



PRE-MEETING AGENDA

**ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
MONDAY
September 19, 2011**

The City Commission will meet for a pre-meeting study session on Monday, September 19, 2011 at 5:30 p.m. in the City Chambers Building, 159 E. Maumee St., to discuss the following:

- I. Lake Adrian Public Access.
- II. Other items as time permits.



COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
SEPTEMBER 19, 2011
7:00PM**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 6, 2011 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. PROCLAMATION
 1. Proclamation declaring September 17 through 23 as Constitution Week as September 17, 2011 marks the two hundred twenty-fourth anniversary of the drafting of the Constitution of the United States of America.
- VI. PUBLIC COMMENT FOR AGENDA ITEMS
- VII. COMMUNICATIONS
 1. **C1. Finance Dept.** Communication from Finance Director regarding an update on state revenue sharing.
- VIII. CONSENT AGENDA
 1. **CR11-41. Finance.** Resolution to terminate the assessing contract with the County of Lenawee and to appoint Kristen Wetzal as the Assessor for the City of Adrian.
 2. **CR11-42. City Commission.** Resolution to authorize the City Administrator to enter into an agreement with Nationwide Retirement Solutions to establish a deferred compensation plan for members of the IAFF bargaining unit, as part of their newly ratified collective bargaining agreement.
 3. **CR11-43. Historic District Commission.** Resolution to reappoint Kara Lennard to the Historic District Commission for a 3-year term.
- IX. REGULAR AGENDA
 - A. RESOLUTIONS
 1. **R11-100. Community Development.** Resolution to authorize the signing of a Memorandum of Understanding between the City of Adrian and The More Program in support of entrepreneurs.
 2. **R11-101. Administration.** Resolution to waive the bid process and accept the proposal of \$26,000.00 by ASTI Environmental for project work involving the Buckeye Products site.

3. **R11-102. Administration.** Resolution to adopt the Employee Compensation Plan to qualify for category three of the Economic Vitality Incentive Program of the State of Michigan.
4. **R11-103. City Commission.** Resolution to authorize the City Administrator to negotiate a lease agreement for oil and gas exploration on city-owned land.
5. **R11-104. Finance.** Resolution in support of replacement revenue for Personal Property Tax.
6. **R11-105. Parks and Recreation.** Resolution to accept a bid for paving of the parking lot on the west side of the Piotter Center and a portion of the roadway in Riverside Park. The low bid recommendation is \$52,857.84.
7. **R11-106. Parks and Recreation.** Resolution to award part of the tree bid to Acorn Farms in the amount of \$10,310.00 and the remainder to Underwood's Nursery in the amount of \$6,196.30. Funding for this project is being supported by a \$10,000 grant from the Maurice and Dorothy Stubnitz Foundation.
8. **R11-107. City Commission.** Resolution to approve the sale of a strip of land from Lot 8 of the Adrian Industrial Park to Evergreen Grease Services for the sum of \$20,000.00 and to authorize the Mayor and City Clerk to execute a warranty deed, as well as authorize the City Administrator to execute a purchase agreement for said transaction.
9. **R11-108. City Commission.** Resolution regarding the continuation of public access to Lake Adrian.

X. MISCELLANEOUS

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

XI. PUBLIC COMMENT

XII. COMMISSIONERS COMMENTS



MINUTES

**MINUTES
ADRIAN CITY COMMISSION
SEPTEMBER 6, 2011
7:00 P.M.**

Official proceedings of the September 6, 2011 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 Steele, DuMars, Osborne, Carrico, and Warren.

ABSENT: Commissioner Clegg

Mayor McDowell in the Chair.

Commissioner DuMars motioned to excuse Commissioner Clegg; seconded by Commissioner Carrico, motion carried by unanimous vote.

Commissioner DuMars moved to approve the minutes of the August 15, 2011 regular meeting of the Adrian City Commission, seconded by Commissioner Warren, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher #3509 through #3519	\$ 164,005.40
General Fund Vouchers #20600 through #20628	\$ 402,945.41
Clearing Account Vouchers amounting to	<u>\$2,422,171.99</u>
TOTAL EXPENDITURES	<u>\$2,989,122.80</u>

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

PUBLIC COMMENT

There were no public comments

COMMUNICATIONS

1. **Finance Department.** Communication from Finance Director regarding the consequences of eliminating the personal property tax in Michigan.
2. **Administration.** Proclamation for Brenda J Williams, administrative assistant who is retiring on September 30, 2011 after 36 years of service.

CONSENT AGENDA

RESOLUTION CR11-039

RE: CITY COMMISSION – Designating Representatives for Voting Purposes at the Michigan Municipal League Convention

WHEREAS, the Michigan Municipal League’s Annual Conference will be held in Grand Rapids on October 4-7, 2011, at which time votes will be cast for election of trustees, policies and other business that may come before the meeting; and

WHEREAS, the Michigan Municipal League’s by-laws state that governing bodies designate one official who will be in attendance at the conference to cast the vote on behalf of their municipality; and

WHEREAS, it further requires that one official be designated as an alternate in the event the other official is unable to cast the vote.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Mayor Gary E. McDowell as the official representative and Commissioner Greg DuMars as the alternate representative to cast the vote at the annual MML Conference to be held October 4-7 in Grand Rapids, MI.

RESOLUTION CR11-040

RE: UTILITIES DEPARTMENT – Lime Residual Removal at the Water Treatment Plant

WHEREAS, the Adrian City Commission, by Resolution #R11-051 dated May 2, 2011, approved the FY2011-12 Budget and General Appropriations Act, which included \$175,000 in the Water Fund Purification Pumping Contract Services account (591-536.00-801.503) for the removal of residual lime at the Water Treatment Plant; and

WHEREAS, bids were solicited and six (6) bids were received on Tuesday, August 23, 2011 by the City of Adrian Purchasing Office for the removal of residual lime at the Water Treatment Plant, with the following results:

<u>Vendor</u>	<u>Amount</u>
S&L Fertilizer Company, Toledo, OH	\$225,000
Pohlcat, Inc., Sidney, OH	192,500
Salenbien Trucking & Excavating, Dundee, MI	162,000
ProLime Services, Washington, MI	157,200
Midwest Compost, Clyde, OH	152,500
BioTech Agronomics, Inc., Beulah, MI	136,350

WHEREAS, the Finance Director indicates that sufficient funds for this purpose are available in the Water Fund Purification Pumping Contract Services account (591-536.00-801.503); and

WHEREAS, the Utilities Director and City Administrator recommend that the low bidder, BioTech Agronomics, Inc., Beulah, MI be engaged in the City’s Standard Professional services Contract for the removal of residual lime at the Water Treatment Plant at a cost not to exceed \$136,350.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of BioTech Agronomics, Inc., Beulah, MI in the City's Standard Professional Services Contract for the removal of residual lime at the Water Treatment Plant at a cost not to exceed \$136,350.

On motion by Commissioner Steele, seconded by Commissioner Warren, Consent Agenda resolutions CR11-039 and CR11-040 were adopted by a unanimous vote.

REGULAR AGENDA

RESOLUTION R11-095

RE: DEPARTMENT OF PARKS & RECREATION – Authorization to Hire Clegg Electric for Repairs at Island Park

WHEREAS, emergency electrical repairs were required at Island Park in late July, after power was lost due a storm; and

WHEREAS, the City's approved electrical contractor, Masson Electric, was called but did not have the proper equipment to complete the repairs; and

WHEREAS, alternative sources were investigated to perform the repairs, however, only Clegg Electric was able to provide the necessary service within the required timeframe, in order to minimize impact on scheduled recreation activities (the Diamondback Classic Baseball Tournament being held that same day), at a cost of \$1,433; and

WHEREAS, the Finance Director indicates that there are sufficient funds for this purpose in the Parks & Recreation Operating Budget (101-691.00-801.000); and

WHEREAS, Clegg Electric is owned by Michael Clegg, an Adrian City Commissioner, which subjects this transaction to the tenets of the City Charter, specifically, **Section 5.13 – Pecuniary interest prohibited:**

- (a) Except as permitted by this section, no contract or purchasing involving an amount in excess of one hundred dollars shall be made by the city in which an elective or appointive officers or any member of his family has any pecuniary interest, direct or indirect.
- (b) Pecuniary interest is defined in detail.
- (c) A contract in which an officer or member of his family has a pecuniary interest may be made by the city if the members of the commission in office at the time having no such interest shall, by unanimous vote, determine that the best interests of the city will be served by making of such contract...; and

WHEREAS, the Parks & Recreation Director and City Administrator recommend approval of this resolution and payment to Clegg Electric for emergency repairs at Island Park in the amount of \$1,433.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves payment to Clegg Electric for emergency repairs at Island Park in the amount of \$1,433.

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

RESOLUTION R11-096

RE: DOWNTOWN DEVELOPMENT – Placement of Tents and Outdoor Sale of Alcohol for Art-A-Licious on September 16-17, 2011

WHEREAS, the City of Adrian has adopted the Blueprint for Michigan Downtown Plan for downtown Adrian; and

WHEREAS, among the recommendations are the support and encouragement of public events that attract residents and visitors to downtown; and

WHEREAS, the organizers of Art-A-Licious have planned a return of the event to downtown Adrian on September 16 and 17, 2011; and

WHEREAS, the focus of the festival is to expose, educate and encourage appreciation and participation by children and adults in a variety of art forms and cultural events, including visual, performance, dance, music, literary and cultural arts; and

WHEREAS, the Adrian Noon Rotary Club has requested permission for the sale of alcohol on City property during Art-A-Licious and has applied for a liquor license through the State of Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby approves the placement of tents and the sale of alcohol on City property at the Art-A-Licious Festival to be held on September 16 and 17, 2011, subject to the approval of the Police Chief, Fire Chief and City Engineer.

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

RESOLUTION R11-097

RE: POLICE DEPARTMENT – Justice Assistance Grant Application/Award for Purchase of Interactive Computer-Based Firearms Training Simulator; Utilization of Drug Forfeiture Funds for Grant Match, Recognition of Private Donation to Complete Project Funding, and Approval of Inter-Local Agreement with Lenawee County

WHEREAS, the City of Adrian Police Department applied for and was awarded a Justice Assistance Grant (JAG 2011-DX-BJ-3178) in the amount of \$11,032, for the period October 1, 2010 to September 30, 2014, to partially fund the acquisition of an interactive computer-based Firearms Training Simulator at an estimated total cost of \$32,032; and

WHEREAS the Fraternal Order of Police-Lodge #1117 have committed to donate \$14,000 towards successful completion of this project, on behalf of the Lenawee County Police Chief's Association since the training facility will be made available to law enforcement personnel on a countywide basis; and

WHEREAS, the remaining amount (\$7,000) is available (current balance \$26,295) in the City of Adrian Trust Account as a result of court-distributed drug forfeiture property seizures (701-000.00-280.000); and

WHEREAS, the Police Chief and City Administrator recommend acceptance of the Justice Assistance Grant Award (JAG 2011-DX-BJ-3178) in the amount of \$11,032, appropriation of Drug Forfeiture Funds in the amount of \$7,000 for the required grant match, acceptance and recognition of the private donation of \$14,000 from the Fraternal Order of Police-Lodge #1117 and approval of the necessary budget amendments; and

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

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

WHEREAS, acceptance of the JAG Grant Award is predicated upon the U.S. Department of Justice requirement to enter into an Inter-Local Agreement with Lenawee County, stating:

"Each governing body finds that the performance of this agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the costs fairly compensates the performing party for the services or functions under this agreement."

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes acceptance of the Justice Assistance Grant (JAG) Award (JAG 2011-DX-BJ-3178)) in the amount of \$11,032.

