

PRE-MEETING AGENDA

ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
MARCH 3, 2008
5:30 P.M.

The City Commission will meet for a pre-meeting study session on Monday, March 3, 2008, at 5:30 p.m. in the 2nd floor Conference Room at City Hall to discuss the following:

- I. Closed Session to discuss property acquisition
- I I. Other items as time permits

COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
MARCH 3, 2008
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE FEBRUARY 18, 2008 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. PRESENTATION
 - 1. Members of the Mayor's Youth Council will present a Recognition Award to Miss Katie Syzdek, a senior at Madison High School, for her numerous contributions to her school and to the community. Miss Syzdek was nominated by her principal, Ms. Connie Ries.
- VI. COMMUNICATIONS
 - 1. C-1. Michigan Department of Environmental Quality (MDEQ) – Review of FY2007 Single Audit
 - 2. C-2. Memo from Finance Director regarding Michigan Department of Treasury's Fiscal Indicator Scores
 - 3. C-3. Correspondence from Comcast on changes in channel lineup.
- VII. CONSENT AGENDA
 - A. RESOLUTIONS
 - 1. CR08-012. Resolution to appoint Richard Abraham to the Board of Review (term to expire in December, 2010).
 - 2. CR08-013. Resolution to appoint Mike Clegg as an Ex-Officio on the Planning Commission with his term to run concurrent with his term as City Commissioner.
 - 3. CR08-014. Resolution to make temporary traffic control orders permanent on the west side of Kimole Lane in front of Bixby Hospital by posting "Two Hour Parking - 6:00 a.m. to 6:00 p.m." signs.

V I I I. PUBLIC COMMENT

I X. REGULAR AGENDA

A. ORDINANCES

1. Ord. 08-01. Second reading of an Ordinance to amend the Zoning/Development Regulations to allow shopping centers in the B-1 and B-2 Districts.
2. Ord. 08-03. Second reading of an Ordinance to amend Section XXX – Signs - of the Zoning/Development Regulations, in its entirety.
3. Ord. 08-04. Second reading of an Ordinance to delete Section 15.03 (4) of the Zoning/Development Regulation, which would remove work release facilities from the B-3 District.

B. RESOLUTIONS

1. R08-037. Resolution to approve farm lease agreement with James Marvin for rental of 157 acres of city-owned farmland adjacent to W. Beecher.
2. R08-038. Resolution to approve a Drug-Free Workplace Policy and delegates the administration of said policy to the Human Resources Department.
3. R08-039. Resolution to approve a proposed "Policy for Granting Poverty Exemption", as provided for in the General Property Tax Act of 1893 (as amended).
4. R08-040. Resolution of authorization providing the city's support of the previously submitted Vibrant Small Cities Initiative application, the expenditure stipulations as determined by MSHDA and CATeam, and authorizing the City Administrator to submit the request for grant funds and associated documents pertaining to the Vibrant Small Cities Initiative Grant.
5. R08-041. Resolution designating the City Administrator as the official certifying officer for the completion of the environmental review for the Vibrant Small Cities Initiative grant award.

X. PUBLIC COMMENT

X I. COMMISSIONERS' COMMENTS

MINUTES

CITY COMMISSION

Prior to the opening of the regular meeting, Commissioner Steele made a motion to go into closed session to discuss real estate acquisition, seconded by Commissioner DuMars, motion carried by a unanimous vote. The Commission convened to the Commission Chambers for the regular meeting at 7:00 p.m.

Official proceedings of the February 18, 2008 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 Pro-Tem Mitzel, Commissioners Osborne, Valentine, Steele and DuMars

ABSENT: Mayor McDowell and Commissioner Clegg

Commissioner Steele moved to excuse Mayor McDowell, seconded by Commissioner DuMars, motion carried by a unanimous vote.

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

Commissioner Steele moved to approve the minutes of the February 4, 2008, regular meeting of the Adrian City Commission, seconded by Commissioner DuMars, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher #2762 through #2769	\$ 75,817.42
General Fund Vouchers #18505, #18536 through #18552	\$ 270,177.78
Clearing Account Vouchers amounting to	<u>\$1,182,335.75</u>
TOTAL EXPENDITURES	<u>\$1,528,330.95</u>

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

COMMUNICATION

1. Memo from Finance Director regarding Intergovernmental Cooperation with LISD

CONSENT AGENDA

RESOLUTIONS

**RE: COMMUNITY DEVELOPMENT: ADRIAN STEEL COMPANY - ACT 198
INDUSTRIAL DEVELOPMENT DISTRICT APPLICATION- SCHEDULING
OF PUBLIC HEARING**

RESOLUTION CR08-007

WHEREAS, the State of Michigan has adopted the Plant Rehabilitation and Industrial Facilities Development Districts Act, Public Act 198 of 1974, as amended (Act 198); and

WHEREAS, Act 198 provides for creation of Industrial Development and Rehabilitation Districts, and for review and approval of exemption certificates; and

WHEREAS, the City of Adrian has received an Industrial Development District application from Adrian Steel Company for their parcels located at 906 James Street; and

WHEREAS, Act 198 requires notification to the public and provision of an opportunity to be heard on this matter prior to consideration of action on the Industrial Development District request;

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby acknowledges receipt of said Industrial Development District application from Adrian Steel Company, authorizes the scheduling of a public hearing for Monday, March 3, 2008, 7:00 p.m. in the Adrian City Hall to receive comments on this matter, and directs the City Clerk to provide notice to the public as required by Act 198.

