

# PRE-MEETING AGENDA

ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
JUNE 1, 2009  
5:30 P.M.

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The City Commission will meet for a pre-meeting study session on Monday, June 1, 2009 at 5:30 p.m. in the 2<sup>nd</sup> Floor Conference Room at City Hall to discuss the following:

- I. Discuss City Hall Complex
- II. Other Items as Time Permits

# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
JUNE 1, 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 MAY 18, 2009 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS
  - 1. C-1. Governmental Accounting Standards Board Statement – Fund Balance Reporting & Governmental Fund Type Definitions
- VI. CONSENT AGENDA
  - A. RESOLUTIONS
    - 1. CR09-023. Resolution to reappoint Mike Kapnick, Bruce Webb and Dr. Jeff Docking to the Downtown Development Authority Board for a 4-year term.
    - 2. CR09-024. Resolution to reappoint Chad Johnson, Marilyn Schebil and Melvin Dye to the Planning Commission for a 3-year term.
    - 3. CR09-025. Resolution to reappoint Mike Berthold and Mike McGrath to the Zoning Board of Appeals for a 3 year term.
    - 4. CR09-026. Resolution to approve annual ready-mix concrete bid.
    - 5. CR09-027. Resolution to approve annual equipment rental bid.
    - 6. CR09-028. Resolution to approve the appointment of Ken Tokarz to the Adrian Planning Commission to fill the unexpired term that ends in 2012.
- VII. PUBLIC COMMENTS
- VIII. REGULAR AGENDA
  - A. ORDINANCES

1. Ord. 09-07. Second reading of an Ordinance to consider rezoning 1377 S. Main St. from the B-4 Shopping Center District and including the same in the B-2 Community Business District.

B. RESOLUTIONS

1. R09-094. Resolution to approve a fuel rate adjustment to reduce the costs charged to the city by Allied Waste Systems, Inc.
2. R09-095. Resolution to approve a bid for realtor services for the marketing of 1802 Hamilton Hwy.
3. R09-096. Resolution to retain Robert Keyes for the collection of delinquent personal property taxes and that the bid process be waived.
4. R09-097. Resolution to approve a change order to the contract with DeWitt Fence Co.
5. R09-098. Resolution to retain Dailey Engineering for schematic design work for kitchen renovations at Piotter Center and that the bid process be waived.
6. R09-099. Resolution to adopt revised budget amendments.

I X. MISCELLANEOUS

1. Planning Commission Minutes – Special Mtg. (May 19, 2009)

X. PUBLIC COMMENTS

X I. COMMISSION COMMENTS

# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
MAY 18, 2009  
7:00 P.M.**

Prior to the opening of the regular meeting, at 6:40 p.m., Commissioner DuMars motioned to go into closed session to discuss possible real estate acquisition. This was seconded by Commissioner Osborne and approved unanimously. At 6:57 p.m., the Commission moved out of closed session to begin the regularly scheduled Commission meeting.

Official proceedings of the May 18, 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, Valentine, Miller, Steele, Clegg and DuMars

Mayor McDowell in the Chair.

Commissioner Dumars moved to approve the minutes of the May 4, 2009 regular meeting of the Adrian City Commission, seconded by Commissioner Clegg, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #3036 through #3044	\$174,664.88
General Fund Vouchers #19220 through #19251	\$295,121.77
Clearing Account Vouchers amounting to	<u>\$420,842.88</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$890,629.53</b></u>

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

**PRESENTATIONS**

1. The Mayor introduced Matt Schwartz, this year's recipient of the Adrian City Commission Scholarship Fund.
2. A video and overview of the Youth Symposium hosted by the City of Adrian was presented. Mayor's Youth Council members Aaron Scheich, Brittani Farrington, Nic Clift, MinYoung Yoo and Keenan Britt were present.

3. An award was presented to the City of Adrian by Bryan Farmer and Justin Lippe from the MRPA Youth & Teen Initiatives Committee in recognition of the City of Adrian hosting the recent Youth Symposium.

### **COMMUNICATIONS**

1. C-1. State Revenue Sharing Update – An update was given by Administrator Nelson

### **PUBLIC COMMENT**

None

### **REGULAR AGENDA**

None

### **ORDINANCES**

1. Ord. 09-07. Introduction of an Ordinance to consider rezoning 1377 S. Main St. from the B-4 Shopping Center District and including the same in the B-2 Community Business District.

### **RESOLUTION R09-086**

#### **RE: ADMINISTRATION – Marvin Farm Lease Agreement**

WHEREAS, the City of Adrian is the owner of approximately 157 acres of land adjacent to Beecher Road in the City of Adrian; and

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

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

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with James Marvin to rent approximately 157 acres of tillable ground on the above mentioned parcel of real estate for Seventy-Five (\$75.00) Dollars per acre for a period ending December 30, 2009, and subject to other terms acceptable to the City Administrator.

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

### **RESOLUTION R09-087**

#### **RE: FIRE DEPARTMENT – 2009 Assistance to Firefighters Act Grant Application**

WHEREAS, the Adrian City Fire Chief is requesting authorization to submit a grant application, under the auspices of the 2009 Assistance to Firefighters Act, for the purpose of acquiring fitness equipment to be located at the fire station for

firefighters use at an estimated cost of \$22,000 (90% federal - \$19,800; 10% local match - \$2,200); and

WHEREAS, upon grant award, the Finance Director will recommend a funding source for the local match; and

WHEREAS, the Fire Chief and City Administrator recommend authorization to submit the aforementioned grant application and commitment of the 10% local match.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the submission of a grant application to the U.S. Department of Homeland Security 2009 Assistance to Firefighters Grant Program for the purpose of acquiring fitness equipment to be located at the fire station for firefighters use at an estimated cost of \$22,000 (90% federal - \$19,800; 10% local match - \$2,200) and commits to funding the required 10% local match.

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

#### **RESOLUTION R09-088**

**RE: INFORMATION TECHNOLOGY DEPARTMENT –Professional Services  
Contract for City of Adrian Website Design & Development**

WHEREAS, earlier this year, the City of Adrian Purchasing Office solicited proposals for website design & development; and

WHEREAS, five firms offered services to the City for updating the City's website using a new format, new graphics, and updated navigation, all in compliance with Web 2.0 standards for function and interactivity; and

WHEREAS, based on a review of the proposals, an administrative committee composed of City Administrator Dane Nelson, Police Chief Terry Collins, Parks & Recreation Director Mark Gasche, Community Development Director Chris Atkin and Fire Chief/IT Director Paul Trinko, selected three companies to give presentations: Civic Plus (our current provider), Vision Internet and Municipal Web Services; and

WHEREAS, the criteria for selection and recommendation were as follows:

1. Aesthetically pleasing design;
2. Functional navigation without clutter;
3. Components similar to our present site with locations for document storage, calendars, news and announcements;
4. Additional components such as available property searches, website workflow and notification;
5. Fully functional content management software (CMS) that is easy for a non-technical user;
6. Affordability; and

WHEREAS, based on the proposals and presentations, as well as reference checks, the committee recommends selection and engagement of Municipal Web

Services, Birmingham, MI in the City's Standard Professional Services Contract to perform the requested services at the following costs:

Website Redesign, Template Creation	\$11,900 onetime fee
Library Template Design	<u>2,000 onetime fee/not to exceed</u>
Total Onetime Fee	<u>\$13,900</u>

Hosted option (website resides on Municipal Web's server)	\$ 200 per month
Available Buildings and Sites	<u>65 per month for 200</u>
Total Annual Fee	<u>\$ 3,180</u>

WHEREAS, the Finance Director indicates that sufficient funds (\$17,080) are available for this purpose in the Economic Development Fund – Contribution to Lenawee County Corp. for Economic Growth account (276-895.00-969.000); and

WHEREAS, the City Administrator recommends approval of this resolution, including the appropriate budget amendments.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection and engagement of Municipal Web Services, Birmingham, MI in the City's Standard Professional Services Contract to perform the aforementioned services at the following costs:

Website Redesign, Template creation	\$11,900 onetime fee
Library Template design	<u>2,000 onetime fee/not to exceed</u>
Total Onetime Fee	<u>\$13,900</u>

Hosted option (website resides on Municipal Web's server)	\$ 200 per month
Available Buildings and Sites	<u>65 per month for 200</u>
Total Annual Fee	<u>\$ 3,180</u>

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

**Economic Development Fund (Fund 276)**

**Expenditures:**

(276-895.00-969.000) Contrib-Lenawee Corp. For Economic Growth	\$ (17,080)
(276-965.00-969.661) Transfer-Out – Information Technology Fund	<u>17,080</u>
Total	<u>\$ -0-</u>

**Information Technology Fund (Fund 661)**

**Revenue:**

(661-000.00-676.276) Contrib.-Economic Development Fund	\$17,080)
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**Expenditures:**

(661-290.00-812.000) Consultant Fees	<u>17,080</u>
Total	<u>\$ -0-</u>

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

**RESOLUTION R09-089**

**RE: ADRIAN PUBLIC LIBRARY – Emergency Well Replacement**

WHEREAS, the well at the Adrian Public Library, which serves the Library’s geothermal HVAC system, has experienced a mechanical failure and requires emergency replacement; and

WHEREAS, the Library Director solicited quotations from two (2) vendors to provide the necessary services for the emergency well replacement, detailed as follows:

Gordon & Sons Water Well Drilling, Inc. Tipton, MI (Install new well and close current Well)	\$9,948.35
Heritage Plumbing and Heating, Adrian, MI (Demo old well line from inside wall of chiller to existing 3” plastic water feed; connect new 2” Well line to 3” plastic feed line for chiller)	1,231.00
Service Electric Company, Adrian, MI (Eliminate electrical service to old well and add service to new well)	<u>1,225.00</u>
<b>TOTAL</b>	<b><u>\$12,404.35</u></b>

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

WHEREAS, due to the urgency of this situation, the City Administrator recommends approval of this resolution and that, in the best interests of the City, the competitive bid process be waived, in accordance with the City’s Purchasing Policy as specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the selection and engagement of the following vendors for purposes of providing the necessary services for the emergency well replacement at a cost not to exceed \$12,404.35:

Gordon & Sons Water Well Drilling, Inc. Tipton, MI (Install new well and close current well)	\$9,948.35
Heritage Plumbing and Heating, Adrian, MI (Demo old Well line from inside wall of chiller to existing 3” plastic water feed; connect new 2” Well line to 3” plastic feed line for chiller)	1,231.00
Service Electric Company, Adrian, MI (Eliminate electrical service to old well and add service to new well)	<u>1,225.00</u>
<b>TOTAL</b>	<b><u>\$12,404.35</u></b>

BE IT, FURTHER, RESOLVED that, in the best interests of the City, the competitive bid process be waived, in accordance with the City’s Purchasing Policy as

specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

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

#### **RESOLUTION R09-090**

##### **RE: Annual Purchase of TPOAM Work Uniforms**

WHEREAS, sealed bids were received April 21, 2009 for the annual purchase of work uniforms for TPOAM union members; and

WHEREAS, said bids have been tabulated and recommendations made by Cindy Prue, Asst. Finance Director, and the City Administrator; and

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

NOW, THEREFORE, BE IT RESOLVED, that the bid for work uniforms be awarded to Coyne Textile of Toledo, OH, and chamois and knit shirts be awarded to Mugs n' More of Adrian, MI, for the items and prices as listed in the bid tabulation and under the terms and conditions as specified and as proposed in their sealed bids dated April 21, 2009.