BE IT, FURTHER, RESOLVED that the Chief of Police and City Administrator are authorized to sign the Inter-Local Agreement with Lenawee County regarding the JAG Grant.

BE IT, FURTHER, RESOLVED that the Adrian City Commission gratefully accepts the generous donation of \$14,000 from the Fraternal Order of Police-Lodge #1117 to help make this project successful and that a letter of appreciation be sent by the Police Chief, along with a copy of this resolution.

BE IT, FURTHER, RESOLVED that \$7,000 be appropriated from the Drug Forfeiture Trust Fund (701-000.00-280.000) and that the FY2011-12 Budget be amended as follows:

General Fund

Revenue

(101-301.00-540.000)	Police JAG Grant, including:	\$11,032
(101-301.00-675.000)	Donations – Private	14,000
(101-301.00-676.701)	Contrib. – Trust Fund	7,000

Expenditures:

Police Department:

(101-301.00-977.000)	Police Capital Equipment	<u>32,032</u>
	Total	<u>32,032</u>

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

RESOLUTION R11-098

RE: POLICE DEPARTMENT – Authorization to Purchase Grant Funded Computer Forensic Equipment & Training and Waiver of Bid Process

WHEREAS, the Adrian City Commission, by Resolution #R10-112 dated September 7, 2010, accepted a Justice Assistance Grant (JAG 2010-DJ-BX-1569) award from the U.S. Department of Justice in the amount of \$14,024 for the purpose of acquiring computer forensic equipment and training; and

WHEREAS, the Police Department solicited and received a quote from Digital Intelligence, Inc., New Berlin, WI, the sole provider for such equipment, in the amount of \$10,273; and

WHEREAS, the Finance Director indicates that there are sufficient funds for this purpose in the Police Department FY2011-12 Capital Budget (101-301-977.172); and

WHEREAS, the Police Chief and City Administrator recommend approval of this resolution and waiver of the bid process in the best interests of the City and 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; and

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes the use of Justice Assistance Grant Funds (JAG 2010-DJ-BX-1569) for the purchase of computer forensic equipment and training from Digital Intelligence, Inc., New Berlin, WI, the sole provider for such equipment, in the amount of \$10,273.

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 Carrico, this resolution was adopted by a unanimous vote.

RESOLUTION R11-099

RE: DEPARTMENT OF FINANCE – Delinquent Personal Property Taxes – Welch the Cleaner

WHEREAS, in accordance with the General Property Tax Act (Public Act 206 of 1893, as amended), the City of Adrian Treasurer's Office administers and collects real and

personal property taxes used to provide basic City services, such as Police and Fire services, as well as road improvements; and

WHEREAS, Dong Yoo, dba Welch the Cleaner, owner of taxable property at 108 E. Butler (XAO-901-5140-00) was notified of outstanding delinquent personal property taxes for tax years 2004 through 2009, amounting to \$12,128.56 plus penalties of \$4,691.03, for a total of \$16,819.59 if paid by August 31, 2010; and

WHEREAS, the owner responded by meeting with the City Finance Director and City Treasurer in August, 2010, at which time a payment plan was agreed to that recognized the new owner's acquisition of the tax liability from the previous owner (which was based on assessor estimates because Personal Property Statements had not been filed) while, at the same time, took into account the business's diminished ability to pay due to unfavorable market conditions; and

WHEREAS, to prevent the liability from growing, the one-year agreement required monthly installments equal to the accumulating penalty (\$125) to be paid by the last day of each month, that the yearly Personal Property Tax Statement be filed with the City Assessor by the due date, and that the 2010 summer and winter taxes be paid on time; and

WHEREAS, it was further agreed that if the foregoing requirements were met, at the conclusion of the one-year agreement period, a new agreement would be formulated and the Finance Director would recommend to the City Commission that the penalty be waived, contingent upon satisfaction of the requirement of the new agreement (copy attached); and

WHEREAS, due to the good faith effort exhibited by the taxpayer and the unlikely prospect of recovering the full amount of the outstanding liability, even if the business were closed and other personal property confiscated and sold to settle the account, staff recommendation is to approve the negotiated payment plan and waive the penalty contingent upon satisfaction of the requirements of the new agreement; and

WHEREAS, in accordance with the General Property Tax Act (MCL 211.44(4)), which specifies that the governing body may waive any or all penalties related to tax collections, the City Administrator recommends adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution and in accordance with the General Property Tax Act (Public Act 206 of 1893, as amended), hereby approves the negotiated agreement between the City Treasurer and Dong Yoo, dba Welch the Cleaner, for taxable property (XAO-901-5140-00) and waiver of the penalty in the amount of \$4,691.03, contingent upon satisfaction of the requirements of the negotiated agreement.

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

PUBLIC COMMENTS

Wilborn Baggett – 1733 W Gorman Rd. – asked about the status of fishing at Lake Adrian and if the Commission had decided if it will continue. Mayor McDowell said that the Commission had not yet decided.

Allen Kern – 1249 Vine St. – asked why the VFW was told that they would have to pay to use Monument Park. Administrator Nelson said that there should be no charge and to have whoever called contact him.

COMMISSION COMMENTS

Mayor McDowell invited everyone to attend the retirement luncheon for Brenda J Williams on Friday from noon to 2:00pm at City Hall to wish her a happy retirement.

Commissioner Carrico commended the City departments on how the fire at the Orchard Apartments was handled.

The next regular meeting of the Adrian City Commission will be held on Monday, September 19, 2011 at 7:00 in the City Chambers Building, 159 E. Maumee St., Adrian, MI 49221.

Gary E. McDowell
Mayor

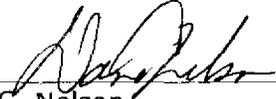
Pat Baker
City Clerk



CHECK REGISTER

September 19, 2011

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



Dane C. Nelson
City Administrator

DCN:mlb

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

Utility Department Vouchers	
Vouchers #3520 through #3525	\$59,289.04
General Fund	
Vouchers #20629 through #20644	\$248,841.43
Clearing Account Vouchers	
amounting to.....	<u>\$315,799.34</u>
TOTAL EXPENDITURES	<u>\$623,929.81</u>

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

September 19, 2011

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
3520	City of Adrian: Payroll	Payroll for Sept 2	\$ 59,161.10
3521	Len County Treasurer	Taxes paid here in error	\$ 33.76
3522	Frontier	Wastewater Phone	\$ 37.09
3523	City of Adrian: Clearing Acct	Sept 6 Check Register	\$ 1,760,819.39
3524	Frontier	O&M Phone	\$ 37.09
3525	Citizens Gas Fuel Co	Wastewater Heat Bill	\$ 20.00

Total \$ **1,820,108.43**
Less CK#: 3523 \$ **1,760,819.39**

TOTAL \$ **59,289.04**

WW = \$ 985,314.01
WAT = \$ 834,794.42

19-Sep-11

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GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
20629	\$ 205,049.27	City of Adrian: Payroll	Payroll for Sept 2
20630	\$ 15,568.84	First Federal Bank	Soc Security for Sept 2
20631	\$ 1,452.00	Lenawec Fuels Inc	Cemetery Gasoline
20632	\$ 536.00	Citizens Gas Fuel Co	Various Heat Bills
20633	\$ 275.56	Frontier	Various Phone Bills
20634	\$ 373,590.07	City of Adrian: Clearing Acct	Sept 6 CK Register
20635	\$ 3,806.03	Quick Service Transportation	Payroll W/E Sept 3
20636	\$ 375.00	Eric Villegas	Library Presenter
20637	\$ 950.30	City of Adrian: Utilities	Bohn Pool Water Bill
20638	\$ 25.00	Kassi Schulz	Recreation Refund
20639	\$ 50.00	Patti Hayes	Recreation Refund
20640	\$ 266.67	Frontier	Various Phone Bills
20641	\$ 134.13	City of Adrian: Utilities	Envelopes for Refuse Bills
20642	\$ 2,620.90	Citizens Gas Fuel Co	Various Heat Bills
20643	\$ 4,502.73	Quick Service Transportation	Payroll W/E Sept 10
20644	\$ 13,229.00	Consumers Energy	Various Electric Bills

