing or tunnel.
 - e. Adjustment/reconstruction of manholes.
 - f. Routine maintenance of all existing underground facilities.
 - 3. AERIAL UTILITY OPERATIONS - These are limited to:
 - a. Adding/removing poles, conductors, guys and anchors within an existing lead. Installation of additional aerial crossing and service drops that do not require a new pole outside of the existing lead.
 - b. Construction of new aerial crossing and service drops that do not require a new pole outside of the existing lead.
 - c. Routine maintenance of all existing aerial facilities.
 - 4. GEOPHYSICAL EXPLORATION - Geophysical exploration permits require that the Advance Notice be accompanied by a certificate of the fee owner consent when conducting operations upon the easement right of way.
 - 5. LAND SURVEYS
 - 6. BANNERS - Legends will be specified on the advanced notice form.
 - 7. EMERGENCY OPERATIONS - See general conditions.
 - 8. EMERGENCY HAZARDOUS SPILL / MATERIAL CLEANUP.
 - 9. SOIL BORINGS (Note: Monitoring wells require an Individual Permit from the appropriate Region/TSC office and are NOT covered by an Annual Permit.)
 - 10. ROUTE CLOSURES - Attach event name, date, time and detour route.
 - 11. SIDE WALK CAFE'S (Renewal Only).
 - N/A 12. OTHER (Specify):

I certify that I accept the following:

1. All permit and application fee are NONREFUNDABLE, based on Act No. 561 of Public Acts 2002.
2. I certify that I am the legal owner of this property, the owner's authorized representative, or have statutory authority to work within the right-of-way.
3. I agree that form 2204 (Advanced Notice of Permitted Activity) will be submitted at least 5 days prior to each permitted activity being performed.
4. Commencement of work set forth in the permit application constitutes acceptance of the permit as issued.
5. Failure to object within ten (10) days to the permit as issued constitutes acceptance of permit as issued.
6. If this permit is accepted by either of the above methods, I will comply with the provisions of the permit.

APPLICANT/AUTHORIZED AGENT (If Authorized Agent - I hereby certify that I am acting as an authorized agent on behalf of the named applicant. Certificate of agency attached.)	NAME and TITLE (Please Print)	DATE 07/01/2009
	SIGNATURE	FEDERAL TAX I.D. 38-6004654

MDOT USE ONLY -- DO NOT WRITE BELOW THIS LINE

DEPARTMENT DATA		RECOMMENDED FOR ISSUANCE	
LIABILITY INSURANCE: <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Required <input type="checkbox"/> Self-Insured		NAME and TITLE Boll, Jared	DATE 01/30/2009
SURETY TYPE: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Exempt <input type="checkbox"/> Bond <input type="checkbox"/> Indemnification <input type="checkbox"/> Retainer Letter		APPROVED FOR MICHIGAN DEPARTMENT OF TRANSPORTATION BY:	
ATTACHMENTS (Describe):		UTILITIES/PERMITS ENGINEER OR REGION/TSC U/P ENGR. Boll, Jared	DATE 01/30/2009

ADVANCE NOTICE AND APPROVAL OF PERMITTED ACTIVITY

Information required by Act 200 of P.A. 1968, Act 368 of P.A. 1925, Act 51 of P.A. 1951 and 23 CFR 630, Subpart J
Failure to provide notice may result in suspension of permit privileges via a stop work order

To be submitted not less than 5 working days and no earlier than 21 calendar days prior to starting operations. Complete and return to the appropriate MDOT Region TSC Office. Permittee or Contractor shall notify MDOT of any changes from dates shown. It is understood that the state trunkline highway will at no time be closed to traffic. **Form 2204A and/or Form 2204B shall be attached to this notice for all annual permit activities, when the work is being performed inside the time restricted.**

PERMITTEE NAME (Property/ Facility Owner)		PERMIT NUMBER		TYPE OF PERMIT: <input type="checkbox"/> ANNUAL <input type="checkbox"/> INDIVIDUAL	
PERMITTEE'S CONTACT NAME		E-MAIL ADDRESS		PHONE NUMBER	
STATE TRUNKLINE		COUNTY		NO. OF DAYS	
DISTANCE & DIRECTION FROM NEAREST CROSSROAD		SIDE OF ROAD		CITY OR TOWNSHIP	
WORK START DATE		WORK COMPLETION DATE			

DESCRIPTION OF WORK & TIMES:

Is a lane closure proposed? <input type="checkbox"/> YES <input type="checkbox"/> NO	Mobility Impact Map link http://mdotwas1.mdot.state.mi.us/public/mobility/ Is the work located on a restricted route? <input type="checkbox"/> YES <input type="checkbox"/> NO	Can the work be performed outside of the time restrictions? <input type="checkbox"/> YES <input type="checkbox"/> NO -Submit Form 2204A & Form 2204B <input type="checkbox"/> N/A
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SKETCH/ADDITIONAL REMARKS (USE ADDITIONAL SHEETS IF NECESSARY):

CONTRACTOR'S NAME		CONTRACTOR'S PHONE NO.	CONTRACTOR'S E-MAIL ADDRESS
PERMITTEE'S ON-SITE CONTACT NAME		PERMITTEE'S ON-SITE CONTACT CELL PHONE NO.	DATE SUBMITTED:

FOR DEPARTMENT USE ONLY – DO NOT WRITE BELOW THIS LINE

INSPECTION REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO	ASSIGNED TO:	PHONE NUMBER	DATE ASSIGNED:
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REQUIRED INSPECTION TO BE PERFORMED BY:

<input type="checkbox"/> UTILITIES-PERMITS OFFICE	<input type="checkbox"/> MDOT MAINTENANCE	<input type="checkbox"/> TRANSPORTATION SERVICE CENTER (TSC)
<input type="checkbox"/> MAINTENANCE AGENCY	<input type="checkbox"/> PROJECT OFFICE	<input type="checkbox"/> OTHER

REVIEWED BY: (PERMIT STAFF) <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE REVIEWED:	DATE RETURNED TO PERMITTEE <input type="checkbox"/> E-Mailed <input type="checkbox"/> Faxed
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Michigan Department
Of Transportation
2207B (07/08)

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Trunkline Right of Way" (form 2205), or an "Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way" (form 2205B).

RESOLVED WHEREAS, the CITY OF ADRIAN, MICHIGAN
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law.

This Agreement is not intended to increase either party's liability for, or immunity from, tort claims.

This Agreement is not intended nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

1. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
2. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCIES facilities according to a PERMIT issued by the DEPARTMENT.

December 7, 2009

4. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCIES requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

5. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

6. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within state trunkline right of way on behalf of the GOVERNMENTAL AGENCY.

Name	And/or	Title
DANE NELSON	OR	CITY ADMINISTRATOR
KRISTIN BAUER	OR	CITY ENGINEER
SHANE HORN	OR	UTILITIES DIRECTOR

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc)

of the _____ of _____
(Name of GOVERNMENTAL AGENCY) (County)

at a _____ meeting held on the _____ day of

_____ A.D. _____.

Signed _____ Title _____

R-7



MEMO

Date: October 1, 2007

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

From: Terrence Collins, Police Chief

**Re: AUTHORIZATION TO USE DRUG FORFEITURE FUNDS TO PURCHASE
WHEEL LOAD SCALES**

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". According to the City Finance Director, a total of \$26,777 is currently in a Trust Account as a result of Court Distributed Drug Forfeiture property seizures. 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).

I respectfully request a transfer of \$5,000 from the Drug Forfeiture Trust Account (Account #701-000.00-280.000) for the purpose of acquiring wheel load scales from the Marine City Police Department to assist in performing the department's enforcement of truck weights under the Motor Vehicle Code regulations.

The attached resolution has been prepared for consideration by the City Commission at its December 7, 2009 regularly scheduled meeting. If you have any questions or need for further information, please contact my office.

RE: POLICE DEPARTMENT- AUTHORIZATION TO USE DRUG FORFEITURE FUNDS TO PURCHASE WHEEL LOAD SCALES

RESOLUTION #R09-___

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 \$26,777 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); and

WHEREAS, the Adrian City Police Chief has requested a transfer of \$5,000 from the Drug Forfeiture Trust Account (Account #701-000.00-280.000) for the purpose of acquiring wheel load scales from the Marine City Police Department to assist in performing the department’s enforcement of truck weights under the Motor Vehicle Code regulations; and

WHEREAS the Police Chief and City Administrator recommend appropriation of drug forfeiture funds to defray the aforementioned cost.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the appropriation of Drug Forfeiture Funds for the purpose of acquiring wheel load scales from the Marine City Police Department to assist in performing the department’s enforcement of truck weights under the Motor Vehicle Code regulations.

BE IT FURTHER RESOLVED that \$5,000 be appropriated from the Trust Fund – Drug Forfeiture Account (701-00.00-280.000) and that the FY2009-10 Budget be amended as follows:

GENERAL FUND (101)

Police Department:

Revenue:

(101-301.00-676.701) Contribution - Trust Fund

Amount

\$5,000

Expenditures:

(101-301.00-977.000) Capital Equipment

\$5,000

Total

-0-

On motion by Commissioner _____, seconded by Commissioner

_____, this resolution was adopted by a

_____ vote.

RE: POLICE DEPARTMENT- AUTHORIZATION TO USE DRUG FORFEITURE FUNDS TO PURCHASE WHEEL LOAD SCALES

RESOLUTION

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 \$26,777 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); and

WHEREAS, the Adrian City Police Chief has requested a transfer of \$5,000 from the Drug Forfeiture Trust Account (Account #701-000.00-280.000) for the purpose of acquiring wheel load scales from the Marine City Police Department to assist in performing the department's enforcement of truck weights under the Motor Vehicle Code regulations; and

WHEREAS, the Police Chief and City Administrator recommend appropriation of drug forfeiture funds to defray the aforementioned cost.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the appropriation of drug forfeiture funds for the purpose of acquiring wheel load scales from the Marine City Police Department to assist in performing the department's enforcement of truck weights under the Motor Vehicle Code regulations.

BE IT, FURTHER, RESOLVED that \$5,000 be appropriated from the Trust Fund - Drug Forfeiture Account (701-00.00-280.000) and that the FY2009-10 Budget be amended as follows:

GENERAL FUND (101)

Police Department:

Revenue:

(101-301.00-676.701) Contribution - Trust Fund

Amount

\$5,000

Expenditures:

(101-301.00-977.000) Capital Equipment

\$5,000

Total

-0-

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