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

#### **RESOLUTION R09-091**

WHEREAS, that the request from Maple City Gymnastic Parents' Association of Adrian, County of Lenawee, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses be considered for approval.

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

#### **RESOLUTION R09-092**

WHEREAS, that the request from Goodwill Industries of Adrian, County of Lenawee, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses be considered for approval.

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

## **RESOLUTION R09-093**

### **RE: UTILITIES DEPT. – Adrian Township Sewer Connections to City of Adrian Collector System**

WHEREAS, in prior years, a number of properties were allowed to be connected to the City of Adrian collection system for properties that should have been connected to a collector system constructed and operated by the Charter Township of Adrian; and

WHEREAS, these properties have been identified as being on West US-223 and also in an area known as Trestle Crossing Condominiums on Bent Oak Ave. across from the City of Adrian Water Treatment Plant; and

WHEREAS, a proposal was made by the City Administrator to the Supervisor of Adrian Township to resolve all differences involving these matters, which terms are set forth in the attached memorandum to the City Commission; and

WHEREAS, the City Administrator has recommended acceptance of these terms, with written agreement to be entered into between the city and township to incorporate these terms in order to resolve all differences involving these particular properties.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Administrator is authorized to enter into an agreement with the Charter Township of Adrian to accept connection fees for all of the properties currently connected to the City of Adrian sewer collection system without prior City Commission approval and on the further terms as set forth in the memo attached to this document.

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

### **MISCELLANEOUS**

1. Planning Commission Minutes
2. Zoning Board of Appeal Minutes
3. Departmental Report
4. Fire Department Report
5. D.A.R.T. Passenger Ridership Report

### **PUBLIC COMMENTS**

None

### **COMMISSION COMMENTS**

None

### **MISCELLANEOUS**

1. Planning Commission Minutes
2. Zoning Board of Appeals
3. Departmental Report
4. Fire Report
5. D.A.R.T. Passenger Ridership Report

The next regular meeting of the Adrian City Commission will be held on Monday, June 1, 2009, at Adrian City Hall, 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

June 1, 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 #3045 through #3053.....	\$ 112,073.52
General Fund	
Vouchers #19252 through #19288	\$ 473,201.98
Clearing Account Vouchers	
amounting to.....	<u>\$ 466,098.40</u>
TOTAL EXPENDITURES .....	<u>\$1,051,373.90</u>

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

June 1, 2009

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
3045	US Postmaster	Postage expense	\$ 1,471.87
3046	City of Adrian: Payroll	Payroll for May 15	\$ 50,931.40
3047	City of Adrian: Clearing Acct	May 18 Check Register	\$ 84,413.56
3048	Citizens Gas Fuel Co	Various Heat Bills	\$ 3,286.60
3049	City of Adrian: Utilities	Various Water Bills	\$ 188.54
3050	Consumers Energy	Various Electric Bills	\$ 4,391.12
3051	Verizon North	Water Plant Phone	\$ 40.86
3052	City of Adrian: Payroll	Payroll for May 22	\$ 15,534.38
3053	Consumers Energy	Various Electric Bills	\$ 36,228.75
<b>Total</b>			<b>\$ 196,487.08</b>
Less: CK# 3047			<b>\$ 84,413.56</b>
<b>TOTAL</b>			<b>\$ 112,073.52</b>

WW= \$ 79,117.26  
WAT= \$ 117,369.82

1-Jun-09

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
19252	\$ 227,357.75	City of Adrian: Payroll	Payroll for May 15
19253	\$ 15,068.32	First Federal Bank	Soc Security for May 15
19254		City of Adrian: Utilities	Transfer State MI Funds
19255		Wendy Bender	Replacement Check
19256		John Hall	Replacement Check
19257	\$ 410.95	Lenawee Fuels Inc	Cemetery Fuel
19258	\$ 916.69	US Postmaster	Recreation Postage
19259	\$ 753.22	Madison Township	Sewer Collection
19260	\$ 1,919.26	Citizens Gas Fuel Co	Various Heat Bills
19261		City of Adrian: Utilities	Transfer State MI Funds
19262	\$ 1,706.33	City of Adrian: Utilities	Various Water Bills
19263	\$ 151.65	Verizon North	Various Phone Bills
19264	\$ 8,736.99	Consumers Energy	Various Electric Bills
19265	\$ 326,782.96	City of Adrian: Clearing Acct	May 18 Check Register
19266		City of Adrian: Utilities	Transfer State MI Funds
19267	\$ 3,141.66	Quick Service Transportation	Payroll W/E May 16
19268	\$ 119.30	Verizon North	Various Phone Bills
19269	\$ 14,936.60	City of Adrian: Payroll	Payroll for May 22
19270	\$ 2,573.80	First Federal Bank	Soc Security for May 22
19271		Jim Stretch	Replacement Check
19272	\$ 116,388.36	Blue Cross Blue Shield of MI	June Hospitalization Ins
19273	\$ 120.00	T.J. Juarez	Umpire Services
19274	\$ 100.00	Don Newsted	Umpire Services
19275	\$ 120.00	Ed Marx Jr	Umpire Services
19276	\$ 110.00	Art Serafinski	Umpire Services
19277	\$ 90.00	Bill Collins	Umpire Services
19278	\$ 100.00	Ed Michowski	Umpire Services
19279		City of Adrian: Utilities	Transfer State MI Funds
19280	\$ 1,581.74	US Postmaster	Mailing City Newsletter
19281	\$ 272.40	City of Adrian	Petty Cash
19281	\$ 52.00	Teresa Horn	Recreation Refund
19283	\$ 22.00	Marilyn Beehler	Recreation Refund
19284	\$ 27.00	Linda Shavalier	Recreation Refund
19285		***VOID***	
19286	\$ 72,119.46	First Federal Bank	Marvin Property Payment
19287		Cliff Shreyer	Replacement Check
19288	\$ 4,306.50	Quick Service Transportation	Payroll W/E May 23
	\$ 799,984.94		
	\$ (326,782.96)	Less: CK# 19265	
	\$ 473,201.98		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. 3-S CONSTRUCTION, INC.	1,200.00		
2. ADRIAN LANDFILL	13,243.13		
3. ADRIAN LOCKSMITH & CYCLERY	104.24		
4. ADRIAN MECHANICAL SERVICES C	1,023.52		
5. AIRGAS GREAT LAKES	456.05		
6. ALL METALS INC.	264.10		
7. AMERICAN CANCER SOCIETY	100.00		
8. AMERICAN OFFICE SOLUTIONS	72.10		
9. AMERICAN RED CROSS	322.20		
10. APPLIED INDUSTRIAL TECHNOLOG	214.14		
11. ARCH WIRELESS	31.48		
12. CHRIS ATKIN	89.10		
13. AUTO ZONE COMMERCIAL	52.61		
14. B & B POOLS & SPAS	5,100.00		
15. BADER & SONS CO	256.65		
16. BAKER & TAYLOR BOOKS	206.42		
17. BALLARD, VIVIAN	574.07		
18. TIM BARTENSLAGER	800.00		
19. BATTERY WHOLESALE	178.90		
20. MICHELLE BEDDINGFIELD	400.00		
21. BLACK SWAMP EQUIPMENT	91.12		
22. BOOK OF THE MONTH CLUB	40.07		
23. BRODBECKS LLC	1,546.80		
24. BUCK & KNOBBY EQUIP CO INC	427.16		
25. CDW-G COMPUTER SUPPLIES	115.50		
26. CHAMBERS CONTROL COMPANY	2,397.03		
27. CITIZENS INSURANCE	596.00		
28. CLIFT BUICK-PONTIAC-GMC	196.62		
29. COAST TO COAST DELI	70.37		
30. COMPUTER CARE COMPANY, INC.	129.95		
31. CUSTOM TRUCK REPAIR, L.L.C.	98.25		
32. DEWITT FENCE CO	4,110.00		
33. DICK'S AMOCO INC	88.00		
34. DOAN CONSTRUCTION CO	280.00		
35. E & I CORPORATION	2,571.79		
36. STEVE EBERLE	400.00		
37. ELIFEGUARD, INC.	56.59		
38. FASTENAL COMPANY	40.28		
39. FEDERAL EXPRESS	93.45		
40. GALE	22.07		
41. GEMINI GROUP LLC	3,577.00		
42. GENCO BOOT SHOP	225.00		
43. GENTNER MATERIALS	689.98		
44. GENTNER TRUCKING CO	948.72		
45. GEOGRAPHIC INFORMATION SERVI	14,283.00		
46. GERKEN MATERIALS INC.	2,398.65		
47. GORDON FOOD SERVICE	873.35		
48. GREAT LAKES BOOK DISTRIB	9.95		
49. DENISE GRITZMAKER	800.00		
50. H & H REPAIR	140.00		
51. HERITAGE PLUMBING & HEATING	615.50		
52. HUBBARDS AUTO CENTER	720.60		
53. HURON LIME INC.	3,054.47		
54. ICMA RETIREMENT CORPORATION	217.51		
55. IDEXX LABORATORIES, INC.	125.04		
56. INDUSTRIAL MILL SUPPLY CORP	31.54		
57. INTERSTATE BATTERIES	359.90		
58. J.E. JOHNSON DEVELOPMENT GRO	211,543.00		
59. JACKSON AUTOMATIC SPRINKLER	4,346.55		
60. JEAN CHRISTOPHER PORTRAITS	375.00		
61. JONES & HENRY, ENGINEERS	7,463.93		
62. KAPNICK INSURANCE GROUP	2,572.74		
63. KELLER THOMA, P.C.	811.74		
64. KONICA MINOLTA- ALBIN	19.05		
65. BRENT KUBALEK	53.91		
66. L.E.A. DATA TECHNOLOGIES	30.00		
67. LANSING SANITARY SUPPLY INC	959.76		
68. LENAWEE COUNTY TREASURER	1,383.31		
69. DUSTIN LENT	828.90		
70. LOWE'S CREDIT SERVICES	159.05		
71. LYDEN OIL COMPANY	1,340.92		
72. MANPOWER OF LANSING MI INC.	979.20		
73. MAPLE CITY GLASS INC.	192.01		
74. PAUL MCCORMACK	140.00		
75. MCGOWAN ELECTRIC SUPPLY INC	83.79		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. MEIJER, INC	50.00		
77. METROPOLITAN UNIFORM CO	296.48		
78. MICHIGAN AMATEUR SOFTBALL	1,346.00		
79. MICHIGAN ASSOCIATION CHIEFS	270.00		
80. MICHIGAN CAT CORP	4,434.56		
81. MICHIGAN OFFICE SOLUTIONS	230.03		
82. MICHIGAN PIPE & VALVE INC	4,290.16		
83. STATE OF MICHIGAN	12,538.00		
84. MICHIGAN STATE POLICE	100.00		
85. MICHIGAN TBA DISTRIBUTORS IN	28.20		
86. MICHIGAN TECH UNIV-LTAP	30.00		
87. MICROMARKETING LLC	45.98		
88. MIDWEST MUNICIPAL INSTRUMENT	761.08		
89. MIDWEST TAPE	72.96		
90. H T MORIARTY CO INC	78.00		
91. MUGS N' MORE IMAGING	4,832.05		
92. NORON INC	22,994.10		
93. NORTHERN TOOL & EQUIPMENT	9.57		
94. NORTHWEST POOLS, INC.	76.86		
95. PARAGON LABORATORIES INC	960.00		
96. JEFFREY PARDEE	38.50		
97. PEST CONTROL	42.00		
98. PETE'S RADIATOR SERVICE INC	41.99		
99. PLATINUM PLUS	4,837.75		
100. PREIN & NEWHOF ENGINEERS	280.00		
101. PRINTCOMM	2,828.00		
102. PROFESSIONAL PUMP INC	142.87		
103. PROMEDICA PHYSICIANS GROUP	930.00		
104. PURCHASE POWER	3,018.99		
105. QUICK SERVICE TRANSPORTATION	2,839.87		
106. REEVES INC.	858.89		
107. STEVE RIEGER	54.01		
108. S N S CLEANING SERVICE	1,623.00		
109. SCHUG CONCRETE CONSTRUCTION	7,650.00		
110. SEED SOLUTIONS	394.58		
111. SERVICE ELECTRIC CO OF ADRIA	80.00		
112. SHERWIN-WILLIAMS CO	68.34		
113. SIELERS WATER SYSTEMS	143.00		
114. SIEMENS PUBLIC INC	45,942.01		
115. SIEMENS WATER TECHNOLOGIES	621.00		
116. KERRY J SMITH	500.00		
117. SNYDER WIRELESS & SATELLITE	35.00		
118. SPENCER MANUFACTURING INC.	1,190.85		
119. STAPLES	80.42		
120. STATE CHEMICAL MFG CO.	185.49		
121. STEVE'S HEATING & COOLING	35.00		
122. STITCH WIZARD EMBROIDERY INC	39.00		
123. SUPER LAUNDROMAT &	112.15		
124. CLAUDETTE J SWIFT	1,716.00		
125. SYNAGRO TECHNOLOGIES INC.	21,785.76		
126. T-MOBILE	29.99		
127. TETRA TECH MPS	4,950.00		
128. RALPH TILLOTSON AUCTIONEER	1,420.45		
129. TRACTOR SUPPLY COMPANY	461.50		
130. PAUL TRINKA	32.00		
131. TRUCK & TRAILER SPECIALITIES	52.01		
132. U S POSTMASTER	1,800.00		
133. ULOTH FARMS & GREENHOUSE	1,072.00		
134. UNUM LIFE INSURANCE COMPANY	2,356.84		
135. USA BLUEBOOK	102.39		
136. UTILITIES INSTRUMENTATION	245.00		
137. WALDENBOOKS	100.00		
138. WALTERS SWIM SUPPLIERS INC	1,107.39		
139. WEED MAN	397.50		
<b>**TOTAL ALL CLAIMS**</b>	<b>466,098.40</b>		