\$ 622,431.50

\$ (373,590.07) Less: CK#20634

\$ 248,841.43

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. ADRIAN DESIGN GROUP LLC	2,750.00		
2. ADRIAN MECHANICAL SERVICES C	14,461.88		
3. ADRIAN WATER CONDITIONING IN	19.50		
4. AIRGAS GREAT LAKES	138.83		
5. ALERT EMERGENCY EQUIPMENT GR	163.55		
6. AMAZON CREDIT PLAN	919.11		
7. AMERICAN OFFICE SOLUTIONS, I	48.83		
8. AMERICAN RED CROSS:LENAWEE C	80.00		
9. ANTIBUS SCALES & SYSTEMS, IN	365.00		
10. APOLLO FIRE EQUIPMENT CO.	82.35		
11. APPLE MAT RENTAL	367.45		
12. APPLIED BUSINESS SOFTWARE	399.60		
13. APPLIED INDUSTRIAL TECHNOLOG	70.96		
14. ARCHBOLD EQUIPMENT CO	48.38		
15. ASSOCIATED ENGINEERS & SURVE	1,854.00		
16. AUTO ZONE COMMERCIAL	108.79		
17. BAKER & TAYLOR BOOKS	566.42		
18. BATTERY WHOLESALE	191.85		
19. KRISTIN BAUER	20.00		
20. BEACON FORMS & LABELS INC.	1,402.97		
21. GREG BELL CHEVROLET CADILLAC	71.83		
22. BILL'S SERVICE, INC.	34.60		
23. ROBERT BISHOP	236.88		
24. BLACK SWAMP EQUIPMENT	281.80		
25. BOOK OF THE MONTH CLUB	38.84		
26. BRAKES-N-MORE	1,451.10		
27. BUCK & KNOBBY EQUIP CO INC	441.03		
28. BWI	58.59		
29. C & D HUGHES INC	128,636.00		
30. CHAMBERS CONTROL COMPANY	874.00		
31. CHARLESBRIDGE PUBLISHING, IN	150.48		
32. CLEAN CARE INC	4,429.00		
33. COAST TO COAST DELI	50.71		
34. COIN-OP SPECIALISTS INC.	229.28		
35. CONSUMER ENERGY	892.00		
36. CONTINENTAL SERVICE	242.74		
37. CUTLER DICKERSON CO	179.90		
38. D&P COMMUNICATIONS, INC.	1,887.19		
39. DAILEY ENGINEERING, INC.	350.00		
40. THE DAILY TELEGRAM	1,349.36		
41. DALE'S FENCING	5,243.67		
42. JERRY DAVIS	20.00		
43. DEXTER'S INC.	29.45		
44. DOAN COMPANIES	631.13		
45. JACK DOHENY SUPPLIES	164.66		
46. STEVE EBERLE	20.00		
47. EDWARD SUROVELL	15.75		
48. EMBLEM ENTERPRISES, INC.	647.86		
49. VINCENT EMRICK	111.21		
50. ENGLEWOOD ELECTRICAL SUPPLY	510.93		
51. ENVIRONMENTAL TESTING & CONS	450.00		
52. FARMINGTON COMMUNITY LIBRARY	15.00		
53. FASTENAL COMPANY	155.84		
54. FISHER SCIENTIFIC COMPANY LL	53.94		
55. GALE	209.25		
56. GALL'S INC	105.98		
57. GALLANT & SON	12.34		
58. GAYLORD BROS INC	133.80		
59. GEMPLER'S INC.	186.65		
60. MARK GIGAX	20.00		
61. GORDON & SONS WELL DRILLING	195.00		
62. DENISE GRITZMAKER	20.00		
63. HADDEN TIRE COMPANY	847.00		
64. SHANE HORN	20.00		
65. HUBBARD'S AUTO CENTER INC	377.45		
66. HURON VALLEY ASSOC OF	85.00		
67. I C M A VANTAGE POINT	5,556.20		
68. I.T. RIGHT	135.00		
69. ICMA RETIREMENT CORPORATION	158.68		
70. IMAGE GALLERY	10.08		
71. INGRAM LIBRARY SERVICES	832.75		
72. INSITUFORM TECHNOLOGIES USA	26,861.16		
73. JACKSON TRUCK SERVICE INC.	42.18		
74. JONES & HENRY ENGINEERS, LTD	16,419.34		
75. KELLER THOMA, P.C.	5,105.20		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. KEMIRA WATER SOLUTIONS INC	3,508.27		
77. KONICA MINOLTA BUSINESS SOLU	210.61		
78. KUHLMAN CORP.	2,550.00		
79. LANSING SANITARY SUPPLY INC	745.15		
80. LEGACY PRINTING	204.20		
81. LEISURE PURSUITS INC.	1,773.50		
82. LENAWEE COUNTY LIBRARY	43.00		
83. LENAWEE COUNTY PRINTER	44.95		
84. LENAWEE COUNTY TREASURER	385.75		
85. LENAWEE INTERMEDIATE SCHOOL	132.00		
86. LENAWEE TIRE & SUPPLY CO, IN	1,329.10		
87. LOWE'S CREDIT SERVICES	2,478.72		
88. MANPOWER OF LANSING MI INC.	1,478.60		
89. MASSON'S ELECTRIC, INC	2,133.75		
90. MC SPORTS	531.61		
91. GARY MCDOWELL	20.00		
92. MCGOWAN ELECTRIC SUPPLY INC	485.06		
93. MENTAL TASKS LLC	75.00		
94. MICH STATE HOUSING DEVEL.	10.00		
95. MICHIGAN AMMO CO INC	2,388.00		
96. MICHIGAN ARSON PREVENTION CO	75.00		
97. MICHIGAN CAT CORP	21.95		
98. MICHIGAN DEPARTMENT OF	4,034.01		
99. MICHIGAN ECONOMIC DEVELOPMEN	40.00		
100. MICHIGAN MUNICIPAL LEAGUE	788.00		
101. MICHIGAN OFFICE SOLUTIONS	186.08		
102. MICHIGAN PIPE & VALVE INC	223.20		
103. MICHIGAN REC & PARK ASSOC	145.00		
104. MICHIGAN STATE POLICE	636.44		
105. MICHIGAN WATER ENVIROMENT AS	58.00		
106. MICROMARKETING LLC	1,004.32		
107. MIDWEST GAS INSTRUMENT SERVI	270.00		
108. MIDWEST TAPE	241.45		
109. JEAN MISSELDINE	68.82		
110. E. I. MORROW COMPANY	140.25		
111. MUGS N' MORE IMAGING	3,184.10		
112. MUNICIPAL EMPLOYEES' RETIRE	1,000.00		
113. NEW PIG CORPORATION	1,704.65		
114. NEXTEL COMMUNICATIONS	887.61		
115. NORON INC	393.00		
116. OFFICE SUPPORT SYSTEMS	433.82		
117. MIKE OSBORN	20.00		
118. OVERDRIVE, INC	9,000.00		
119. PALMER ENVELOPE CO.	1,289.00		
120. PARAGON LABORATORIES INC	825.00		
121. DAVID PATE	20.00		
122. PEST PATROL	42.00		
123. PET'S SUPPLIES PLUS	105.96		
124. PLUMBING INSPECTORS ASSOC. O	170.00		
125. GLENN PRESTON	20.00		
126. PRIORITY ONE EMERGENCY	1,261.03		
127. PROMEDICA PHYSICIANS GROUP	306.00		
128. PROQUEST LLC	1,055.00		
129. PURCHASE POWER	3,030.00		
130. QUARTERMASTER	49.98		
131. QUICK SERVICE TRANSPORTATION	4,046.25		
132. QUILL CORPORATION	615.70		
133. RED PAINT PRINTING LLC	63.75		
134. TIM RITCHIE	20.00		
135. SAFETY SYSTEMS INC.	120.00		
136. SALINE DISTRICT LIBRARY	16.95		
137. SCHUG CONCRETE CONSTRUCTION	5,931.71		
138. SEBCO BOOKS	1,780.49		
139. SIGNAL 88 SECURITY, INC	2,593.15		
140. CAROL SOUCHOCK	262.89		
141. SOUND WAVES ELECTRONICS	90.00		
142. SPACE INC	874.00		
143. STADIUM TROPHY, INC.	110.48		
144. STEVENS DISPOSAL	600.00		
145. STEVENSON LUMBER, INC.	872.09		
146. JEFFREY A. STICKNEY, DO,PC	89.00		
147. STITCH WIZARD EMBROIDERY INC	1,471.40		
148. TASTE OF HOME	30.98		
149. TDS SECURITY, INC	409.50		
150. THERMO FISHER SCIENTIFIC LL	349.08		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. THOMAS SCIENTIFIC, INC	1,592.90		
152. THOMSON WEST	385.06		
153. TIME EMERGENCY EQUIPMENT INC	333.80		
154. TOLEDO PHYSICAL EDUCATION SU	97.43		
155. TRI-COUNTY INTERNATIONAL TRU	204.15		
156. PAUL TRINKA	20.00		
157. U S POSTMASTER	220.00		
158. ULOTH FARMS & GREENHOUSE	408.00		
159. UNIQUESCREEN MEDIA INC.	93.33		
160. UNITED PARCEL SERVICE	11.30		
161. USA BLUEBOOK	90.27		
162. UTILITIES INSTRUMENTATION SE	438.00		
163. VAN BRUNT TRANSPORT INC	659.71		
164. WASHOVIA SERVICES INC	690.25		
165. WESTERN LIME CORPORATION	5,100.48		
166. RYAN WHITE	20.00		
167. J.D. WISNER ELECTRIC	50.00		
168. WOLF CREEK GOLF CLUB	173.00		
169. WOODLANDS LIBRARY COOPERATIV	260.00		
TOTAL ALL CLAIMS	315,799.34		



COMMUNICATIONS

C-1



MEMO

Date: September 2, 2011

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

From: Jeffrey C. Pardee, Finance Director *Jeffrey C Pardee*

Re: **State Revenue Sharing – Update**

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

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

Adjustments due to Sales Tax revenue collections impact both Constitutional and Statutory Revenue Sharing payments because they are formula driven. Legislative adjustments affect only Statutory Revenue Sharing payments and are driven by budget considerations. The August payment reflects the 2010 census, with a population of 21,029.

The Economic Vitality Incentive Program (EVIP)

The Governor's FY2011-12 Budget Recommendation, which has been adopted by the State Legislature, reduced Statutory Revenue Sharing from \$300 million to \$200 million statewide; \$560,000 to \$405,000 for the City of Adrian. The remaining \$200 million will not be distributed by "simply writing a check" to local government, but instead will be tied to the implementation of best practices, defined by Public Act 63 of 2011 signed into law on June 21, 2011, as follows:

1. Accountability and Transparency (Required by October 1, 2011) – using dashboards and citizen's guides as specified by the State Department of Treasury, including public reporting of long-term liabilities for pension and other post-employment benefits (health care);
2. Creating a cooperation, collaboration, and consolidation plan (Required by January 1, 2012) – Collaborative efforts must be new initiatives.
3. Developing a compensation plan that the municipality intends to implement with any new, modified, or extended contract (Required by May 1, 2012). The compensation plan would be required to indicate intent to:
 - a. Limit retirement plan costs to 10% (or 16.2% if not eligible for social security); of wages and salaries of employees in the plan.
 - b. Require that any pensions be paid based on a final average compensation calculated using at least 3 consecutive years of salary.
 - c. Limit the amount of paid leave time, vacation time, and overtime hours used to calculated final average compensation to no more than 240 hours.
 - d. Limit retirement plan multipliers for defined benefit plans for employees eligible for social security to 1.5% (or 2.25% if no retirement health care is provided). Limits the multiple for employees not eligible for social security to 2.25% (or 3.0% if no retiree health care is provided).
 - e. If a health care plan is offered, state intent that employees pay at least 20% of the cost or adhere to a maximum employer cost of \$5,500 for a single employee, \$11,000 for a two-person contract, and \$15,000 for a family plan, or municipalities may opt out of this requirement with a two-thirds vote of the legislative body.

Municipalities would have to certify compliance and submit copies of plans to the State Department of Treasury. The current estimate of related Statutory Revenue Sharing payments associated with each of the aforementioned three (3) requirements amounts to \$135,000. Due to the uncertainty associated with this stream of income, estimated revenue from the former Statutory Revenue Sharing has been excluded from the FY2011-12 City Budget.

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



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| [Budget Home](#)

Wed Aug 31, 2011



View Payment Details

Review your payment details for the deposit date indicated.

*J.V.
8/2011
101-990. 20. 575.000*

Payee

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

Transaction type	Amount	Date	EFT event key	Reason
Deposit	TOTAL - \$416,283.00	08/31/11	V 030 003006549 0001	

Invoice / Adjustment details

Payment Key : 000 060921720
Address : 100 E CHURCH ST ADRIAN MI 492210000 USA
Mail Code: 28F

Seq # / Invoice No.	Date	Amount	Agency	Description
1/08		\$158,198.00	271 REVENUE SHARING (TREASURY) (517)373-2864 TREASORTA@MICHIGAN.GOV	COMBINED STATUTORY SALES TAX Ref #: 271 VZLRR237 001 2011

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

FY11 STATUTORY
STATUTORY PAYMENT AMT - ADJUSTMENT AMT = PAYMENT AMT
\$158,198 - \$0 = \$158,198

CREDIT YOUR ACCOUNT 101-000-574

For additional information call 517/373-2697

2/96		\$258,085.00	271 REVENUE SHARING (TREASURY) (517)373-2864 TREASORTA@MICHIGAN.GOV	CONSTITUTIONAL SALES TAX Ref #: 271 VZLRR237 001 2011
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STATE REVENUE SHARING DISTRIBUTION OF CONSTITUTIONAL SALES TAX
CITY OF ADRIAN YOUR LOCAL UNIT CODE IS 46-2010

CONSTITUTIONAL:
POPULATION X DISTRIBUTION RATE = PMT AMT
21,029 X \$12.2714 = \$258,055

CONSTITUTIONAL PER CAPITA OCT-APR CENSUS ADJUSTMENT = \$30

October 2010 - April 2011 payments were based on the 2000 Census. The June & August 2011 payments were based on the 2010 Census. There were adjustment amounts on the June payments and there are additional

adjustment amounts on the August payments to adjust the revenue sharing payments according to the 2010 Census.

For estimates and actual payments, visit our web site at:

<http://treas-secure.state.mi.us/apps/findrevshareinfo.asp>

This payment reflects sales tax receipts for the months of May and June 2011.

Subtotal: \$416,283.00

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CONSENT AGENDA



MEMO

Date: September 13, 2011

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

From: Jeffrey C. Pardee, Finance Director *Jeffrey C. Pardee*

**Re: ASSESSING OFFICE – Termination of Assessing Contract with Lenawee County
and Appointment of Kristen Wetzel as Assessing Officer**

The Adrian City Commission, by Resolution #R09-061 dated March 16, 2009, approved the engagement of the Lenawee County Equalization Department in a contract to perform the required assessing functions for the City at a cost of \$42,000 annually, commencing April 1, 2009 and covering a period of 25 to 50 months, ending not later than May 31, 2013. This action was necessary due to the unexpected vacancy of the City Assessor position and the inability to find a qualified candidate.

The temporary contract was issued with the intention of filling the City Assessor position from within once the Appraiser II, Kristen Wetzel, met the State Tax Commission qualifications of Michigan Advanced Assessing Officer (3). Ms. Wetzel has successfully completed an accelerated educational program and achieved the State Tax Commission Certification (copy attached) within a thirty month timeframe, while simultaneously gaining on-the-job experience as the primary point of contact in the City's Assessing Office.

Based on aforementioned qualifications, as well as demonstrated ability to perform required tasks, I respectfully recommend termination of the Lenawee County Assessing Contract and appointment of Kristen Wetzel as City Assessor, effective October 1, 2011.

Because the FY2011-12 Budget contemplated this change effective January 1, 2012, the Finance Director indicates that a budget amendment is necessary to appropriately finance this action. The attached resolution has been prepared for consideration by the City Commission at its regularly scheduled meeting of September 19, 2011. If you have any questions or need for further information, please contact my office.



STATE OF MICHIGAN
STATE TAX COMMISSION

This is to certify that

Kristen Wetzel

is a

Michigan Advanced Assessing Officer (3)

Issued under the provisions of Act 206, Public Acts of 1893,
Being Section 211.10d of the Michigan Compiled Laws.

Executive Director, State Tax Commission

CERTIFICATE NO. **R-8978 MAAO (3)** EXPIRES ON DATE **12/31/2011**

31-6313-10 Michigan Department of Treasury
Issued under authority of the General Property Tax Law, PA 206 of 1893, Section 211.10d

YOUR CERTIFICATE MAY BE DISPLAYED IN A PROMINENT PLACE

STATE TAX COMMISSION CONTACT INFORMATION

WEB ADDRESS

www.michigan.gov/statetaxcommission

MAILING ADDRESS

State Tax Commission
P.O. Box 30471
Lansing, MI 48909-7971

COMPLAINT INFORMATION

The issuance of this certificate should not be construed as a waiver, dismissal or acquiescence to any complaints or violations pending against the certificate, its agents or employees.

RENEWALS

Failure to receive notice of renewal before the expiration date of this certificate does not relieve you of the responsibility for renewing your certificate.

ADDRESS CHANGES

It is the certificate holder's responsibility to keep the State Tax Commission informed of their current mailing address. Name and address changes must be reported to the State Tax Commission in writing. Inquires and address changes should be sent to:

STATE OF MICHIGAN
STATE TAX COMMISSION
Michigan Advanced Assessing Officer (3)

Kristen Wetzel
1007 Lowe Ave.
Adrian, MI 49221

R-8978 MAAO (3) 12/31/2011
CERTIFICATE NO. EXPIRES ON DATE

LIFT CARD FROM RIGHT BOTTOM CORNER

RE: ASSESSING OFFICE – Termination of Assessing Contract with Lenawee County and Appointment of Kristen Wetzel as Assessing Officer

RESOLUTION

WHEREAS the Adrian City Commission, by Resolution #R09-061 dated March 16, 2009, approved the engagement of the Lenawee County Equalization Department in a contract to perform the required assessing functions for the City at a cost of \$42,000 annually, commencing April 1, 2009 and covering a period of 25 to 50 months, ending not later than May 31, 2013; and

WHEREAS this action was necessary due to the unexpected vacancy of the City Assessor position and the inability to find a qualified candidate; and

WHEREAS the temporary contract was issued with the intention of filling the City Assessor position from within once the Appraiser II, Kristen Wetzel, met the State Tax Commission qualifications of Michigan Advanced Assessing Officer (3); and

WHEREAS Ms. Wetzel has successfully completed an accelerated educational program and achieved the State Tax Commission Certification within a thirty month timeframe, while simultaneously gaining on-the-job experience as the primary point of contact in the City's Assessing Office; and

WHEREAS, based on aforementioned qualifications, as well as demonstrated ability to perform required tasks, the Finance Director and City Administrator recommend termination of the Lenawee County Assessing Contract and appointment of Kristen Wetzel as City Assessor, effective October 1, 2011; and

WHEREAS, because the FY2011-12 Budget contemplated this change effective January 1, 2012, the Finance Director indicates that a budget amendment is necessary to appropriately finance this action.

NOW THEREFORE BE IT RESOLVED THAT THE Adrian City Commission, by this resolution, hereby terminates the Lenawee County Assessing Contract and approves the appointment of Kristen Wetzel as City Assessor, effective October 1, 2011.

BE IT FURTHER RESOLVED that the FY2011-12 Budget be amended as follows:

General Fund (101)

Assessing Office Expenditures

(101-209.00-702.000) Salaries & Wages	\$12,631
(101-209.00-715.000) Social Security	967
(101-209.00-718.000) Retirement Contribution	1,498
(101-209.00-719.000) Unemployment Compensation	155
(101-209.00-914.000) Workers' Compensation	77
(101-209.00-801.000) Contract Services	(21,000)
(101-209.00-803.000) Legal Fees	<u>5,672</u>
Total	<u>\$ -0-</u>

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

CR-2

MEMO



DATE: September 14, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Deferred Compensation Plan for IAFF

During negotiations of the firefighter contract, the union wanted another option for voluntary investments of its members into a 457 deferred compensation plan. The City already has a plan in place through ICMA, but the firefighters wanted the option to invest in the plan recommended by their national union.

The attached resolution establishes such a plan with Nationwide Insurance, which is the plan recommended by the National Firefighter Union. There is no match or cost involved for the City itself, other than incidental administration time, as this resolution only authorizes a plan to be adopted for firefighters to invest in. I urge adoption of this resolution.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:mlb

RE: CITY COMMISSION – Authorize the City Administrator to enter into an agreement with Nationwide Retirement Solutions to establish a deferred compensation plan for members of the IAFF bargaining unit, as part of their newly ratified collective bargaining agreement.

RESOLUTION

WHEREAS, the Adrian City Commission has considered the establishment of a Deferred Compensation Plan to be made available to all eligible members of the IAFF bargaining unit pursuant to Section 457 of the Internal Revenue Code permitting such Plans; and

WHEREAS, certain tax benefits could accrue to said employees participating in said Deferred Compensation Plans; and

WHEREAS, the Commission has established a Master Deferred Compensation program for said employees, permitting their members to enjoy the advantages of this program; and

WHEREAS, by adoption of the Nationwide Program, all regulatory, operational, and administrative responsibilities are hereby assumed by Nationwide on behalf of the Employer; and

WHEREAS, Nationwide as Plan Administrator, agrees to hold harmless and indemnify the Employer, its appointed and elected officers and participating employees from any loss resulting from Employer or its Agent’s failure to perform its duties and services pursuant to the Nationwide Program.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby adopts the Nationwide Deferred Compensation Program and hereby establishes the City of Adrian Deferred Compensation Plan for the voluntary participation of all eligible members of the IAFF Local 1511.

The City Administrator is hereby authorized to execute for the Employer, individual participation agreements with each said employee requesting same, and to act as the “Administrator” of the Plan representing the Employer, and to execute such agreements and contracts as are necessary to implement the program.

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

CR-3

CR11-43

September 19, 2011

RE: HISTORIC DISTRICT COMMISSION – Reappoint Member to the Historic District Commission

RESOLUTION

WHEREAS, the term of office of Kara Lennard on the Historic District Commission has expired; and

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

WHEREAS, Kara Lennard has expressed a willingness to serve on the Historic District Commission for another 3-year term if reappointed; and

WHEREAS, the Adrian city Commission has given careful consideration to the reappointment of Kara Lennard.

NOW THEREFORE BE IT RESOLVED THAT THE Adrian City Commission, does, hereby, approve the reappointment of Kara Lennard on the Historic District Commission for a 3-year term, expiring in 2014.

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



REGULAR AGENDA



MEMO

135 E. Maumee, Adrian, MI 49221-2703

DATE: September 2, 2011

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

FROM: Chris Miller
DDA & Economic Development Coordinator

SUBJECT: MOU with "The More Program"

At the Michigan Economic Developers Annual Conference last week, we heard an excellent presentation on The More Program. Essentially, the program has received funding from the New Economy Initiative to develop a statewide data base of resources available for entrepreneurs, has gathered an impressive amount of data, has a number of partners including the MEDC, MML, several colleges and universities, and several large communities, and is now looking for partners in the state who will promote the program and make a portal available on their websites.

Sarah Osburn has reviewed the MOU and has found it appropriate for the city to sign, and Paul Trinka has indicated the placement of the portal on our site does not represent a problem.

There is no cost to the city. The only responsibility of the city is to provide a link on the city website to this program. The city may withdraw from the agreement with a 30 day notice, and the agreement may be terminated at any time by agreement of all parties.

I believe this program and our participation will be a valuable benefit for our local entrepreneurs, and will continue to move us forward as an entrepreneurial community.

Please contact me if you have any questions and thank you for your support.
Best Regards,

Chris Miller
DDA & Economic Development Coordinator

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made as of the ____ day of _____, 2011 ("Signature Date"), and is entered into by and among _____ ("Partner A") and The MORE Program, a Michigan Non profit corporation, the undersigned entities (individually "Party", and collectively, "Parties").

Understandings

1. **PARTIES.** The current Parties to this MOU are among _____ ("Partner A"), and The MORE Program.
2. **PURPOSE AND SCOPE.** The Parties agree to work together, with their respective vendors, in order to create, implement, and promote the Statewide Entrepreneurship Support System ("InsYght") as funded in part by the New Economy Initiative ("NEI") and/or the Community Foundation for Southeast Michigan.
 - I. With respect to the aiding in the creation of InsYght, the Parties agree on the following course of action:
 - a. The MORE Program, on behalf of the Parties, will study support service requests made of each participating organization by entrepreneurs and businesses within Michigan;
 - b. To support this study, where confidentiality agreements and Federal law permit, each undersigned party will provide to The MORE Program all available documentation and related materials demonstrating the support requests made to them.
 - c. The MORE Program, on behalf of the Parties, will inventory the programs, multimedia materials, and services offered to Michigan entrepreneurs and businesses by each undersigned organization.
 - d. To support this inventory, each party agrees to provide access to the programs, materials, and services offered. This may include limited staff time for The MORE Program and its vendors for interviews.
 - e. The MORE Program, shall administer the creation and implementation of the InsYght program;
 - f. The More Program shall engage the services of Digerati, Inc. to design and build the software and processes required to create the InsYght program. The MORE Program and its respective vendors will create a system which uses differential diagnosis to "match" entrepreneurs and businesses with the appropriate organization, program, material, and/or service offering.
 - II. With respect to the aiding in the implementation of the InsYght, the Parties agree on the following course of action:

- a. The MORE Program, and its respective vendors will create web systems that leverage InsYght while promoting each undersigned party's brand and messaging. This will include creating and hosting branded web systems containing each organizations logo, corporate colors, and video messaging (branded pages to be referred to as "white-labels"). Pending approval of use consistent with "Partner A" policy, "Partner A" will grant to The MORE Program permission to use its name, servicemark, trademark and/or logo, during the Term of this MOU, in order to create the white labels. The MORE Program agrees to use the "Partner A", name, servicemark, trademark, and/or logo in good faith for the branded pages and to grow the good will of InsYght and for no other purpose.
- b. The undersigned parties agree to integrate the InsYght system into their existing websites and electronic newsletters. At a minimum, this can be accomplished by the placement of a simple link for InsYght into the respective materials.
- c. To the best of their abilities, the undersigned parties agree to notify The MORE Program to changes in their programs, multimedia materials, and service offerings.
- d. The undersigned parties agree to work with The MORE Program and its respective vendors to test InsYght to ensure that it adequately services the undersigned parties' needs within the scope of the InsYght program. The MORE Program and its vendors agree to ensure that this testing can be completed during the normal course of business and will not create undo resource burden to the undersigned parties.
- e. The MORE Program and its respective vendors will work with each of the undersigned parties to make system adjustments, where such adjustments are within the scope of the InsYght program.