# COMMUNICATIONS



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**MEMO**

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Date: May 18, 2009

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

From: Jeffrey C. Pardee, Finance Director

Re: **Governmental Accounting Standards Board (GASB) Statement No. 54 –  
Fund Balance Reporting and Governmental Fund Type Definitions**

In February, 2009, the Governmental Accounting Standards Board (GASB) adopted **Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions**. This important new standard has left unchanged the total amount reported as *fund balance*, but has substantially altered the categories and terminology used to describe its components. The new categories and terminology focus, not on financial resources available for appropriation, but on “the extent to which the government is bound to honor constraints on the specific purposes for which amounts in the fund balance can be spent.”

Research conducted after implementation of **Statement No. 34 – Basic Financial Statements – and Management’s Discussion & Analysis – for State and Local Governments**, revealed considerable differences in how governments interpret and apply the standards for fund balance reporting. The differences existed, in part, because certain terms were not well defined, which affected the amounts that were reported as reserved and unreserved fund balances. Consequently, many users have been receiving inconsistent and non-comparable information which reduced its usefulness and led to confusion as to what the information presented in fund balance reporting actually communicated.

These concerns were exacerbated by two additional factors. First, different interpretations of certain aspects of the definitions of governmental fund types reduced the comparability of the governmental fund financial statements, because the funds used and the purposes for using them varied significantly from government to government. Second, the introduction of restricted net assets under Statement No. 34 led to confusion regarding its relationship to reserved fund balance.

The objective of Statement No. 54 is to improve the usefulness, including the understandability, of government fund balance information. This Statement provides more clearly defined categories to make the nature and extent of the constraints placed on a government's fund balance more transparent. It also clarifies the existing governmental fund type definitions to improve the comparability of governmental fund financial statements and help financial statement users to better understand the purposes for which governments have chosen to use particular funds for financial reporting. The requirements of this Statement are effective for financial statements for periods beginning after June 15, 2010. Early implementation is encouraged.

In compliance with Statement No. 54, financial statements of governmental funds report up to five (5) components of fund balance:

- **NON-SPENDABLE FUND BALANCE**

Some of the assets reported in governmental funds are inherently non-spendable from the vantage point of the current period, including:

- Assets that will never convert to cash (e.g., prepaid items and inventories of supplies);
- Assets that will not convert to cash soon enough to affect the current period (e.g., the long-term portion of loans receivable and non-financial assets held for resale, such as foreclosure properties);
- Resources that must be maintained intact pursuant to legal or contractual requirements (e.g., the principal of an endowment or the capital of a revolving loan fund).

- **RESTRICTED FUND BALANCE**

This describes the portion of fund balance that reflects resources that are subject to externally enforceable legal restrictions. Such restrictions are imposed by the government's charter but most restrictions are typically imposed by parties altogether outside the governmental unit, by:

- Creditors (e.g., through debt covenants);
- Grantors;
- Donors or Contributors; and
- Other governmental units (e.g., through laws and regulations).

Restrictions also can arise when the authorization to raise revenues is conditioned upon the revenue being used for a particular purpose (e.g., gasoline taxes restricted for use for road repair or construction).

- **COMMITTED FUND BALANCE**

Reflects the portion of fund balance that represents resources whose use is constrained by limitations that the government imposes upon itself at its highest level of decision-making (normally the City Commission) and that remain binding unless removed in the same manner. Resources accumulated pursuant to Stabilization Arrangements (e.g., rainy day funds or contingency funds) are reported in this category.

- **ASSIGNED FUND BALANCE**

Describes that portion of fund balance that reflects a government's intended use of resources (previously referred to as Designated Fund Balance). Such intent would have to be established at either the highest level of decision-making (i.e., City Commission) or delegated to an appropriate designated official (i.e., City Administrator). It is the assigned fund balance category, too, that is used to reflect the appropriation of a portion of existing fund balance to eliminate a projected deficit in the subsequent year's budget.

There are two (2) essential differences between *committed fund balance* and *assigned fund balance*. First, *committed fund balance* requires action by the highest level of decision-making authority (i.e., City Commission), whereas *assigned fund balance* allows that authority to be delegated to an appropriate designated official (i.e., City Administrator). Second, formal action is necessary to impose, remove or modify a constraint reflected in *committed fund balance*, whereas less formality is necessary in the case of *assigned fund balance*.

- **UNASSIGNED FUND BALANCE**

The General Fund, as the principal operating fund of the government, often will have resources in excess of what can be properly classified in one of the four categories already described. If so, that surplus is presented as *unassigned fund balance*.

If resources were not at least assigned, they could not properly be reported in a fund other than the General Fund. Therefore, only the General Fund can report a positive amount of *unassigned fund balance*. Conversely, any governmental fund in a deficit position could report a negative amount of as *unassigned fund balance*.

Attached is the City of Adrian's Audited Balance Sheet (Exhibit A) for Governmental Funds for June 30, 2008. Also attached (Exhibit B) the same Balance Sheet restated to reflect compliance with GASB Statement No. 54. If you have any questions or need for further information, please contact my office.

**CITY OF ADRIAN  
BALANCE SHEET**

Exhibit A - Current

**GOVERNMENTAL FUNDS  
June 30, 2008**

	<b>GENERAL FUND</b>	<b>MAJOR STREET FUND</b>	<b>LOCAL STREET FUND</b>	<b>OTHER GOV'T'L FUNDS</b>	<b>TOTAL GOV'T'L FUNDS</b>
<b>ASSETS</b>					
Cash and Cash Equivalents		\$198,122	\$752,080	\$1,542,296	\$2,492,498
Investments	\$5,246,298	798,253		1,629,526	7,674,077
<b>Receivables:</b>					
Accounts	477,883	56,983		15,474	550,340
Loans				97,507	97,507
Due from Other Funds	272,966			22,659	295,625
Due from Component Units	415				415
Due from Other Governments	294,511				294,511
<b>Inventories:</b>					
Land Held for Resale, at cost				7,499	7,499
Supplies at Cost	165,343				165,343
Prepaid Expenses	32,054				32,054
<b>Total Assets</b>	<b>\$6,489,470</b>	<b>\$1,053,358</b>	<b>\$752,080</b>	<b>\$3,314,961</b>	<b>\$11,609,869</b>
<b>LIABILITIES AND FUND BALANCE</b>					
<b>Liabilities:</b>					
Vouchers Payable	\$293,705	\$571,604	\$127,928	\$50,657	\$1,043,894
Accrued Liabilities	243,713	2,271	2,130	7,541	255,655
Due to Other Funds	75,499	48,978	32,208	49,448	206,133
Due to Component Units	50				50
Unearned Revenue	8,589			54,783	63,372
<b>Total Liabilities</b>	<b>\$621,556</b>	<b>\$622,853</b>	<b>\$162,266</b>	<b>\$162,429</b>	<b>\$1,569,104</b>
<b>Fund Balances:</b>					
<b>Reserved for:</b>					
Perpetual Care				\$823,137	\$823,137
Endowment				109,664	\$109,664
Loans				97,507	\$97,507
Inventories and Pre-Payments	\$197,397			7,499	\$204,896
Encumbrances	700,207	183,060	29,481		\$912,748
<b>Unreserved, Reported In:</b>					
General Fund - Designated	3,630,585				\$3,630,585
General Fund - Undesignated	1,339,725				\$1,339,725
Special Revenue Funds - Undesignated		247,445	560,333	1,455,309	\$2,263,087
Endowment - Undesignated				659,416	\$659,416
<b>Total Fund Balances</b>	<b>\$5,867,914</b>	<b>\$430,505</b>	<b>\$589,814</b>	<b>\$3,152,532</b>	<b>\$10,040,765</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$6,489,470</b>	<b>\$1,053,358</b>	<b>\$752,080</b>	<b>\$3,314,961</b>	<b>\$11,609,869</b>