III. With respect to the promotion of InsYght, the Parties agree on the following course of action:

- a. The MORE Program and its respective vendors will promote the programs, materials, and service offerings of the undersigned parties through broad distribution of InsYght throughout the State of Michigan.
- b. The undersigned parties will publically support the creation and adoption of the InsYght program by engaging other like organizations to participate fully in the initiative.
- c. In the event the name of Statewide Entrepreneurship Support System is changed by The MORE Program for branding purposes, the terms and conditions of this MOU shall remain in full force and effect.

3. **KEY PRINCIPLES.** The Parties acknowledge the following statement of principles to guide their actions under this MOU:

- a. Parties will demonstrate, through their actions, a willingness to make this MOU and the InsYght initiative succeed.
- b. All Parties to the MOU share a common vision, values, and understanding of the scope of their individual and collective obligations under this MOU.

4. **WORKING RELATIONSHIPS.** All Parties agree to work together in a collaborative manner, consistent with the Key Principles in Section 3 of this MOU. Specific procedures and outcomes of the MOU will be determined according to the needs and constraints of the specific issue at hand.

5. **ACCOUNTABILITY.**

- a. Each Party warrants that, when participating in the activities of this MOU, its opinions and actions represent those of their respective departments or agencies.
- b. Further, each Party agrees to implement and support, to the degree it has control, the decisions and activities agreed upon pursuant to this MOU.
- c. Each Party acknowledges that it has responsibilities and obligations to its constituents and appointing authorities that extend beyond this MOU, and that the Party will use its best efforts to coordinate those responsibilities with those under this MOU to avoid any conflicts.

6. **IMPLEMENTATION.**

- a. The Parties will work together to implement this MOU as appropriate, regarding funding, staffing, resources, and other roles and responsibilities; however, no funds will be transferred pursuant to this agreement.
- b. The Parties will develop procedures and agency protocols to build collaborative capacity among the Parties.

7. **TERM.**

- a. This MOU is effective upon signing by all Parties. The agreement shall remain in effect until the completion of the NEI and/or the Community Foundation for Southeast Michigan's initial grant period support for the InsYght initiative. To the extent permitted by Federal law, all Privileged Communications provided to a Party shall be returned, if requested by the furnishing Party or Party's counsel, at the conclusion thereof.
- b. This MOU may be terminated by agreement of all Parties.
- c. All Parties reserve the right to withdraw from this MOU upon thirty (30) days notice to the other Parties.
- d. This Agreement shall terminate upon the termination of the NEI grant support and/or the Community Foundation for Southeast Michigan grant support at the conclusion of the initial grant period; the termination of the NEI grant support and/or the Community Foundation for Southeast Michigan grant support prior to the end of its term for any other reason. The agreement also may be terminated as provided in sections 7.b or 7.c above.

8. **MODIFICATIONS/AMENDMENTS.** Modifications or Amendments to this MOU can be made if such modifications or amendments are in writing and are signed by all of the signatories to this MOU.

9. **SEVERABILITY, Venue and Choice of Law.** The parties agree that this agreement shall be governed, interpreted, and enforced in accordance with the Federal laws of the United States of America and should any part of this MOU be rendered or declared invalid by a court of competent jurisdiction, such invalidation of such part or portion of this MOU should not invalidate the remaining portions thereof, and they shall remain in full force and effect.

10. **EFFECTIVE DATE.** This MOU is effective in its original form as of the date of execution indicated next to the signature of each Party and its counsel below. This MOU may be executed in multiple counterparts, each signature being made part of the whole MOU as if executed as one document. Original, facsimile, and electronic signatures are sufficient and may be employed to execute this MOU.

Party: The MORE Program
By: Brian Balasia
Its: President

Party:
By:
Its:

Party: The MORE Program
By: Ken Agacinski
Its: Executive Director

Party:
By:
Its:

Drafted by:

Daniel P. Dalton
Dalton, Tomich & Pensler, PLC
41000 Woodward Avenue Suite 345
Bloomfield Hills, MI 48304
(248) 971-2400
ddalton@dtplawfirm.com

RE: COMMUNITY DEVELOPMENT – Adopt “The More Program” and their Statewide Entrepreneur Support System through a Memorandum of Understanding

RESOLUTION

WHEREAS, the City of Adrian desires to encourage and promote the growth and development of entrepreneurs; and

WHEREAS, resources and services available to assist entrepreneurs are widespread but often difficult to locate and explore; and

WHEREAS, The More Program, a Michigan Non Profit corporation, is engaged in a statewide effort to develop a support system that would serve as a single source that connects entrepreneurs to resources available for entrepreneurs; and

WHEREAS, The More Program has received grant funding that enables it to establish this system and make it operational; and

WHEREAS, the services provided carry no cost for either the entrepreneur or the City of Adrian; and

WHEREAS, a Memorandum of Understanding is required to partner with The More Program.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby authorizes the signing of the Memorandum of Understanding with The More Program in support of entrepreneurs.

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

R-2

MEMO



DATE: September 12, 2011

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Buckeye Products Site
410 E. Beecher Street
Adrian, Michigan

This resolution involves the site remediation grant for the Buckeye Products site located at 410 E. Beecher Street in Adrian. A grant has been received by Lenawee County for the environmental remediation of this site in the amount of \$200,000.00 in order to prepare this site for industrial office use. A proposal has been received by ASTI Environmental to provide consultant work for the grant administration and remediation of the site. It is my recommendation that the City proceed with entering into a contract with this company as it has been the sole consultant involved from the first days of assessment through prior remediation at this site and location and is thoroughly familiar with it. IT also assisted the City in making a grant application that was successful with the EPA.

As indicated in the prior City Commission pre-meeting, I will be asking the County of Lenawee to equally divide the matching funds necessary in the amount of \$40,000.00. If not successful, the City will be responsible to obtain the full funds to proceed with the EPA grant funding. The proposed resolution retains the services of ASTI Environmental in accordance with their proposal regarding this grant.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:mlb

AGREEMENT

This Agreement, made the ____ day of September, 2011 between the City of Adrian, a Michigan Municipal Corporation of 135 East Maumee Street, Adrian, Michigan 49221, hereinafter referred to as the "City", and the County of Lenawee, a Michigan Municipal Corporation, of 402 North Main Street, Adrian, Michigan 49221, hereinafter referred to as the "County".

RECITALS

1. The property located at 410 E. Beecher Street, Adrian, Michigan has been returned to the County for failure of the owner to pay property taxes.
2. The City has been working with the Environmental Protection Agency and State of Michigan regarding the site assessment and remediation of environmental contamination for this site and has expended significant funds and administrative costs over the past several years.
3. That on behalf of the County, the City has applied for and has been awarded a grant from the EPA in the amount of \$200,000.00 for soil remediation of this site.
4. The grant requires matching funds of \$40,000.00.
5. It is unlikely that the funds expended initially for the match will be fully repaid when the property is sold, but may be able to be recovered in the event that property taxes are eventually paid by a new property owner.
6. The parties have agreed to equally divide the matching fund requirement, it will be reimbursed equally as funds may become available.

IN CONSIDERATION of the above recitals, the parties agree as follows:

1. The City and County shall each provide \$20,000.00 of matching funds for the \$200,000.00 mediation grant awarded by the Environmental Protection Agency for the site located at 410 E. Beecher Street, Adrian, Michigan.
2. That in the event funds are received through the sale of this property or from a Brownfield Plan reimbursement from property taxes, the funds shall be equally paid to the City and County until fully reimbursed. Any excess funds received from either source shall also be equally divided by the City and County.
3. The City shall be responsible to retain a project manager to assist and proceed with the remediation project.

IN WITNESS WHEREOF, the parties have set their hands the day and year first above written.

CITY OF ADRIAN

COUNTY OF LENAWE

By: _____
Its: _____

By: _____
Its: _____

RE: ADMINISTRATION – Waive the bid process and accept the proposal of \$26,000.00 by ASTI Environmental for project work involving the Buckeye Products site.

RESOLUTION

WHEREAS, the City of Adrian has assisted the County of Lenawee in obtaining a grant from the Environmental Protection Agency for an Environmental Remediation Project located at 410 E. Beecher Street, Adrian, Michigan on the former Buckeye Products site; and

WHEREAS, the City Administrator has determined that a consultant in this field is necessary to monitor the grant administration and manage the project; and

WHEREAS, ASTI Environmental of Brighton, Michigan has served as the sole consultant for the City on all aspects of the Buckeye Products site, including the grant application; and

WHEREAS, ASTI has submitted a proposal to serve as a manger of the project for a fee not to exceed \$26,000.00; and

WHEREAS, the City Administrator recommends that the bid process be waived for this professional service contract due to the familiarity and expertise exhibited by ASTI on previous portions of this project.

NOW, THEREFORE, BE IT RESOLVED that proposal of ASTI Environmental of Brighton, Michigan for the sum of \$26,000.00 is hereby accepted for project work involving the Buckeye Products site at 410 E. Beecher Street, Adrian, Michigan.

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

R-3

MEMO



DATE: September 12, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: EVIP Program

The State has created the “Economic Vitality Incentive Program”, which is now called the “EVIP”. This program in part allows municipalities to qualify for funds that would partially replace the statutory revenue sharing funding that has been eliminated by the state. One of the three categories of EVIP includes the requirement to adopt an “Employee Compensation Plan” that the City “intends to implement with any new, modified, or extended contract or employment agreements for employees not covered under contract or employment agreement”. This plan, once adopted, must be made available for public viewing in the Clerk’s office or posted on the City website. I have prepared a proposed compensation plan that strictly follows the language set forth in Public Act 63 of 2011. Rather than try to change the statutory language to make it more clear or understandable, I chose to follow the exact language for most of the plan. Please note that the EVIP program only requires the “intent” of the City to proceed with this plan. In order to qualify for this portion of the EVIP program, I urge approval of the attached resolution and compensation plan.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:mlb

EMPLOYEE COMPENSATION PLAN CITY OF ADRIAN

The City of Adrian hereby expresses its intent to implement an Employee Compensation Plan with any new, modified or extended contract or employment agreements for employees not covered under contract or employment agreement.

The Compensation Plan for the City of Adrian employees is intended to be as follows:

1. New hires who are eligible for retirement plans will be placed in a plan that caps annual employer contributions at ten (10%) percent of base salary for employees who are eligible for Social Security benefits. For new employees who are not eligible for Social Security benefits, the annual employer contribution shall be capped at no more than 16.2% of base salary.
2. After an employee retires, the City shall not provide post-employment health care.
3. For Defined Benefit Pension Plans, the maximum multiplier shall not exceed 2.25% for all employees eligible for Social Security benefits. For all employees who are not eligible for Social Security benefits, the maximum multiplier shall not exceed 3.0%.
4. For Defined Benefit Plans, the Final Average Compensation (FAC) shall be calculated by using a minimum of 3 years of compensation and shall not include more than a total of 240 hours of paid leave. Overtime hours shall not be used in computing the Final Average Compensation of an employee.
5. Health care premium costs for new hires shall include a minimum employee share of 20%.

RE: ADMINISTRATION – Adoption of the Employee Compensation Plan to qualify for category three of the Economic Vitality Incentive Program of the State of Michigan

RESOLUTION

WHEREAS, the State of Michigan has created the Economic Vitality Incentive Program which sets forth three categories of potential funding for municipalities; and

WHEREAS, the third category of this program requires each eligible City to develop and publicize an employee compensation plan that the City intends to implement with any new, modified, or extended contract or employment agreements for employees not covered under contract or employment agreement; and

WHEREAS, the Adrian City Commission has considered potential eligibility for this category.

NOW, THEREFORE, BE IT RESOLVED that the City does hereby adopt the Employee Compensation Plan which is attached hereto and made hereof in order to qualify for category three of the incentive program of the State of Michigan.

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

R-4

MEMO



DATE: September 12, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Update on Oil & Gas Lease

The matter of entering into a new oil and gas lease has been tabled for the past two months. At that time, two bidders had made proposals, being Savoy Energy and MasterKey Energy. For the past two months I have heard nothing from MasterKey regarding any updated proposal or information. I had been told by a representative several weeks ago that this firm would be drilling two wells in Adrian Township that particular week. I have not been advised whether or not permits were obtained by the State or if indeed any wells had been drilled in Adrian Township.

Regarding Savoy Energy, the president has generally called weekly to discuss the potential lease with the City and continued operations in the Township. This firm has continued to drill new wells in Adrian Township, now having 16 in operation. I have had the opportunity to observe all current production operations, as well. I have also been discussing a potential agreement with Detroit Edison with Savoy for the sale of natural gas, which has a potential to increase royalties to property owners. I have also had discussions with the Lenawee Intermediate School District superintendent, Jim Philp, and the Adrian Public School superintendent, Chris Timmis. Both entities have leased property to Savoy and have been satisfied. Mr. Philp indicated that the LISD has started to receive monthly royalty checks from one well with more to come from a second well that is becoming operation near its property located on Tipton Hwy.

This is all the updated information that I have received. I continue to support the negotiation of a lease agreement with Savoy Energy for the following reasons:

1. Prior lease agreement with Savoy Energy for other City land.
2. Savoy's experience in drilling wells in Lenawee County.
3. Savoy's lease agreements with LISD and Adrian Public Schools, which will allow for a higher level of investigation.
4. Potential for increased royalties related to sale of natural gas.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:mlb

R11-103

September 15, 2011

RE: CITY COMMISSION – Authorizing City Administrator to Negotiate a Lease Agreement for Oil & Gas Exploration on City-Owned Land

RESOLUTION

WHEREAS, proposals were requested from companies to consider the lease of approximately 500 acres of City-owned real estate for oil and gas exploration; and

WHEREAS, proposals were received from two companies, being Master Key Energy and Savoy Energy; and

WHEREAS, the City Administrator and City Commission have reviewed the proposals.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Administrator is hereby authorized to negotiate a Lease Agreement with Savoy Energy and submit a proposed Lease Agreement to the City Commission for ultimate approval.

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

R-5

MEMO



DATE: September 12, 2011

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: **A Resolution in Support of Fully Replacing, Not Just Erasing, Michigan's Personal Property Tax**

The Michigan Municipal League (MML) and a coalition of other organizations had a press conference this Thursday, Sept. 8 about the effort in Lansing to eliminate the Personal Property Tax (PPT) on businesses. The press conference was attended by League representatives, including League CEO Dan Gilmartin and Sterling Heights Mayor Richard Notte, as well as by officials from the Michigan Association of Counties, Michigan Library Association, Michigan Association of School Administrators, and Michigan Professional Fire Fighters Union.

The MML is encouraging its members to issue resolutions in support a guaranteed revenue replacement stream if the personal property tax is eliminated. The attached resolution has been prepared for consideration by the City Commission at its regularly scheduled meeting of September 19, 2011. If you have any questions or need for further information, please contact my office.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:mlb

**RE: CITY ADMINISTRATION – A Resolution in Support of Fully Replacing,
Not Just Erasing, Michigan’s Personal Property Tax**

RESOLUTION

WHEREAS the City of Adrian has experienced a significant decline in property tax values (\$49.6 million since 2007), which has caused unprecedented fiscal constraints; and

WHEREAS this decline has resulted in a reduction of \$1.12 million annually in property tax revenue in the last three years; and

WHEREAS at the same time the City of Adrian has confronted consistent reductions in State Shared Revenue, as part of the \$4 Billion in cuts to State Shared Revenue state-wide; and

WHEREAS due to this unrelenting fiscal pressure, the City of Adrian has been compelled to reduce the level of municipal services historically provided to the residents, businesses and schools in our community; and

WHEREAS these municipal services protect the health, safety and welfare of our citizens, and are an essential component of building a strong local economy and maintaining a vibrant community; and

WHEREAS it is proposed by some that the Michigan Personal Property Tax be erased; and

WHEREAS, an additional loss of municipal revenue will compound and exacerbate the financial hardship this community—its residents and its businesses—are currently experiencing; and

WHEREAS the Personal Property Tax is relied upon by Michigan’s local governments, comprising about 11% of their taxable value state-wide, and as much as 50% of the taxable value in some communities; and

WHEREAS the importance of the Personal Property Tax to local communities is underscored by the fact that it is a particularly stable source of needed revenue, facilitating efficient management by the City of Adrian’s elected and appointed local officials; and

WHEREAS the elimination of the Personal Property Tax would result in another \$1.2 billion loss to local governments state-wide, and would result in a loss of \$900,000, every year, to the City of Adrian; and

WHEREAS even further cuts in vital local services would be unprecedented, unwarranted and destructive to the fabric of our community;

NOW THEREFORE BE IT RESOLVED THAT THE Adrian City Commission, by this resolution, hereby urges the Legislature and the governor to specifically condition any change, in the Michigan Personal Property Tax that would result in a reduction in revenue from this tax to local governments, to a full—not partial—amount of replacement revenue; and

BE IT FURTHER RESOLVED that the Adrian City Commission urges the Legislature and the governor condition any reduction, in revenue to local units of government from the Michigan Personal Property Tax, to the passage of an amendment of the Michigan Constitution to protect the full amount of replacement revenue; and

BE IT FURTHER RESOLVED that on behalf of our citizens, businesses and schools, and in recognition of the vital importance substantial and stable revenue derived from Michigan's Personal Property Tax will have on our future economic success, the Adrian City Commission urges the Legislature and the governor to Replace, not Erase, the Michigan Personal Property Tax.

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

R-6

MEMO



DATE: September 14, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator 
SUBJECT: Paving Bid Information

Sealed Bids were received on Thursday, September 8, 2011 for the pulverizing, grading, compacting, and repaving of two areas; the parking lot located on the west side of the Piotter Center (327 Erie St.) and a portion of the roadway in Riverside Park (321 S. McKenzie St) from the park entrance to the playground. Seventeen contractors were invited to bid, with six responding as shown below.

BIDDER	PIOTTER LOT	RIVERSIDE PARK	TOTAL
American Asphalt Lansing MI	\$ 27,843.30	\$ 25,014.54	\$ 52,857.84
Slusarski Excavating Adrian MI	\$ 27,623.60	\$ 26,797.52	\$ 54,421.12
Quality Asphalt Homer MI	\$ 30,119.25	\$ 27,252.20	\$ 57,371.45
Brady Sand & Gravel Tecumseh MI	\$ 32,246.76	\$ 27,741.91	\$ 59,988.67
Gerken Paving Napoleon, OH	\$ 39,805.51	\$ 34,027.60	\$ 73,833.11
Michigan Paving Jackson, MI	\$ 44,232.15	\$ 39,414.60	\$ 83,646.75

The low bid for the total project is American Asphalt of Lansing, MI. Slusarski Excavating & Paving of Adrian, MI is the second low bidder. When applying the Local Bidder Preference Policy for this bid it would fall in the \$50,000-\$69,999 range; which puts the local company bid margin at the 2.5% level. That equates to \$1,321.45 for this bid. The difference between the low bidder and the low local bidder is \$1,563.28; which is \$241.83 over the approved range in the local bidder preference policy.

The two jobs were bid together, although the projects were divided as St. Mary's church is paying two-thirds of the Piotter Lot project.

Both companies have done work for the City in the past with good results. American Asphalt has recently done the street paving work for the City and the Engineering department is very happy with their work. Slusarski Excavating and Paving has done paving projects at Oakwood Cemetery and on the Kiwanis Trail in the past, along with several other projects, and the Parks and Recreation Department is very happy with their work.

The funds for these projects are budgeted in the Parks and Forestry and Recreation Capital Improvement accounts. St Mary's church is paying two-thirds of the Piotter Lot project; we have a cost sharing and maintenance agreement with them for use of this lot.

RE: **DEPARTMENT OF PARKS & RECREATION – Paving Bids for Piotter Center and Riverside Park**

RESOLUTION

WHEREAS the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Thursday, September 8, 2011 for paving bids for Piotter Center and Riverside Park; and

WHEREAS six (6) vendors were invited to bid with the following results:

<u>VENDOR</u>	<u>Piotter Center</u>	<u>Riverside Park</u>	<u>Total</u>
American Asphalt Lansing, MI	\$27,843.30	\$24,014.54	\$52,857.84
Slusarski Excavating Adrian, MI	\$27,623.60	\$26,797.52	\$54,421.12
Quality Asphalt Homer, MI	\$30,119.25	\$27,252.20	\$57,371.45
Brady Sand & Gravel Tecumseh, MI	\$32,246.76	\$27,741.91	\$59,988.67
Gerken Paving Napoleon, OH	\$39,805.51	\$34,027.60	\$73,833.11
Michigan Paving Jackson, MI	\$44,232.15	\$39,414.60	\$83,646.75

; and

WHEREAS the low bid is American Asphalt, Lansing, MI; a local bidder, Slusarski Excavating, Adrian, MI is the second lowest bidder; and

WHEREAS application of the Local Bidder Preference Policy, which falls in the category \$50,000-\$69,999, results in a bid margin of 2.5%, equating to a differential amounting to \$1,321.45; however the actual difference is \$1,563.28 or \$241.83 over the approved range of the Local Bidder Preference Policy; and

WHEREAS the Finance Director indicates that sufficient funds are available for this project from the following sources: 1) St. Mary's Church, with which the City has a cost sharing and maintenance agreement for the Piotter Center parking lot, is paying two-thirds (\$18,562.20) of the Piotter Center Lot Project, and 2) The FY2011-12 Parks & Recreation Capital Budget (101-691.00-975.000) includes funding for the one-third (\$9,281.10) cost of the Piotter Center Lot Project, and 3) the Parks & Forestry Division FY2011-12 Capital Budget (101-697.00-975.000) includes sufficient funds to cover the \$25,014.54 cost of the Riverside Park Paving Project.

WHEREAS the City Administrator recommends acceptance of the low bid (\$52,857.84) and engagement of American Asphalt in the City's Standard Professional Services Contract to implement the Piotter Center Parking Lot and Riverside Park Paving Project.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby accepts the low bid (\$52,857.84) and engagement of American Asphalt in the City's Standard Professional Services Contract to implement the Piotter Center Parking Lot and Riverside Park Paving Project.

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

R-7

MEMO



DATE: September 14, 2011

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Tree Purchase Bid Recommendation

I concur with the recommendation of the Parks & Recreation Director to award the bid for the purchase of trees to be planted in the fall of 2011 as follows: bid items 1,2,3,4,5,7,8,9,10 and 16 be awarded to Acorn Farms in the amount of \$10,310.00 and bid items 6,11,12,13,14,15 be awarded to Underwood's Nursery in the amount of \$6,196.30.

Acorn Farms and Underwood's Nursery were the only bidders for this project. Funding for this project is being supported by a \$10,000 grant from the Maurice and Dorothy Stubnitz Foundation; the remaining funds are budgeted in the Fee Estate operating account.