**CITY OF ADRIAN  
BALANCE SHEET**

Exhibit B - Statement #54

**GOVERNMENTAL FUNDS  
June 30, 2008**

	<b>GENERAL FUND</b>	<b>MAJOR STREET FUND</b>	<b>LOCAL STREET FUND</b>	<b>OTHER GOVT'L FUNDS</b>	<b>TOTAL GOVT'L FUNDS</b>
<b>ASSETS</b>					
Cash and Cash Equivalents		\$198,122	\$752,080	\$1,542,296	\$2,492,498
Investments	\$5,246,298	798,253		1,629,526	7,674,077
<b>Receivables:</b>					
Accounts	477,883	56,983		15,474	550,340
Loans				97,507	97,507
Due from Other Funds	272,966			22,659	295,625
Due from Component Units	415				415
Due from Other Governments	294,511				294,511
<b>Inventories:</b>					
Land Held for Resale, at cost				7,499	7,499
Supplies at Cost	165,343				165,343
Prepaid Expenses	32,054				32,054
<b>Total Assets</b>	<b>\$6,489,470</b>	<b>\$1,053,358</b>	<b>\$752,080</b>	<b>\$3,314,961</b>	<b>\$11,609,869</b>
<b>LIABILITIES AND FUND BALANCE</b>					
<b>Liabilities:</b>					
Vouchers Payable	\$293,705	\$571,604	\$127,928	\$50,657	\$1,043,894
Accrued Liabilities	243,713	2,271	2,130	7,541	255,655
Due to Other Funds	75,499	48,978	32,208	49,448	206,133
Due to Component Units	50				50
Unearned Revenue	8,589			54,783	63,372
<b>Total Liabilities</b>	<b>\$621,556</b>	<b>\$622,853</b>	<b>\$162,266</b>	<b>\$162,429</b>	<b>\$1,569,104</b>
<b>Fund Balances:</b>					
<b>Non-Spendable Fund Balance</b>					
Loans				\$97,507	\$97,507
Inventories and Pre-Payments	\$197,397			7,499	204,896
<b>Restricted Fund Balance</b>					
Perpetual Care				823,137	823,137
Endowment				769,080	769,080
Encumbrances	700,207	183,060	29,481		912,748
Special Revenue Funds		247,445	560,333	1,455,309	2,263,087
<b>Unrestricted Fund Balance:</b>					
<b>Committed Fund Balance</b>		0			0
<b>Assigned Fund Balance</b>	3,630,585				3,630,585
<b>Unassigned Fund Balance</b>	1,339,725				1,339,725
<b>Total Fund Balances</b>	<b>\$5,867,914</b>	<b>\$430,505</b>	<b>\$589,814</b>	<b>\$3,152,532</b>	<b>\$10,040,765</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$6,489,470</b>	<b>\$1,053,358</b>	<b>\$752,080</b>	<b>\$3,314,961</b>	<b>\$11,609,869</b>

# CONSENT AGENDA

CR-1  
**CR09-023**

June 1, 2009

**RE: DOWNTOWN DEVELOPMENT AUTHORITY (DDA) – Reappointments to DDA Board**

**RESOLUTION**

WHEREAS, the terms of office of Mike Kapnick, Bruce Webb and Dr. Jeff Docking on the Downtown Development Authority have expired, which has created vacancies; and

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

WHEREAS, Mssrs. Kapnick, Webb and Docking have expressed a willingness to serve another term on the DDA if reappointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of the aforementioned individuals.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointment of Mike Kapnick, Bruce Webb and Dr. Jeff Docking to the Downtown Development Authority for four-year terms that will expire in 2013.

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

CR-2  
**CR09-024**

June 1, 2009

**RE: PLANNING COMMISSION – Reappointments to Planning Commission**

**RESOLUTION**

WHEREAS, the terms of office of Chad Johnson, Marilyn Schebil and Melvin Dye on the Planning Commission have expired, which has created vacancies; and

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

WHEREAS, Mr. Johnson, Ms. Schebil and Mr. Dye have expressed a willingness to serve another term on the Planning Commission if reappointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the reappointment of the aforementioned individuals.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointment of Chad Johnson, Marilyn Schebil and Melvin Dye to the Adrian Planning Commission for three year terms that will expire in 2012.

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

CR-3

**R09-025**

June 1, 2009

**RE: Zoning Board of Appeals (ZBA) – Reappointments to ZBA**

**RESOLUTION**

WHEREAS, the terms of office of Mike Berthold and Mike McGrath on the Zoning Board of Appeals has expired, which has created vacancies; and

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

WHEREAS, Mr. Berthold and Mr. McGrath have expressed a willingness to serve another term on the Zoning Board of Appeals if reappointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the reappointment of the aforementioned individuals.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointment of Mike Berthold as a full member and Mike McGrath as an alternate on the Zoning Board of Appeals for three year terms that will expire in 2013.

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

CR-4

TO: Dane C. Nelson City Administrator  
 FROM: Cindy L. Prue Assistant Finance Director  
 SUBJECT: Annual Bid -- Ready Mix May 27, 2009

I concur with the recommendation of the Asst. Finance Director to award the annual ready-mix concrete requirements to Doan Companies of Adrian, MI for the items and amounts as listed in the bid tabulation below.

Three companies responded to the offer to bid. There are sufficient funds in the respective departments' budgets for this expense.

  
 \_\_\_\_\_  
 Dane C. Nelson  
 City Administrator

DCN:bjw

Sealed bids were received until 2:00 p.m. E.D.T. on Thursday, May 21, 2009, for the city's annual Ready-Mix requirements. The following bids were received.

	<u>Darby Ready Mix Addison MI</u>	<u>Kuhlman Corp Adrian MI</u>	<u>Doan Companies Adrian MI</u>	<u>Current Pricing</u>
Class P1 6 Bag	\$ 77.00	\$ 88.00	\$ 75.00	\$70.00
Class HE	\$ 82.00	\$ 92.00	\$ 81.00	\$71.50
Extra for chloride	\$ 1.50 per 1%	\$0.75 per ½%	\$ 1.50	\$ 1.50
Extra for Heat in Winter	\$ 5.00	\$ 5.00	\$ 4.00	\$ 4.00
Extra for Fiber	\$ 5.00	\$ 6.00	\$ 4.00	\$ 4.00
Extra for minimum size load	N/C	\$ 75.00 Less than 2cy	\$45.00 less than 3 cy	\$45.00 less 3 cy
Flowable fill w/ fly ash	\$ 62.00		\$63.00	\$58.00
Delivery	2 hours	Same day	½ hour	

I recommend the annual bid for Ready-Mix Concrete contract be awarded to the low bidder, Doan Companies, 2039 James Street, Adrian. Listed also are the current prices we are paying for this product. We have used Doan Companies in the past and have been happy with their product and delivery.

Respectfully,  
 Cindy L Prue  
 Assistant Finance Director

**CR09-026**

June 1, 2009

**RE: ANNUAL BID FOR READY-MIX CONCRETE**

**RESOLUTION**

WHEREAS, sealed bids were received May 21, 2009 for the annual ready-mix concrete requirements; and

WHEREAS, said bids have been tabulated and recommendations made by the Asst. Finance Director and City Administrator; and

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

NOW, THEREFORE, BE IT RESOLVED that the annual ready-mix concrete bid be awarded to Doan Companies of Adrian, MI for the items and amounts as listed in the bid tabulation and under the terms and conditions as specified and as proposed in their sealed bid dated May 21, 2009.

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

CR-5

TO: Dane C. Nelson City Administrator  
 FROM: Cindy L. Prue Assistant Finance Director  
 SUBJECT: Annual Bid – Equipment Rental May 27, 2009

I concur with the recommendation of the Asst. Finance Director to award the annual equipment rental bid to Slusarski Excavating of Adrian, MI for the items and prices as listed in the bid tabulation below.

Slusarski was the sole bidder for this annual expense. There are sufficient funds in the respective departments' budgets for this expense.

  
 \_\_\_\_\_  
 Dane C. Nelson  
 City Administrator

DCN:bjw

Sealed bids were received until 2:00 p.m. E.D.T. on Thursday, May 21, 2009, at the Purchasing Office, for the city's annual equipment rental rates. I recommend the bid be awarded to the sole bidder, Slusarski Excavating.

	Slusarski Excavating <u>Adrian, MI</u>	Current <u>Pricing</u>
Motor Grader	\$90.00 per hour	\$89.00
Earth Mover	\$90.00 per hour	\$90.00
Small Backhoe	\$75.00 per hour	\$75.00
Large Backhoe-1/2 cy	\$80.00 per hour	\$80.00
Large Backhoe-3/4 cy	\$95.00 per hour	\$95.00
Large Backhoe-1 cy	\$110.00 per hour	\$108.00
Drum Compactor-Cat	\$89.00 per hour	\$84.00
Drum Compactor-Champion	\$78.50 per hour	\$78.50
Bulldozer-Small	\$78.00 per hour	\$75.00
Bulldozer-Large	\$82.00 per hour	\$79.50
Tri-Axle Dump	\$75.00 per hour	\$75.00
Quad-Axle Dump	\$80.00 per hour	\$78.50
Low Boy	\$89.00 per hour	\$84.00

Respectfully submitted,

Cindy L. Prue  
 Assistant Finance Director

**CR09-027**

June 1, 2009

**RE: ANNUAL BID FOR EQUIPMENT RENTAL**

**RESOLUTION**

WHEREAS, sealed bids were received May 21, 2009 for the annual equipment rental requirements; and

WHEREAS, said bids have been tabulated and recommendations made by the Asst. Finance Director and City Administrator; and

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

NOW, THEREFORE, BE IT RESOLVED that the annual bid for equipment rental be awarded to Slusarski Excavating of Adrian, MI for the items and amounts as listed in their bid tabulation and under the terms and conditions as specified and as proposed in their sealed bid dated May 21, 2009.

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

CR-6  
**CR09-028**

June 1, 2009

**RE: PLANNING COMMISSION – Appointment to Planning Commission**

**RESOLUTION**

WHEREAS, the resignation of Mitch Blonde from the Planning Commission has created a vacancy; and

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

WHEREAS, the Planning Commission Chairman, Mike Jacobitz, and Mayor McDowell have recommended the appointment of Ken Tokarz, 110 S. Locust St., to fill this vacancy; and

WHEREAS, Ken Tokarz, has agreed to serve on the Planning Commission if appointed; and

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

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the appointment of Ken Tokarz to the Adrian Planning Commission to fill the unexpired term that ends in 2012.

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

REGULAR

AGENDA

0-1

**ORDINANCE 09-07**

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

The City of Adrian Ordains:

1. That Section 3.1 of Article III of the City of Adrian Zoning/Development Regulations, and the Zoning Map to which reference is therein made, is amended to the extent of deleting the following property hereinafter described from the B-4 Shopping Center District and including the same in the B-2 Community Business District.
2. Parcel described as follows:  
  
BEG 1889.91 FT S & 60 FT E OF W 1/4 COR SEC 11 T7S R3E TH E 200 FT TH S 110 FT TH W 200 FT TH N 110 FT TO POB
3. More commonly known as: 1377 South Main Street

INTRODUCTION .....May 18, 2009

SUMMARY PUBLISHED .....May 21, 2009

ADOPTION .....

COMPLETED PUBLICATION.....

EFFECTIVE DATE .....

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

May 11, 2009

Honorable Mayor and City Commission:

At their May 5 regular meeting the Adrian City Planning Commission adopted the following resolution in support of rezoning 1377 South Main Street from B-4 Shopping Center District to B-2 Community Business, with the contingency that both parcels (restaurant and parking lot) be combined.

### RESOLUTION

WHEREAS, Doug Baumgartner has submitted a request for rezoning of a single parcel identified in the Case File 09-0010; and

WHEREAS, the existing use of the parcels are commercial; and

WHEREAS, the City of Adrian Comprehensive Plan calls for designation of such parcels as General Commercial for future use; and

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

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

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning contingent upon the successful combination of parcels XA0-100-0010-00 and XA0-100-0012-03; and

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

In Favor of Motion: Al-Omari, Watson, Dye, Clegg, Jacobitz

Against Motion: none

Baumgartner LLC has a signed purchase offer for this property and the parcel (XA0-100-0012-03) immediately to the north that is being used as McDonald's parking lot. The development plan for this property is to demolish the existing McDonald's restaurant, when the new location (1080 East US-223) is in operation, the two parcels would be combined and a banking facility with drive-through would be constructed. The parcel to the north (parking lot) is already zoned B-2, while the parcel with the building is zoned B-4. The B-4 District has a 75 foot front setback, where the B-2 District is only 25 feet. The proposed building would be about 60 feet from the front lot line.