 Dane C. Nelson
 City Administrator

Sealed Bids were received on Tuesday September 13, 2011 for the purchase of trees to be planted in the fall of 2011. The bid contained 16 individual items that are to be awarded separately. Ten nurseries were invited to bid with two responding, which are listed below:

Species	Quantity	Underwoods Nursery Unit Price	Underwood's Total	Acorn Farms Inc Unit Price	Acorn Total
		Adrian, MI		Galena, OH	
Malus 'Prairfire'	20	\$72.85	-	\$44.00	\$880.00
Malus 'Royal Raindrops'	20	\$72.85	-	\$46.00	\$920.00
Malus 'Spring Snow'	20	\$72.85	-	\$46.00	\$920.00
Malus 'Cardinal'	20	\$72.85	-	\$46.00	\$920.00
Acer griseum	10	\$117.65	-	\$63.00	\$630.00
Acer campestre	25	\$98.06	\$2,451.5	\$58.00*	-
Pyrus calleryana "Cleveland Select"	40	\$51.00	-	\$44.00	\$1,760.00
Koelreuteria	10	\$98.06	-	\$69.00	\$690.00

paniculata					
Aesculus x arnoldiana 'Autumn Splendor'	15	\$211.12	-	\$65.00	\$975.00
Syringa reticulata 'Ivory Silk'	10	\$96.53	-	\$74.00	\$740.00
Quercus Rubra	20	\$51.00	\$1,020.00	\$64.00	-
Nyssa sylvatica	10	\$51.00	\$510.00	\$68.00	-
Zelkova serrata 'Green Vase'	10	\$51.00	\$510.00	\$64.00	-
Gleditsia triacanthos 'Skyline'	20	\$51.00	\$1,020.00	\$54.00	-
Abies concolor	5	\$136.96	\$684.80	\$139.00	-
20 gallon water bags	125	\$18.54		\$15.00	\$1,875.00
TOTAL	255		\$6,196.30		\$10,310.00

*Did not meet specification, one inch caliper tree was bid in replace of a 15 gallon container
This purchase includes 125 trees and water bags that will be used for the Adrian Re-Leaf tree
planting project. Tree planting will occur though out the fall of 2011.

After review with staff it is my recommendation that bid items 1,2,3,4,5,7,8,9,10 and 16 be awarded
to Acorn Farms in the amount of \$10,310.00 and bid items 6,11,12,13,14,15 be awarded to
Underwood's Nursery in the amount of \$6,196.30. Funding for this project is being supported by a
\$10,000 grant from the Maurice and Dorothy Stubnitz Foundation; the remaining funds are budgeted
in the Fee Estate operating account.

RE: **DEPARTMENT OF PARKS & RECREATION – PARKS & FORESTRY
DIVISION-Tree Purchase Bid Recommendation**

RESOLUTION

WHEREAS the Adrian City Commission, by resolution #R11-065 dated June 6, 2011, authorized the acceptance of the \$10,000 grant from the Maurice and Dorothy Stubnitz Foundation and, approval of the expanded tree-planting program to be administered by the Parks & Recreation Department – Parks and Forestry Division; and

WHEREAS these funds have been donated for the purchase of trees, supplies and watering bags for an additional 78 trees to be planted in the Fall, over and above the normal 125 trees planted annually; and

WHEREAS the City of Adrian Purchasing Office, in conjunction with the Parks & Recreation Department – Parks and Forestry Division, solicited bids from ten (10) nurseries and received sealed bids from two (2) On Tuesday, September 13, 2011 for the purchase of trees to be planted in the fall of 2011; and

WHEREAS the bid tabulation follows:

Species	Quantity	Underwoods Nursery Unit Price	Underwood's Total	Acorn Farms Inc Unit Price	Acorn Total
		Adrian, MI		Galena, OH	
1) Malus 'Prairfire'	20	\$72.85	-	\$44.00	\$880.00
2) Malus 'Royal Raindrops'	20	\$72.85	-	\$46.00	\$920.00
3) Malus 'Spring Snow'	20	\$72.85	-	\$46.00	\$920.00
4) Malus 'Cardinal'	20	\$72.85	-	\$46.00	\$920.00
5) Acer griseum	10	\$117.65	-	\$63.00	\$630.00
6) Acer campestre	25	\$98.06	\$2,451.5	\$58.00*	-
7) Pyrus calleryana "Cleveland Select"	40	\$51.00	-	\$44.00	\$1,760.00
8) Koelreuteria paniculata	10	\$98.06	-	\$69.00	\$690.00
9) Aesculus x arnoldiana 'Autumn Splendor'	15	\$211.12	-	\$65.00	\$975.00
10) Syringa reticulata 'Ivory Silk'	10	\$96.53	-	\$74.00	\$740.00
11) Quercus Rubra	20	\$51.00	\$1,020.00	\$64.00	-
12) Nyssa sylvatica	10	\$51.00	\$510.00	\$68.00	-
13) Zelkova serrata 'Green Vase'	10	\$51.00	\$510.00	\$64.00	-
14) Gleditsia triacanthos 'Skyline'	20	\$51.00	\$1,020.00	\$54.00	-
15) Abies concolor	5	\$136.96	\$684.80	\$139.00	-
16) 20 gallon water bags	125	\$18.54		\$15.00	\$1,875.00
TOTAL	255		\$6,196.30		\$10,310.00

; and

WHEREAS the Parks and Recreation Director and City Administrator recommend that bid items 1,2,3,4,5,7,8,9,10 and 16 be awarded to Acorn Farms Inc., Galena, OH. in the amount of \$10,310.00 and bid items 6,11,12. 13, 14 and 15 be awarded to Underwood's Nursery, Adrian, MI in the amount of \$6,196.30; and

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the FY2011-12 Budget in the following accounts:
(101-697.00-741.000) Parks & Forestry Operating Supplies
(205-699.00-776.000) Fee Estate – Maintenance Supplies

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the recommended selections and award of bid for bid items 1,2,3,4,5,7,8,9,10 and 16 to Acorn Farms Inc., Galena, OH. in the amount of \$10,310.00 and bid items 6,11,12. 13, 14 and 15 to Underwood's Nursery, Adrian, MI in the amount of \$6,196.30.

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

R-8

MEMO



DATE: September 14, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Sale of property to Evergreen Grease Services, Inc.

The City has been contacted by the builder on behalf of Evergreen Grease Services, Inc. to purchase land adjacent to its property located on Lot 7 in the Adrian Industrial Park. The owner wishes to purchase a strip of land with dimensions of 120 feet by 467 feet which is adjacent to its current lot in the Industrial Park. The size of the parcel to be sold is approximately 1.3 acres, which would be taken from Lot 8 in the Park. The City previously sold Lot 7 to this company in the amount of \$50,000.00 in October of 2009. Using the same price per acre, the value comes to slightly less than \$20,000.00 so I have proposed a price of \$20,000.00 for the Lot with the requirement that the purchaser would pay for the cost of the new survey. There will also be a 5% commission fee to be paid by the City. The purpose of the addition is for a new weigh station to be added to the property, although this is not a condition of the sale.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dane Nelson".

Dane C. Nelson
City Administrator

DCN:mlb

RE: CITY COMMISSION – Approve the sale of a strip of land from Lot 8 of the Industrial Park to Evergreen Grease Services for the sum of \$20,000.00

RESOLUTION

WHEREAS, Evergreen Grease Services, Inc., is the owner of 1445 Enterprise Drive, Adrian, Michigan which is located on Lot 7 in the Adrian Industrial Park; and

WHEREAS, this company desires to expand its operations and is in need of additional land for these purposes; and

WHEREAS, the City of Adrian has negotiated a proposed agreement for the sale of an adjacent strip of land from Lot 8 in the Industrial Park having dimensions of 120 feet by 467 feet for a price of \$20,000.00 with a 5% commission fee to be paid; and

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the sale of a strip of land from Lot 8 of the Adrian Industrial Park with dimensions of 120 feet by 467 feet, which is adjacent to Lot 7 of said plat for the sum of \$20,000.00 to Evergreen Grease Services, Inc., with the purchaser to pay the cost of a survey.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute a warranty deed to close said transaction and to convey title to said parcel and that the City Administrator is hereby authorized to execute a purchase agreement and other closing documents on behalf of the City.

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

R-9

MEMO



DATE: September 14, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Lake Adrian Public Access

On April 18, 2011 the City Commission approved a resolution to allow "public access to Lake Adrian for a trial period ending September 21, 2011." The staff of Shane Horn has been monitoring use of Lake Adrian and has kept a log of issues that have arisen that will be discussed at the pre-meeting. My assumption is that votes will not change and that this access will continue. If this is the case, I believe it is necessary to develop some regulations for the site and address the costs associated with maintaining the site. As an example, reliance on one private individual to keep the site clean on a regular basis is not a long term solution to site maintenance and litter collection. These are my concerns in no particular order: fencing to protect the recreational use of this site from the water plant operations; compliance with ADA requirements for access to the site and use of the site; recognition that all costs should come from the recreation budget-not from the Utilities budget; usage regulations such as limits on hours, alcohol usage, boating restrictions, ice fishing, etc. should be developed.

While the site should be operated with as little cost as possible, compliance with ADA, meeting insurance recommendations, and site maintenance must be addressed. I have attached a proposed resolution for consideration. In the event any of the above compliance and usage issues are desired to be added to the resolution, the maker of the motion should add those to the motion.

Respectfully submitted,


Dane C. Nelson
City Administrator

DCN:mib



MEMORANDUM – UTILITIES DEPARTMENT

DATE: September 14, 2011
TO: Dane C. Nelson, City Administrator
FROM: Shane A. Horn, Utilities Director 
SUBJECT: Lake Adrian Public Access

During the course of the past five months (April-September) the public access site at the Water Treatment Plant has been open to the public on a trial basis. The gate on the North drive has remained open 24 hours per day during this trial period. The site has experienced consistent use throughout the trial period with heavy use occurring on the weekends. We also had two individuals with disabilities utilize the site in wheelchairs. We accommodated these individuals by allowing them to drive up to the lake and unload before driving back to the parking area. We also moved some cement structures for an individual so he could access the site with his wheelchair. The trash issues that were raised at the beginning continued to be a concern. We had placed two trash receptacles around the site with limited use. Mr. Doyle has been making routine stops at the site to pick up trash on his own; however we have been finding more trash in the wooded areas and in the water. The larger concern that we have experienced is the trespassing into areas that we have posted as Restricted. This would be the area South of the pond and behind the plant at the foot of the dam. We were routinely finding people in this Restricted Area and would approach them about moving out of this area. We started writing down incidents in a journal that will be available for review during the pre-meeting.

My recommendation continues to involve securing the physical assets of the treatment plant. Separating the plant from the rest of the grounds is critical in achieving this goal. I would envision removing the fence that runs along the front of the property North of the main gate and utilizing the fence fabric to string fencing from the main gate to the lake where we would tie-in to the existing fence. The site would continue to be open to the public; they would have the same access that they have now. The site would still need to be improved from an accessibility standpoint to meet current ADA requirements. Funds could be allocated as they become available to make the needed improvements utilizing the capital planning process.

cc: Jeff Pardee, Finance Director
Tim Ritchie, WTP Supt.

R11-108

September 19, 2011

RE: CITY COMMISSION - Continuation of Public Access to Lake Adrian

RESOLUTION

WHEREAS, the City Commission adopted a resolution on April 18th, 2011 to permit public access to Lake Adrian for a trial period ending September 21, 2011; and

WHEREAS, the City Commission has considered the advantages and disadvantages of the continuation of this resolution; and

NOW, THEREFORE, BE IT RESOLVED that the public access to Lake Adrian _____ (is or is not) continued until further notice.

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



MISCELLANEOUS

DEPARTMENTAL REPORT

SEPTEMBER 19, 2011

	AUGUST 2011	JULY 2011	AUGUST 2010	YEAR-TO-DATE 2011	YEAR-TO-DATE 2010
POLICE DEPARTMENT					
Complaints Answered	887	978	897	6,726	5,713
VIOLATIONS					
Moving Citations	71	45	117	1,026	1,147
3-6 am Parking Tickets	175	59	136	1,191	1,366
Non-Moving Citations	15	20	46	117	239
Downtown Parking Tickets	0	0	310	0	613
TOTAL VIOLATIONS	261	124	609	2,334	3,365
ARRESTS	104	73	126	845	968
FIRE DEPARTMENT (See M-4)					
INSPECTION DEPARTMENT					
Building Permits	37	27	25	210	183
Electrical Permits	25	24	34	208	149
Mechanical Permits	29	26	38	199	163
Plumbing Permits	16	5	15	73	57
Sidewalk Permits	1	0	1	5	5
Sign Permits	3	4	7	40	42
TOTAL PERMITS	111	86	120	735	599
Estimated Bldg.Costs	\$333,637	\$704,596	\$436,463	\$2,574,342	\$3,784,267
PARKING SYSTEM					
Parking Assessment	\$18,125	\$0	\$7,717	\$51,624	\$29,666
Lot Revenue	\$0	\$0	\$0	\$0	\$1,262
Street Revenue	\$9	\$9	\$0	\$9	\$0
Misc. Revenue	\$0	\$0	\$16	\$57	\$131
Permits	\$0	\$0	\$1,100	\$225	\$18,063
Fines	\$0	\$0	\$1,005	\$650	\$2,929
Collection Fees	\$0	\$0	\$50	\$0	\$678
Token Sales	\$0	\$0	\$0	\$0	\$0
Contribut-GenFund	\$900	\$0	\$0	\$16,900	\$6,000
TOTAL REVENUE	\$19,025	\$9	\$9,888	\$69,456	\$58,729
WASTE WATER DEPARTMENT					
M. G. Pumped	140.684	143.038	132.811	1,353.140	1,185.323
Cost of Plant Operation	\$91,237.00	\$173,410	\$424,197	\$1,174,014	\$2,751,990
WATER DEPARTMENT					
M. G. Pumped	92	109	86	718	633
Number of Customers	6,300	6,251	6,192		
	Industrial	Commercial	Residential	Other	TOTAL
M. G. Sold Revenue	\$56,168	\$104,094	\$103,536	\$75,008	86,223 \$338,806

*Figure not available

Adrian Fire Department
 Monthly Report
 August 2011

Fire	Total	Property Loss	Content Loss
Fire, Other	1		
Building fire	3	\$1,507,500	\$500,000
Passenger vehicle fire	2		
Brush or brush-and-grass mixture fire	1		
Dumpster or other outside trash receptacle fire	1		
Outside storage fire	1		
Cultivated vegetation, crop fire, Other	1		
	10	\$1,507,500	\$500,000
Rescue			
Rescue, EMS incident, other	25		
Medical assist, assist EMS crew	1		
EMS call, excluding vehicle accident with injury	89		
EMS call, PDA	2		
EMS call, refused treatment/transport	3		
Motor vehicle accident with injuries	1		
	121		
Hazardous Condition			
Hazardous condition, Other	3		
Gas leak (natural gas or LPG)	2		
	5		
Service Call			
Service Call, other	3		
Person in distress, Other	1		
Smoke Investigation, No action taken	4		
Public service assistance, Other	1		
Unauthorized burning	9		
	18		
Good Intent			
Good intent call, Other	2		
No incident found on arrival at dispatch address	1		
Authorized controlled burning	2		
	5		
False Alarm			
False alarm or false call, Other	1		
System malfunction, Other	4		
Sprinkler activation due to malfunction	1		
Smoke detector activation, no fire - unintentional	1		
	7		
Special Incident Type			
Citizen complaint	1		
	1		
Total	167	\$1,507,500	\$500,000
Year to Date	1931	\$2,118,470	\$884,200
2010 Year to Date	1799	\$135,219	\$70,169

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

ADRIAN D.A.R.T. PASSENGER RIDERSHIP REPORT FOR AUGUST 2011

WEEK END:	AUG 5	AUG 12	AUG 19	AUG 26	AUG 31	TOTAL
MONDAY	321	298	290	257	241	1407
TUESDAY	293	306	254	231	241	1325
WEDNESDAY	350	251	249	224	238	1312
THURSDAY	305	286	279	240	0	1110
FRIDAY	282	246	252	241	0	1021
		1387	1324	1193	720	6175

SERVICE DAYS	AUG 2011 (23)	AUG 2010 (22)	+/-	JUL 2011 (20)
SENIORS	980	707	273	830
HDCP SENIORS	791	850	-59	636
HANDICAPPED	2760	2619	141	2655
WHEELCHAIRS **	329	422	-93	269
GENERAL	1644	1810	-166	1504
	6175	5986	189	5625

	2009	2010	2011	
SEPTEMBER	5788	5759	-1%	
OCTOBER	6440	5722	-11%	
NOVEMBER	5594	5917	6%	
DECEMBER	6419	6195	-3%	
JANUARY	6532	6594	1%	
FEBRUARY	6267	5861	-6%	
MARCH	7288	7638	5%	
APRIL	6388	6153	-4%	
MAY	5598	6039	8%	
JUNE	5639	5767	2%	
JULY	5747	5625	-2%	
AUGUST	5986	6175	3%	
	73686	73445	0%	

** WHEELCHAIR TOTALS ARE INCLUDED IN HANDICAPPED PASSENGER TOTALS

ADRIAN CITY PLANNING COMMISSION
SEPTEMBER 13, 2011
REGULAR MEETING
MINUTES

The regular meeting of the Adrian City Planning Commission was called to order by Chair Jacobitz at 7:00 p.m. in the City Chambers at 159 East Maumee Street.

Present: Mike Jacobitz Chair
 James Caldwell
 Mel Dye
 Chuck Jacobson
 Chad Johnson
 Brian Watson
 Nancy Weatherby

Also Present: Dave Pate Building Official

Absent: Marilyn Schebil Vice Chair
 Mike Clegg City Commissioner

The Commission introduced and welcomed Nancy Weatherby to the Planning Commission.

**APPROVAL OF MINUTES OF THE
AUGUST 2, 2011, REGULAR MEETING**

There were no corrections or additions to the minutes. Commissioner Dye moved that the Minutes of the August 2, 2011, regular meeting be approved as presented. Commissioner Watson supported. Motion carried unanimously.

**CASE NO. 11-022
SITE PLAN REVIEW FOR PHASE I FOR
FIRST FEDERAL BANK
AT 1377 SOUTH MAIN STREET**

Mr. Rick Weaver, Poggemeyer Design Group, and Mr. John Boesling, First Federal Bank were present for this meeting. First Federal Bank is proposing to develop the site of the former McDonald's in two phases. The first phase is the installation of an ATM machine. The second phase, which is scheduled for either 2012 or 2013, is the construction of a bank. The ATM machine would remain at this location after the bank building is constructed. Customers would access the ATM through the Adrian Mall entrance and then exit out the existing driveway. The width of the existing driveway is 16'-4" and the fire department needs a width of 20 feet for their equipment. The Commission was in receipt of a letter from Mr. Weaver in regards to widening this

driveway to the required 20 feet and that it would be done in coordination with the MDOT South Main Street improvements. The existing storm drainage is part of the mall drainage system, the applicant met with mall representatives; the Adrian Mall will submit a letter allowing the applicant the use of their storm drainage system. MDOT will put in a storm drainage system along the curb line and this will be done sometime next year, MDOT recommends the bank tie into the mall's system. Mr. Weaver talked about Phase II and that the applicant will come back for site plan review for that phase. There will be some landscaping along the front of the ATM. The property is cleaned up and First Federal intends to keep the weeds cut. There was some sentiment from the Commission that the site should be graded and made to look more presentable than it is now. Dave Pate discussed the plans to widen the existing driveway after the ATM has been placed and that the Fire Department was ok with this. There were no comments from the audience. Commissioner Watson moved that the Planning Commission adopt the following resolution in support of this site plan for Phase 1 for First Federal Bank at 1377 South Main Street:

RESOLUTION

WHEREAS, John Boesling on behalf of First Federal Bank has submitted a request for Site Plan Review and Approval for Phase I for the placement of a ATM machine at 1377 South Main Street, Parcel XAP-100-0010-01; and

WHEREAS, the former use of the parcel was for a dine-in and carry-out food service; and

WHEREAS, the zoning district of the subject parcel is designated as B-2, Community 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; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the submitted Site Plan with the following contingency under Case #11-022 for Parcel XA0-100-0010-01.

1. Submittal of letter to increase driveway width to 20 feet and coordinate this with MDOT.
2. Applicant to obtain storm sewer permit from MDOT

Commissioner Dye supported.

In Favor of Motion: Caldwell, Weatherby, Johnson, Watson, Jacobson, Jacobitz, Dye

Against Motion: none

Motion carried unanimously.

CASE NO. 11-020
SITE PLAN REVIEW FOR
IMAGE OF GOD CHRISTIAN CENTER CHURCH
AT 440 EAST CHURCH STREET

Mr. Mike Nicklowitz, Adrian Design Group, was present for this meeting. The applicant is proposing to rehabilitate the former St. John's Lutheran School into a church. On August 2, 2011, the Planning Commission approved a Zoning Exception Permit for this project contingent on obtaining a variance for lot area from the Zoning Board of Appeals (ZBA) and site plan approval. The variance has been approved by the ZBA at their August 2 meeting. The site plan shows an access driveway from East Church Street with some parking along the east side, there would be a new parking lot at the rear of the property with access onto Frank Street. There would be 49 parking spaces provided. There will be landscaping around the parking lot and neighboring residences. There would be screening installed about the dumpster. The temporary building will be removed and the parking lot will be paved. Mr. Pate talked about the City Engineer wanting more elevations for the parking lot to make sure storm water will be slopped toward the drain. Mr. Nicklowitz is checking with the previous owner to see if a flow test has been preformed. There were no further comments or questions from the Commission. There were no comments from the audience. Commissioner Caldwell moved that the Planning Commission adopt the following resolution in support of this site plan for the Image of God Christian Center Church at 440 East Church Street:

RESOLUTION

WHEREAS, Pastor Claude Bevier on behalf of the Image of God Christian Center Church has submitted a request for Site Plan Review and Approval for the rehabilitation of 440 East Church Street, Parcel XA0-515-0158-00, into a church; and

WHEREAS, the former use of the parcel was the St. John's Lutheran School; and

WHEREAS, the zoning district of the subject parcel is designated as R-O Residential Office, which allows churches through a Zoning Exception Permit; and

WHEREAS, the Adrian City Planning Commission has approved a Zoning Exception Permit for this project contingent on approval of a variance to lot area and site plan review and approval; and

WHEREAS, the Zoning Board of Appeals has granted a variance to lot area for this project; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the Zoning/Development Regulations, Section 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; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the submitted Site Plan with the following contingencies under Case #11-020 for Parcel XA0-515-0158-00.

1. Show spot elevations on west side of new parking lot
2. Show direction of storm water drainage on property
3. Flow test as required by fire department

Commissioner Johnson supported.

In Favor of Motion: Caldwell, Weatherby, Johnson, Watson, Jacobson, Dye, Jacobitz

Against Motion: none

Motion carried unanimously.

There being no further business the meeting adjourned at 7:28 p.m.

Respectfully submitted,

Denise Cook, Secretary