There were no comments from the audience or telephone calls or written communication received concerning this request. The Planning Commission did not have any questions or concerns about this rezoning. This request meets the review criteria of Section 28.06 of the Zoning/Development Regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Denise Cook". The signature is fluid and cursive, with the first name being more prominent.

Denise Cook, Secretary



100 E. Church St.  
Community Development Department  
Adrian, MI 49221

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## STAFF ANALYSIS

### CITY PLANNING COMMISSION

DATE: April 30, 2009  
CASE FILE: 09-0010  
DATE: April 30, 2009  
APPLICANT: Doug Baumgartner  
P.O. Box 8326  
Toledo, OH 43605  
REQUEST: Rezoning  
SUBJECT PARCEL(S): XA0-100-0010-00  
1377 S. Main St.  
Adrian, MI 49221

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#### DESCRIPTION OF REQUEST

Applicant requests rezoning of the subject parcel from a B-4 designation to a B-2 designation. The adjoining parcel is zoned B-2 and this will result in a common parcel to be used for future development as indicated by the preliminary drawings submitted.

#### FUTURE LAND USE/ZONING

According to the City of Adrian Comprehensive Plan, future land use designation for the subject parcels is General Commercial.

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#### DEPARTMENT REVIEWS

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

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

**Petitioner wishes to combine the subject parcel, currently zoned as B-4, with the parcel to the north and currently zoned B-2, for future development.**

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

**No precedents are known or anticipated as a result of favorable action on this request.**

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

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

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

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

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

**The use of the parcel under current zoning designations is economically feasible. Proposed use of the parcel will prove to be more difficult for successful development conforming to City of Adrian standards.**

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#### RECOMMENDATION

Community Development recommends that the Adrian City Planning Commission (1) make a finding that the request for rezoning of the subject parcels satisfactorily meets the review criteria found in Section 28.06 of the City of Adrian Zoning Regulations, and (2) approves the request for rezoning of the subject parcel as shown **contingent upon the successful combination of parcels XA0-100-0010-00 and XA0-100-0012-03**, and (3) forwards the application to the Adrian City Commission with a recommendation for preparation and approval of an ordinance to amend the City of Adrian Official Zoning Map to show such change in use designations.

#### **RESOLUTION**

WHEREAS, Doug Baumgartner has submitted a request for rezoning of a single parcel identified in the Case File 09-0010; and

WHEREAS, the existing use of the parcels are commercial; and

WHEREAS, the City of Adrian Comprehensive Plan calls for designation of such parcels as General Commercial for future use; and

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

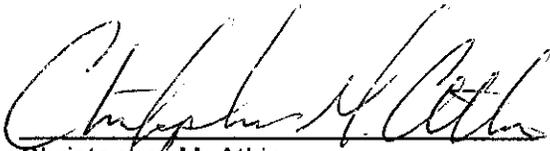
NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the review and analysis conducted by the Community Development Department; and

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning contingent upon the successful combination of parcels XA0-100-0010-00 and XA0-100-0012-03; and

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

On motion by Planning Commission Member \_\_\_\_\_, seconded by  
Planning Commission Member \_\_\_\_\_, this resolution was adopted  
by a \_\_\_\_\_ vote.



Christopher M. Atkin  
Community Development Director

I (We), the undersigned, do hereby respectfully make application and petition to the Planning Commission to amend the Zoning Ordinance and change the zoning map as hereinafter requested, and in support of this application, the following facts are shown:

1. It is desired and requested that the foregoing described property be rezoned from B-4 SHOPPING CENTER to B-2 SHOPPING CENTER
2. It is proposed that the property will be put to the following use:  
COMMERCIAL BANKING
3. It is proposed that the following building(s) will be constructed:  
BANKING CENTER
4. The property sought to be rezoned is located at 1369 S. MAIN ST. between US-223 Street and METCALF Street on the EAST side of the street. It has a frontage of 110 feet, and a depth of 200 feet.
- 5a. The property is part of a recorded plat and is known as Lot(s) Number(s):  
PARCEL # XAO-100-0010-00 of \_\_\_\_\_ (subdivision)
- 5b. The property is in acreage and is not part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage also)  
\_\_\_\_\_  
\_\_\_\_\_
6. The property sought to be rezoned is owned by:  
McDONALD'S CORPORATION (COPY OF PURCHASE CONTRACT ATTACHED)
7. We attach a statement hereto indicating why, in our opinion; the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such change will not be detrimental to the public welfare, nor the property of other persons located in the vicinity.
8. Attached hereto are 12 prints of a plot plan showing the lot or parcel in question, and the intended layout. These prints are made a part of this petition and are drawn to scale.

\*\*\*\*\*

**NOTICE TO PETITIONER:** Petitioner or their representative must be present for the public hearing before the Planning Commission, and also for the City Commission, or it will not be considered.

Douglas Baumgartner APR. 7, 2009  
Signature of Applicant

RECEIVED  
APR 07 2009

Address and Phone Number - May also include fax number and/or e-mail address

CITY OF ADRIAN  
COMMUNITY DEVELOPMENT

#7 STATEMENT REQUESTING CHANGE.

PETITIONER REQUESTS CHANGE AS ADJOINING PARCEL  
(XAD-100-1012-02  
IS PRESENTLY ZONED B-2 AND THIS WILL RESULT IN A  
COMMON PARCEL THAT WILL BE USED AS INDICATED IN  
ENCLOSED SITE PLAN.

*Doug Baumgartner*  
APRIL 7, 2009

RECEIVED  
APR 07 2009

CITY OF ADRIAN  
COMMUNITY DEVELOPMENT

R-1

May 21, 2009

## MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer



SUBJECT: Annual Trash Contract – Fuel Surcharge Reduction

We are in the 6<sup>th</sup> year of our 7 year trash collection contract with Allied Waste Systems of Erie, MI. The City Commission, by Resolution R09-015 dated January 20, 2009, approved the current Unit Price of \$8.24, including the Fuel Recovery Fee. An addendum to the contract provides for a fuel surcharge, which currently stands at 2.91%.

The price of fuel has continued to decrease over the past three months. According to the Energy Information Administration, the average price has dropped to \$2.17 per gallon over that time frame, resulting in a proposed reduction in the Fuel Recovery Fee to 1.33%.

At this time I am recommending the fuel surcharge be reduced from 2.91% to 1.33%, reflecting the average price reduction from \$2.96/gallon to \$2.17/gallon, effective June 1, 2009. The total cost savings is presented as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Savings</u>
Refuse Collection Base Charge/Unit	\$ 8.01	\$ 8.01	
Number of Residential Units	<u>5,814</u>	<u>5,814</u>	
Monthly Cost for Refuse Collection	\$46,570	\$46,570	
Fuel Recovery Fee – Rate	2.91%	1.33%	1.58%
- Charge/Unit	\$ .23	\$ .11	\$ .12
Number of Residential Units	<u>5,814</u>	<u>5,814</u>	<u>5,814</u>
Monthly Cost for Fuel Surcharge	\$ 1,337	\$ 640	\$ 697
Annual Cost (Incl. Surcharge)	\$574,884	\$566,620	\$8,364

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

2008 Average Price per Gallon 380 8833

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2002	506.3	408.4	445.2	467.7	420.3	430.3	405.4	323.0	383.0	344.0		
2003	388.1	387.4	330.0	380.8	380.8	380.0	302.3	303.2	330.0	334.1		
2004	506.1	375.8	380.1	380.8	303.4	304.2	338.3	321.0	324.2	301		
2005	351.4	330.3	310.0	330	333.3	320	381.0	300.2	323.3	344.3		
2006	105.0	160.3	134.0	121.1	133.0	182.2	101.3	313.4	314.3	300.0		
2007	130.8	123.3	142.1	143.4	143.2	148.3	140.3	148.1	148.3	140		
2008	133	130.0	130.2	138.0	138.0	135.8	141.1	140.3	143	145.0		
2009	130.0	143.3	140.0	148.3	133.2	130	140.2	134.8	132.0	110.3		
2010	143.0	143.3	143.1	143.4	143.4	140.0	103.3	103.3	103.1	120.2		
2011	00.3	103.0	103.3	103.4	113.3	113.3	131.2	133.8	130.2	130.2		
2012	100.3	100.2	100.0	104.1	102.0	100.3	103.4	103.0	103.3	03.2		
2013	133.0	131.3	110.0	113.3	112.1	110.2	110	110.2	110.3	110.0		
2014	118.3	133.2	133.3	130.1	113.0	130.1	130.2	133.3	133.3	130.0		
2015	108.8	110.4	113.0	113	110	110.2	111.0	111.2	113	113		
2016	110.3	110.3	110	110.3	111	113.3	113.2	113.3	113.1	113.2		

2008 Average Price per Gallon (Cont'd)

Year:  Station:  Station ID:

with drop-down menu per site for:

Station ID:  Station Name:

Energy Information Administration

Allied Waste Industries Fuel Recovery Fee Table All Price Per Gallon Information From DOE							
DOE Avg Price Per Gallon at Least:	Fuel Recovery Fee	DOE Avg Price Per Gallon at Least:	Fuel Recovery Fee	DOE Avg Price Per Gallon at Least:	Fuel Recovery Fee	DOE Avg Price Per Gallon at Least:	Fuel Recovery Fee
\$ 1.16	0.00%	\$ 1.73	0.45%	\$ 2.30	1.59%	\$ 2.87	2.73%
\$ 1.17	0.00%	\$ 1.74	0.47%	\$ 2.31	1.61%	\$ 2.88	2.75%
\$ 1.18	0.00%	\$ 1.75	0.49%	\$ 2.32	1.63%	\$ 2.89	2.77%
\$ 1.19	0.00%	\$ 1.76	0.51%	\$ 2.33	1.65%	\$ 2.90	2.79%
\$ 1.20	0.00%	\$ 1.77	0.53%	\$ 2.34	1.67%	\$ 2.91	2.81%
\$ 1.21	0.00%	\$ 1.78	0.55%	\$ 2.35	1.69%	\$ 2.92	2.83%
\$ 1.22	0.00%	\$ 1.79	0.57%	\$ 2.36	1.71%	\$ 2.93	2.85%
\$ 1.23	0.00%	\$ 1.80	0.59%	\$ 2.37	1.73%	\$ 2.94	2.87%
\$ 1.24	0.00%	\$ 1.81	0.61%	\$ 2.38	1.75%	\$ 2.95	2.89%
\$ 1.25	0.00%	\$ 1.82	0.63%	\$ 2.39	1.77%	\$ 2.96	2.91%
\$ 1.26	0.00%	\$ 1.83	0.65%	\$ 2.40	1.79%	\$ 2.97	2.93%
\$ 1.27	0.00%	\$ 1.84	0.67%	\$ 2.41	1.81%	\$ 2.98	2.95%
\$ 1.28	0.00%	\$ 1.85	0.69%	\$ 2.42	1.83%	\$ 2.99	2.97%
\$ 1.29	0.00%	\$ 1.86	0.71%	\$ 2.43	1.85%	\$ 3.00	2.99%
\$ 1.30	0.00%	\$ 1.87	0.73%	\$ 2.44	1.87%	\$ 3.01	3.01%
\$ 1.31	0.00%	\$ 1.88	0.75%	\$ 2.45	1.89%	\$ 3.02	3.03%
\$ 1.32	0.00%	\$ 1.89	0.77%	\$ 2.46	1.91%	\$ 3.03	3.05%
\$ 1.33	0.00%	\$ 1.90	0.79%	\$ 2.47	1.93%	\$ 3.04	3.07%
\$ 1.34	0.00%	\$ 1.91	0.81%	\$ 2.48	1.95%	\$ 3.05	3.09%
\$ 1.35	0.00%	\$ 1.92	0.83%	\$ 2.49	1.97%	\$ 3.06	3.11%
\$ 1.36	0.00%	\$ 1.93	0.85%	\$ 2.50	1.99%	\$ 3.07	3.13%
\$ 1.37	0.00%	\$ 1.94	0.87%	\$ 2.51	2.01%	\$ 3.08	3.15%
\$ 1.38	0.00%	\$ 1.95	0.89%	\$ 2.52	2.03%	\$ 3.09	3.17%
\$ 1.39	0.00%	\$ 1.96	0.91%	\$ 2.53	2.05%	\$ 3.10	3.19%
\$ 1.40	0.00%	\$ 1.97	0.93%	\$ 2.54	2.07%	\$ 3.11	3.21%
\$ 1.41	0.00%	\$ 1.98	0.95%	\$ 2.55	2.09%	\$ 3.12	3.23%
\$ 1.42	0.00%	\$ 1.99	0.97%	\$ 2.56	2.11%	\$ 3.13	3.25%
\$ 1.43	0.00%	\$ 2.00	0.99%	\$ 2.57	2.13%	\$ 3.14	3.27%
\$ 1.44	0.00%	\$ 2.01	1.01%	\$ 2.58	2.15%	\$ 3.15	3.29%
\$ 1.45	0.00%	\$ 2.02	1.03%	\$ 2.59	2.17%	\$ 3.16	3.31%
\$ 1.46	0.00%	\$ 2.03	1.05%	\$ 2.60	2.19%	\$ 3.17	3.33%
\$ 1.47	0.00%	\$ 2.04	1.07%	\$ 2.61	2.21%	\$ 3.18	3.35%
\$ 1.48	0.00%	\$ 2.05	1.09%	\$ 2.62	2.23%	\$ 3.19	3.37%
\$ 1.49	0.00%	\$ 2.06	1.11%	\$ 2.63	2.25%	\$ 3.20	3.39%
\$ 1.50	0.00%	\$ 2.07	1.13%	\$ 2.64	2.27%	\$ 3.21	3.41%
\$ 1.51	0.00%	\$ 2.08	1.15%	\$ 2.65	2.29%	\$ 3.22	3.43%
\$ 1.52	0.00%	\$ 2.09	1.17%	\$ 2.66	2.31%	\$ 3.23	3.45%
\$ 1.53	0.00%	\$ 2.10	1.19%	\$ 2.67	2.33%	\$ 3.24	3.47%
\$ 1.54	0.00%	\$ 2.11	1.21%	\$ 2.68	2.35%	\$ 3.25	3.49%
\$ 1.55	0.00%	\$ 2.12	1.23%	\$ 2.69	2.37%	\$ 3.26	3.51%
\$ 1.56	0.11%	\$ 2.13	1.25%	\$ 2.70	2.39%	\$ 3.27	3.53%
\$ 1.57	0.13%	\$ 2.14	1.27%	\$ 2.71	2.41%	\$ 3.28	3.55%
\$ 1.58	0.15%	\$ 2.15	1.29%	\$ 2.72	2.43%	\$ 3.29	3.57%
\$ 1.59	0.17%	\$ 2.16	1.31%	\$ 2.73	2.45%	\$ 3.30	3.59%
\$ 1.60	0.19%	\$ 2.17	1.33%	\$ 2.74	2.47%	\$ 3.31	3.61%
\$ 1.61	0.21%	\$ 2.18	1.35%	\$ 2.75	2.49%	\$ 3.32	3.63%
\$ 1.62	0.23%	\$ 2.19	1.37%	\$ 2.76	2.51%	\$ 3.33	3.65%
\$ 1.63	0.25%	\$ 2.20	1.39%	\$ 2.77	2.53%	\$ 3.34	3.67%
\$ 1.64	0.27%	\$ 2.21	1.41%	\$ 2.78	2.55%	\$ 3.35	3.69%
\$ 1.65	0.29%	\$ 2.22	1.43%	\$ 2.79	2.57%	\$ 3.36	3.71%
\$ 1.66	0.31%	\$ 2.23	1.45%	\$ 2.80	2.59%	\$ 3.37	3.73%
\$ 1.67	0.33%	\$ 2.24	1.47%	\$ 2.81	2.61%	\$ 3.38	3.75%
\$ 1.68	0.35%	\$ 2.25	1.49%	\$ 2.82	2.63%	\$ 3.39	3.77%
\$ 1.69	0.37%	\$ 2.26	1.51%	\$ 2.83	2.65%	\$ 3.40	3.79%
\$ 1.70	0.39%	\$ 2.27	1.53%	\$ 2.84	2.67%	\$ 3.41	3.81%
\$ 1.71	0.41%	\$ 2.28	1.55%	\$ 2.85	2.69%	\$ 3.42	3.83%
\$ 1.72	0.43%	\$ 2.29	1.57%	\$ 2.86	2.71%	\$ 3.43	3.85%

**RE: DEPARTMENT OF PUBLIC WORKS – Solid Waste Refuse Collection Contract Rate Adjustments for Fuel Costs**

**RESOLUTION**

WHEREAS, Allied Waste Systems, Inc., the City of Adrian’s contractor for solid waste refuse collection, is currently in the sixth year of a seven-year contract, expiring December 31, 2010; and

WHEREAS, the Adrian City Commission, by resolution R09-015 dated January 20, 2009, approved the current rate structure for refuse collection, including a fuel recovery fee predicated on the market price of fuel reported by the Energy Information Administration; and

WHEREAS, the price of fuel has continued to decrease over the past three months. According to the Energy Information Administration, the average price has dropped to \$2.17 per gallon over that time frame, resulting in a proposed reduction in the fuel recovery fee to 1.33% from the current 2.91%; and

WHEREAS, at this time, I am recommending the fuel surcharge be reduced from 2.91% to 1.33%, reflecting the average price reduction from \$2.96/gallon to \$2.17/gallon, effective June 1, 2009. The total cost savings is presented as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Savings</u>
Refuse Collection Base Charge/Unit	\$ 8.01	\$ 8.01	
Number of Residential Units	<u>5,814</u>	<u>5,814</u>	
Monthly Cost for Refuse Collection	\$46,570	\$46,570	
Fuel Recovery Fee – Rate	2.91%	1.33%	1.58%
Charge/Unit	\$ .23	\$ .11	\$ .12
Number of Residential Units	<u>5,814</u>	<u>5,814</u>	<u>5,814</u>
Monthly Cost for Fuel Surcharge	\$ 1,337	\$ 640	\$ 697
Annual Cost (Incl. Surcharge)	\$574,884	\$566,620	\$8,364

WHEREAS, the City Engineer and City Administrator recommend that a rate adjustment for fuel costs incurred by Allied Waste Systems, Inc. be reduced from 2.91% to 1.33% on a month-to-month basis (decreasing the unit price from \$8.24 to \$8.12, including \$.11 for fuel recovery fee) with the following provisions:

- 1) The subject rate adjustment shall not become a part of the base cost upon which future CPA rate adjustments would apply but, rather, considered an additional benefit granted at the pleasure of the City of Adrian; and
- 2) The subject rate adjustment will be at the full discretion of the City of Adrian and can be reduced or withdrawn at any time should circumstances change, such as a decrease of fuel prices in the marketplace, a deterioration in the City’s financial position requiring imposition of general budget strictures, or dissatisfaction with collection services.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes a rate adjustment for fuel costs incurred by Allied Waste Systems, Inc. from 2.91% to 1.33% on a month-to-month basis (decreasing the unit price from \$8.24 to \$8.12, including \$.11 for fuel recovery fee) with the following provisions:

- 1) The subject rate adjustment shall not become a part of the base cost upon which future CPA rate adjustments would apply but, rather, considered an additional benefit granted at the pleasure of the City of Adrian; and
- 2) The subject rate adjustment will be at the full discretion of the City of Adrian and can be reduced or withdrawn at any time should circumstances change, such as a decrease of fuel prices in the marketplace, a deterioration in the City's financial position requiring imposition of general budget strictures, or dissatisfaction with collection services.

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

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## MEMORANDUM – UTILITIES DEPARTMENT

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DATE: May 27, 2009  
TO: Dane C. Nelson, City Administrator  
FROM: Shane A. Horn, Utilities Director   
SUBJECT: Realtor Services for Marketing 1802 Hamilton Hwy.

---

I concur with the recommendation of the Utilities Director to retain Goedert Real Estate of Adrian, MI for the marketing of city-owned property located at 1802 Hamilton Hwy., Adrian, MI. Goedert's commission would be 0.5% of the sale price of the property. If the property is sold by another realtor, the commission would be 3.5%.

Goedert Real Estate was the sole bidder. I urge your favorable recommendation authorizing this firm to market the aforementioned property.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

Sealed bids were received by the purchasing department on Thursday May 21, 2009 at 2:00 pm for the marketing of property located at 1802 Hamilton Hwy. This residence along with 20.5 acres surrounds our wellfield. The Utilities Department will be keeping the remaining 15.5 acres surrounding the well house, production wells and access road. Mark Goedert of Goedert Real Estate was the lone bidder for this project. His proposal includes a marketing commission based on 0.5% of the sale price if the property is sold by his firm. If the property is sold by another realtor the commission will be 3.5%. I respectfully recommend that we proceed with this project using the lone bidder, Mark Goedert of Goedert Real Estate. Goedert Real Estate's proposal includes listing on the local and Monroe multiple Listing Service (MLS) as well as multiple internet sites and includes regular open houses.

cc: Jeff Pardee, Finance Director

Request of Proposal  
Realtor Services  
Fiscal Year 2009-10

Purchasing Office  
City of Adrian  
May 6, 2009

Proposals will be received until 2:00 p.m. EDT on Thursday, May 21, 2009, at the Purchasing Office, City Hall, 100 E. Church Street, Adrian, MI 49221, for Realtor Services to assist in the selling of a city owned property.

The property is located at 1802 Hamilton Hwy, Adrian, MI. The city is interested in selling the house, all out buildings and acreage. The city will be keeping 15.5 acres and right of way access to water wells owned and operated by the City of Adrian. Property to be sold is 20.5 acres.

Realtors interested must provide a proposal outlining the services provided and furnish the following information at a minimum.

Proposed listing price of property	\$ <u>249,900<sup>00</sup></u>
Associated fees and/or costs	\$ <u>3.5% Marketing Fee</u>
Term of listing	<u>120 days with an extension</u>

Interested realtors should include in their proposal a copy of the companies listing agreement.

Any questions regarding this proposal may be directed to the Purchasing Office, City Hall, 100 E. Church Street, Adrian, MI (517) 264-4842. Emails may be directed to [cprue@ci.adrian.mi.us](mailto:cprue@ci.adrian.mi.us).

A walk through of the property will be conducted on Thursday, May 14, 2009 at 10:00 a.m. at the property site.. Any interested realtors should plan to be at the walk through.

All proposals must remain firm for not less than 45 days after official opening.

The City of Adrian reserves the right to accept or reject any or all proposals and to waive any irregularities.

The City of Adrian has a local preference policy.

No contract shall be made with any person, firm or corporation in default of the city.

All proposals must be submitted in a sealed envelope clearly marked on the outside, "Proposal – Realtor Services."

NAME OF COMPANY Goedert Real Estate

ADDRESS 1324 N. Main

CITY Adrian STATE MI ZIP 49221

BY Mark Goedert TITLE Broker - Owner

TELEPHONE 517-403-4599 FAX 517-265-5097

DATE 5-21-09 EMAIL markgoedert@goedertrealestate.com



[www.goedertrealestate.com](http://www.goedertrealestate.com)

## Marketing Plan

*1802 Hamilton Hwy.  
Adrian, MI*

I am recommending a list price of \$249,900 with a possible sale of \$240,000. Of course, as always, the client determines the list price and the acceptable sale price. My marketing efforts will consist of insertion into the local Multiple Listing Service (MLS) as well as Monroe MLS which will expose this home to the many buyers in the Toledo area, and also AnnArbor MLS which will provide exposure to the AnnArbor and Detroit Metro markets. Realtor.com will pick up the information from each Multiple Listing Service insertion and provide that on their world wide search engine. Realtor.com is the largest viewed website by home buyers. Homes.com, Trulia, landhomes.com, lcarlive.com, Google.com, MSNhomes.com, Goedertrealestate.com, and yourpropertysearch.net are just a few of the most popular sites that this home will be advertised on, but there are many more that I have not listed. I will also be using the local media available including newspaper for open houses as well as homes magazines for advertising. Open Houses will be done on a regular basis.

A handwritten signature in black ink that reads "Mark H. Goedert". The signature is fluid and cursive, with a long horizontal stroke at the end.



*Corporate Office*

1324 North Main • Adrian, Michigan 49221 (517) 265-9644 Office (517) 265-5097 Fax



**R09-095**

June 1, 2009

**RE: UTILITIES DEPARTMENT – Realtor Services for Marketing 1802 Hamilton Highway**

**RESOLUTION**

WHEREAS, the Adrian City Commission, on December 15, 2003, authorized an Amended Purchase Agreement between the City of Adrian (buyer) and Norman E. Williams and Brenda J. Williams (sellers) to acquire real property, consisting of one house, 36 acres and out-buildings, commonly known as 1802 Hamilton Highway; and

WHEREAS, the agreed upon purchase price of the subject property was \$500,000, with \$125,000 paid in December 2003, in consideration of obtaining easements necessary for access and construction of well-head facilities for the City's groundwater project, and the balance due, plus an annual adjustment for inflation, when and if the option to sell is exercised by the sellers within five (5) years of the original Amended Purchase Agreement (December 15, 2008); and

WHEREAS the Adrian City Commission, by Resolution #R08-151 dated November 3, 2008, authorized final execution of the previously agreed upon Amended Purchase Agreement (dated December 15, 2003) to acquire real property commonly known as 1802 Hamilton Highway for a total remaining balance of \$455,686.09; and

WHEREAS, with intentions of selling the house, out-buildings and 20.5 acres, the City Purchasing Office solicited bids for Realtor Services to market the property, receiving a single bid from Goedert Real Estate, Inc., Adrian, MI, on Thursday, May 21, 2009; and

WHEREAS, the proposal, which includes insertion into the local Multiple Listing Service (MLS), as well as MLS for Monroe, Toledo, Ann Arbor and the world-wide web, reflects a commission of 0.5% if ultimately sold directly by a Goedert Real Estate Agent and an additional 3.5% if sold off the MLS by another realtor; and

WHEREAS, if the property sold for the proposed listing price of \$249,900, the cost range of the aforementioned realtor services would be between \$1,249.50 and \$8,746.50; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose from the proceeds of the sale of the property; and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution for selection of the sole bidder and engagement of Goedert Real Estate, Inc., Adrian, MI for the purpose of marketing the City-owned property located at 1802 Hamilton Highway.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes engagement of Goedert Real Estate, Inc., Adrian, MI in an agreement for the purpose of marketing the City-owned property located at 1802 Hamilton Highway, which reflects a commission of 0.5% if ultimately sold directly by a Goedert Real Estate Agent and an additional 3.5% if sold off the MLS by another realtor.

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



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## MEMO

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Date: May 28, 2009

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

From: Jeffrey C. Pardee, Finance Director

A handwritten signature in cursive script, appearing to read 'Jeffrey C. Pardee', written over the printed name.

**Re: Request to Engage Delinquent Personal Property Tax Collection Service**

The City of Adrian's primary revenue source to sustain public services is derived from real and personal property taxes. Delinquent real property taxes are transmitted to the County Treasurer for collection each March in return for 100% payment from the County's Delinquent Property Tax Revolving Fund. Delinquent personal property taxes remain the City's responsibility to collect; current outstanding delinquencies amount to \$750,717 dating back to 1996.

Due to staffing constraints, collection efforts consist primarily of periodic written notices to the taxpayers informing them of the amount of their delinquency and responsibility under the law to meet their obligation. Following the example of the City of Ann Arbor which was successful in collecting \$400,000 of its \$1.6 million outstanding Personal Property Delinquencies, a proposal has been solicited from Robert Keyes, Attorney and Counselor, Ann Arbor, MI to perform collection services for the City of Adrian.

The proposal covers the period June 15, 2009 through June 30, 2010 and includes a commission of 22.5% of the collected amounts, with an advance draw of \$2,000 per month for the first two (2) months. I respectfully recommend adoption of the attached resolution and waiver of the competitive bid process in the best interests of the City, due to the unique nature of the services rendered.

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

**Jeff Pardee**

**From:** robert@robertkeyeslaw.com  
**Sent:** Monday, May 25, 2009 9:55 PM  
**To:** Dane Nelson  
**Cc:** Jeff Pardee; Donna Stewart  
**Subject:** Delinquent Personal Property Tax Collection Proposal



**Robert Keyes**  
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Dane,

This letter is in response to your request for a proposal for collection services for Delinquent Personal Property taxes for the city of Adrian, Michigan.

Based on my understanding of the Adrian's delinquent amounts, my initial fee would range from 20% to 25% of the collected amounts. I need to spend a little more time with you, Jeff, and Donna to give you a definite number for contract purposes. Factors that would affect the final percentage include the costs associated with various mailings and court fees, and an overall likelihood of the total collection amount.

I propose an initial contract term of June 15th or June 22nd, 2009, through June 30, 2010 with an option to renew on a yearly basis. Terms of future contracts will be negotiated before expiration of the initial contract.

Since there will not be much money coming in the first few weeks, I request a draw of \$2,000 per month the first two months to cover initial startup costs.

In 2008 I collected approximately \$400,000 out of \$1.6M for the City of Ann Arbor. Most of the uncollected taxes were either beyond the stature of limitations, or were a result of business owners leaving the area and who could not be located.

My approach to this work is to use polite persuasion, persistence and systematic follow-through, followed by the threat of lawsuits or by padlocking and seizing property only when necessary. Of the 30 lawsuits I filed last year, only one went to pre-trial and none went beyond that. Only one business was ultimately padlocked and it paid the full amount due on the same day.

I look forward to hearing from you. If you have further questions prior to the City Commission meeting, please feel free to contact me. If you think it would be helpful, I would be happy to accompany you and present this to the City Commission.

Respectfully,

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5/27/2009

**R09-096**

June 1, 2009

**DEPARTMENT OF FINANCE – Authorization to Engage Delinquent Personal Property Tax Collection Service**

**RESOLUTION**

WHEREAS, the City of Adrian's primary revenue source to sustain public services is derived from real and personal property taxes; and

WHEREAS, delinquent real property taxes are transmitted to the County Treasurer for collection each March in return for 100% payment from the County's Delinquent Property Tax Revolving Fund; and

WHEREAS, delinquent personal property taxes remain the City's responsibility to collect; current outstanding delinquencies amount to \$750,717 dating back to 1996; and

WHEREAS, due to staffing constraints, collection efforts consist primarily of periodic written notices to the taxpayers informing them of the amount of their delinquency and responsibility under the law to meet their obligation; and

WHEREAS, following the example of the City of Ann Arbor, which was successful in collecting \$400,000 of its \$1.6 million outstanding Personal Property Delinquencies, a proposal has been solicited from Robert Keyes, Attorney and Counselor, Ann Arbor, MI to perform collection services for the City of Adrian; and

WHEREAS, the proposal covers the period June 15, 2009 through June 30, 2010 and includes a commission of 22.5% of the collected amounts, with an advance draw of \$2,000 per month for the first two (2) months; and

WHEREAS, the Finance Director and City Administrator recommend adoption of this resolution and waiver of the competitive bid process in the best interests of the City, due to the unique nature of the services rendered.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the engagement of Robert Keyes, Attorney and Counselor, Ann Arbor, MI to perform delinquent personal property collection services for the City of Adrian for the period June 15, 2009 through June 30, 2010 and includes a commission of 22.5% of the collected amounts, with an advance draw of \$2,000 per month for the first two (2) months.

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

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

R-4

# Memo

**To:** Dane C. Nelson, City Administrator  
**From:** Mark K. Gasche, Parks and Recreation Director  
**Date:** 5/28/2009  
**Re:** Change order recommendation for backstop at Riverside Park

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I concur with the recommendation of the Parks & Recreation Director to approve a change order to the contract with DeWitt Fence Co. in the amount of \$2,645.00 for additions to the backstop at the Riverside Park baseball field. This change was necessitated by the discovery of underground electrical lines, which required the backstop to be installed closer to home plate. This caused baseballs to go over the backstop.

The original amount budgeted for this project was \$9,000. The change order would bring the total project cost up to \$6,755.00. I urge your favorable consideration authorizing the change order to DeWitt Fence Co. in the amount of \$2,645.00.

  
\_\_\_\_\_  
Dane C. Nelson  
City Administrator

DCN:bjw

During the installation of the backstop on the baseball field at Riverside Park underground electrical lines were discovered that necessitated the backstop being installed closer to home plate than originally planned. The backstop is also much lower than the old backstop and the combination of the lower height with the closer proximity to home plate causes too many balls to get over the backstop. In discussing options with the fence company who installed the backstop we agreed on raising the height of the wing sections of the backstop and putting an extension going inward toward the field across the center section of the backstop. These additions to the backstop would cost an additional \$2,645.00; the original bid price was \$4,110.00. With this change order the total project cost would be \$6,755.00, which is still under the \$9,000.00 budgeted for the project. It is my recommendation that this additional work be awarded to DeWitt Fence Co. of Lansing, MI, the low bidder and installer on the original work, in the amount of \$2,645.00. Funds for this project are budgeted in the Recreation Capital Improvement account.

**R09-097**

June 1, 2009

**RE: DEPARTMENT OF PARKS & RECREATION – Riverside Park Baseball Backstop Installation – Change Order No. One**

**RESOLUTION**

WHEREAS, the City Commission, by Resolution \$08-066 dated May 5, 2008, adopted the FY2008-09 Budget and General Appropriations Act, which included Capital Project Funding for Baseball Maintenance/Improvements; and

WHEREAS, in May, 2009, the DeWitt Fence Company, Lansing, MI was engaged to install a new backstop on the baseball field at Riverside Park at a cost of \$4,110; and

WHEREAS, during installation, electrical lines were discovered that requires reconfiguration of the backstop that costs an additional \$2,645, for a total project cost of \$6,755, which is still below the \$9,000 budgeted for the project; and

WHEREAS, the Finance Director indicates that sufficient funds are available in the FY2008-09 Parks & Recreation Operating Budget (101-691.00-975.000 for this purpose; and

WHEREAS, the Parks & Recreation Director and City Administrator recommend approval of this resolution authorizing payment of the additional \$2,645 to DeWitt Fence Company, Lansing, MI.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes Change Order No. 1 for modification of the Riverside Park Backstop Installation Project and payment of an additional \$2,645 to DeWitt Fence Company, Lansing, MI.

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

R-5

# Memo

**To:** Dane C. Nelson, City Administrator  
**From:** Mark K. Gasche, Parks and Recreation Director  
**Date:** 5/28/2009  
**Re:** Recommendation for schematic design work for Plotter Center kitchen renovation

I concur with the recommendation of the Parks & Recreation Director to retain Todd Dailey of Dailey Engineering for a 1<sup>st</sup> phase schematic design, one set of design documents and cost estimates for renovation of the kitchen at Plotter Center at a cost of \$1,500.00. Depending on the design selected, Dailey Engineering would then develop a scope of work for the 2<sup>nd</sup> phase design, along with construction documents, at a not to exceed price of \$8,000.00.

I urge your favorable consideration authorizing Dailey Engineering to complete schematic designs, design documents and cost estimates for Phase I of the Plotter Center kitchen renovations at a cost of \$1,500.00. Funds are available in the Fee Estate for this work.




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Dane C. Nelson  
City Administrator

DCN:bjw

The Department on Aging has identified the need for additional walk-in freezer space at the Plotter Center kitchen as a top priority in order to continue their meal program. Discussions have been held between City of Adrian representatives and Tom MacNaughton, the Director of the Department on Aging.

Consideration is being given to a renovation project that would be financed and partially funded with funds from the Thelma Swigert Estate. Just recently the Department on Aging received stimulus funds that could also be used for a kitchen renovation project. This has prompted us to move forward with planning for the project. The first step would be to get a schematic design and cost estimates to see what could actually be done and how much it would cost. We asked Todd Dailey of Dailey Engineering to submit a proposal for this work. Todd has submitted a proposal for a 1<sup>st</sup> phase schematic design, including one set of design documents, and costs estimates for a lump sum of \$1,500.00. Then, depending on the design settled on, a scope of work would be developed for the second phase of design, including construction documents. That work would be for a not to exceed amount of \$8,000.00. Funds for this work are available from the Swigert Estate. I am requesting authorization to proceed with this design work.

**R09-098**

June 1, 2009

**RE: DEPARTMENT OF PARKS & RECREATION – Piotter Center Kitchen Renovation Design**

**RESOLUTION**

WHEREAS, the Lenawee County Department on Aging has identified the need for additional walk-in freezer space at the Piotter Center kitchen as a top priority in order to continue their meal program; and

WHEREAS, the Parks & Recreation Director has solicited a proposal from Todd Dailey of Dailey Engineering, Adrian, MI to prepare the design engineering, cost estimates and construction documents for the kitchen project at a total estimated cost not to exceed \$9,500; and

WHEREAS, the cost is estimated because the work will be performed in two Phases: Phase I includes the design sketches and project cost estimates for \$1,500, and Phase II includes the final construction documents for an estimated \$8,000; and

WHEREAS, the Finance Director indicates that sufficient funds are available from the Thelma Swigert Endowment for the Senior Citizens Trust; and

WHEREAS, the Parks & Recreation Director and City Administrator recommend approval of this resolution authorizing engagement of Todd Dailey of Dailey Engineering, Adrian, MI and waiver of the competitive bid process due to the working knowledge and familiarity of the engineer with this particular facility and project.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes engagement of Todd Dailey of Daily Engineering, Adrian, MI to perform engineering services preparatory to commencement of the Piotter Center Kitchen Project for Senior Citizens.

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

BE IT, FURTHER, RESOLVED that \$9,500 be appropriated from the Thelma Swigert Endowment for the Senior Citizens Trust and that the FY2008-09 Budget be amended as follows:

**General Fund (101)**

**Revenue:**

(101-691.00-675.000)

Private Donations

\$9,500

**Expenditures:**

(101-691.00-801.000)

Contract Services

9,500

Total

\$ -0-

On motion by Commissioner \_\_\_\_\_, seconded by

Commissioner \_\_\_\_\_, this resolution was adopted by a

\_\_\_\_\_ vote.

P.6

**R09-099**

June 1, 2009

**RE: CITY ADMINISTRATOR – FY2009-10 Revised Budget Recommendation**

**RESOLUTION**

WHEREAS, the City Commission, by Resolution #R09-081 dated May 4, 2009, adopted the FY2009-10 Budget and General Appropriations Act, balancing Estimated Revenues and Appropriations for the General Fund and all funds at \$19,812,299 and \$38,618,238, respectively; and

WHEREAS, on the very next day, May 5, 2009, Governor Jennifer Granholm issued Executive Order 2009-22 reducing the total State budget by \$349,337,200, including \$41,400,000 of State Revenue Sharing to local units of government; and

WHEREAS, the adverse impact on the City of Adrian General Fund, as estimated by the Finance Director, amounts to \$209,643 for the period May, 2009 through June, 2010; and

WHEREAS, three pertinent paragraphs of the General Appropriations Act apply in situations like this:

§24) Whenever it appears to the Chief Administrative Officer (CAO) that actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such funds are based, the CAO shall present to the City Commission recommendations which, if adopted, will prevent expenditures from exceeding available resources for the current fiscal year.

§11) The City Commission may revise, alter or substitute for the proposed general appropriations measure in any way, except that it may not change it in a way that would cause total appropriations, including an accrued deficit, to exceed total estimated revenues, including an unappropriated surplus.

§19) No obligation shall be incurred against, and no payment shall be made from, any appropriations account unless there is sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation; and

WHEREAS, in response to the foregoing requirements, the City Administrator has formulated the following recommendations to revise the FY2009-10 Budget to balance appropriations with anticipated revenues:

First, revise the City's Health Care Plan for Non-Represented Employees (effective July 1, 2009), reducing the annual employer cost from \$611,811 to \$545,443, resulting in a Citywide net savings of \$66,368 (\$39,920 in the General Fund) due to the following changes:

- Increase Office Visit Co-Pay from \$10 to \$30;
- Increase Chiropractic Office Visit Co-Pay from \$0 to \$30;
- Increase Emergency Room Visit Co-Pay from \$25 to \$50;
- Remove routine mammography services from deductible portion of contract, thereby providing full coverage (100%), with no co-pay;
- Increase \$10 Generic/\$40 Brand Name Co-Pay for Mail Order and Retail 90-day Prescriptions from one to two times; and

Second, institute a high-deductible Health Reimbursement Arrangement (HRA) for Non-Represented Employees (effective January 1, 2010), increasing the Current In-Network Deductible (One-Person/Family) of \$250 to New Plan In-Network Deductible Community Blue Plan 12-A One-Person \$1,000 and Family \$2,000, reducing the annual premium from \$836,408 to \$710,752, resulting in a City-wide gross savings of \$125,656, which is significantly offset by the City's obligation to reimburse employees for the increased deductibles (\$102,310) and Administrative Expenses (\$4,772) associated with the new program, leaving a net annual savings of \$18,574, assuming 100% utilization. At 60% utilization the annual savings for Non-Represented Employees would amount to \$59,498; half the annual savings on a Citywide basis – assuming a January start date – amounts to \$29,749 (General Fund Savings - \$17,894); and

Third, incorporate the following miscellaneous budget adjustments to make up the balance of the estimated reductions in State Revenue Sharing:

- Eliminate publication of the Maple City Focus, using the City's upgraded website to provide public communication (General Fund Savings - \$26,000);
- Eliminate DPW Building – Siding & Window Replacement, in favor of painting current brick fascia (General Fund Savings - \$100,000);
- Transfer \$10,000 of the Malone Library Trust to the Library Book Budget, rather than reduce the Library Book Budget (General Fund Savings - \$10,000);
- Initiate aggressive collection of outstanding Delinquent Personal Property Taxes (General Fund Revenue \$40,000); and

WHEREAS, implementation of the foregoing recommendations would result in an estimated favorable impact on the City General Fund amounting to \$233,814, more than offsetting the projected loss of State Revenue Sharing Funds and increasing the Contingency Account by \$24,171.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, adopts the foregoing recommended action plan and budget adjustments (see attached schedule) to the FY2009-10 Budget and General Appropriations Act in order to address the imbalanced condition resulting from the Governor's Executive Order reducing State Revenue Sharing.

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

# MISCELLANEOUS

M-1

**ADRIAN CITY PLANNING COMMISSION**  
MAY 19, 2009  
SPECIAL MEETING  
MINUTES

When a quorum was present, the special meeting of the Adrian City Planning Commission was called to order by Chair Jacobitz at 7:00 p.m. in the Commission Chambers of City Hall.

Present:           Mike Jacobitz           Chair  
                      Khamis Al-Omari       Vice Chair  
                      Mel Dye  
                      Chad Johnson  
                      Marilyn Schebil

Also Present:       Chris Atkin            Community Development Director

Absent:            Mike Clegg            City Commissioner  
                      Carl Phipps  
                      Brian Watson

CASE NO. 09-017  
SITE PLAN REVIEW FOR  
155 EAST MAUMEE STREET

Mr. Dane Nelson, City Administrator, was present to represent this request. Mr. Nelson described the project to the Commission. The City of Adrian proposes to construct a two-story police station at this site. The previous one-story structure has been removed and was formerly known as 155-157 East Maumee. The site plan shows a fenced parking lot behind the building, which will be used for police vehicles. There will be a driveway from North Broad Street that will access this parking area. The driveway is located behind 159 East Maumee (former post office – now known as the Community Room). There was discussion on the parking configuration; however, the Zoning/Development Regulations does not require off-street parking in the B-3 Central Business District (Section 4.37 (H)). There is pedestrian access at the front and rear of the building, and there will be a walk-way connecting to 159 East Maumee. The exterior facade will be brick and the window detailing will be compatible with the Community Room. The landscaping will be done internally; the City plans on relocating the statue of Laura Haviland to the area between the police station and the Community Room, the statue would be facing East Maumee Street. The Planning Commission will consider a Zoning Exception Permit Application for 135, 155 and 159 East Maumee Street at their June meeting. The B-3 District requires review by the Planning Commission for governmental buildings (Section 15.03 (3)). The Commission was in receipt of the Staff Analysis in support of the site plan with one condition that the site plan be reviewed and approved by the Fire Department. After some discussion the Commission added two more conditions: Approval of Zoning Exception Permit and submittal of landscaping plan for Commission consideration. Commissioner Al-Omari moved that the Planning Commission adopt the following resolution to approve the request for Site Plan Review and Approval as amended:

## RESOLUTION

WHEREAS, the City of Adrian has submitted a request for Site Plan Review and Approval to construct a two-single commercial building at 155 E. Maumee St., parcel XA0-000-0033-00; and

WHEREAS, the existing parcel is vacant; and

WHEREAS, the zoning district is designated as B-3, Central Business; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the City Code of Ordinances, Section 4.6, pertaining to site plan review and approval.

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds that the application is in general compliance with the standards for Site Plan Review and Approval with the following contingencies:

1. Applicable requirements are met upon review by the Adrian Fire Department
2. Receipt of approved Zoning Exception Permit
3. Submittal of landscaping plan for Planning Commission consideration

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the submitted Site Plan, with aforementioned contingencies, under Case #09-017 for Parcel XA0-000-0033-00.

Commissioner Dye supported.

In Favor of Motion: Schebil, Dye, Jacobitz, Johnson, Al-Omari

Against Motion: none

Motion carried unanimously.

There being no further business the meeting adjourned at 7:12 p.m.

Respectfully submitted,

Denise Cook, Secretary