**RE: DEPARTMENT OF PUBLIC WORKS – Authorization to Purchase One (1)
Pick-Up Truck**

RESOLUTION CR08-008

WHEREAS, the Public Works Foreman requests authorization to purchase one (1) 2008 Pick-Up Truck for the DPW Motor Pool to replace a similar vehicle that was totaled in a traffic accident; and

WHEREAS, bids were solicited and four (4) bid proposals were submitted on Thursday, February 7, 2008, as follows:

<u>Dealer</u>	<u>Vehicle</u>	<u>Amount</u>
Varsity Ford, Ann Arbor, MI	2008 Ford F150 4x2	\$15,985.00
Dave Knapp Ford, Adrian, MI	2008 Ford F150 w/o manual	\$17,309.95
Dave Knapp Ford, Adrian, MI	2008 Ford F150 w/manual	\$17,559.95
Ed Schmidt, Perrysburg, OH	2008 Chevy Silverado	\$18,550.00
Dave's Adrian Dodge, Adrian, MI	2008 Dodge Ram 1500	\$18,801.00;

and

WHEREAS, due to insurance recovery from the aforementioned accident claim, sufficient funds are available in the FY2007-08 General Fund Motor Pool Budget (Account #101-443.00-977.000 Capital Equipment) for this purpose; and.

WHEREAS, the City Administrator recommends approval of the low bid and purchase of one (1) 2008 Ford F150 replacement vehicle from Varsity Ford, Ann Arbor, MI at a price not to exceed \$15,985.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of one (1) 2008 Ford F150 replacement vehicle from Varsity Ford, Ann Arbor, MI at a price not to exceed \$15,985.

RE: UTILITIES DEPARTMENT – Wastewater Treatment Plant – HVAC Replacement

RESOLUTION CR08-009

WHEREAS, the Adrian City Commission, by Resolution #R07-085 dated May 7, 2007, approved the FY2007-08 Budget and General Appropriations Act, which included \$40,000 (Acct. # 497-554.00-975.126) for HVAC replacements in the south digester and east blower buildings at the Wastewater Treatment Plant; and

WHEREAS, bids were solicited and four (4) bids were received on February 7, 2008 by the City of Adrian Purchasing Office for HVAC replacements in the south digester and east blower buildings at the Wastewater Treatment Plant, with the following results:

<u>Vendor</u>	<u>Amount</u>
Fry Mechanical, Inc., Adrian, MI	\$48,264
Norton, Inc., Toledo, OH	\$50,621
Hi-Tech Mechanical Services, Inc., Temperance, MI	\$62,292
Helm & Associates, Inc., Maumee, OH	\$66,000; and

WHEREAS, due to economies achieved elsewhere in the Sewer Fund Capital Budget (Fund #497), the Finance Director has determined that sufficient funds are available for this purpose; and

WHEREAS, the Utilities Director and City Administrator recommend that the low bidder be awarded the bid and that Fry Mechanical, Inc., Adrian, MI be engaged in the City's Standard Professional Services Contract for the acquisition and installation of HVAC replacements in the south digester and east blower buildings at the Wastewater Treatment Plant at a cost not to exceed \$48,264.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Fry Mechanical, Inc., Adrian, MI, in the City's Standard Professional Services Contract for the acquisition and installation of HVAC replacements in the south digester and east blower buildings at the Wastewater Treatment Plant at a cost not to exceed \$48,264.

RE: UTILITIES DEPARTMENT – Wastewater Treatment Plant – Door Replacement at South Digester Building

RESOLUTION CR08-010

WHEREAS, the Adrian City Commission, by Resolution #R07-085 dated May 7, 2007, approved the FY2007-08 Budget and General Appropriations Act, which included \$20,000 (Acct. # 497-553.00-975.120) for door replacements in the south digester building at the Wastewater Treatment Plant; and

WHEREAS, bids were solicited and two (2) bids were received on February 7, 2008 by the City of Adrian Purchasing Office for door replacements in the south digester building at the Wastewater Treatment Plant, with the following results:

<u>Vendor</u>	<u>Amount</u>
ACP of Lenawee, Inc, Clayton, MI	\$25,750
KMLM Construction Company, LLC, Adrian, MI	\$26,350; and

WHEREAS, due to economies achieved elsewhere in the Sewer Fund Capital Budget (Fund #497), the Finance Director has determined that sufficient funds are available for this purpose; and

WHEREAS, the Utilities Director and City Administrator recommend that the low bidder be awarded the bid, and that ACP of Lenawee, Inc, Clayton, MI, be engaged in the City's Standard Professional Services Contract for the acquisition and installation of door replacements in the south digester building at the Wastewater Treatment Plant at a cost not to exceed \$25,750.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of ACP of Lenawee, Inc, Clayton, MI, in the City's Standard Professional Services Contract for the acquisition and installation of door replacements in the south digester building at the Wastewater Treatment Plant at a cost not to exceed \$25,750.

RESOLUTION CR08-011

WHEREAS, the term of office of Alice Mackey on the Board of Review has expired, and Ms. Mackey has indicated her desire to resign from the Board; and

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

WHEREAS, Joseph Wagley has expressed a willingness to serve on the Board of Review for a one-year term, if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Joseph Wagley.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Joseph Wagley to the Board of Review for a one year term, expiring in March, 2009.

On motion by Commissioner DuMars, seconded by Commissioner Valentine, Consent Resolutions CR08-007 through CR08-011 were adopted by a unanimous vote.

REGULAR AGENDA

ORDINANCES

1. Ord. 08-01. Introduction of an Ordinance to amend the Zoning/Development Regulations to allow shopping centers in the B-1 and B-2 Districts.
2. Ord. 08-02. Introduction of an Ordinance to amend Sections 2.71 and 25.14 of the Zoning/Development Regulations to allow beauty and barber shops as a home occupation in the R-2, R-3 and R-4 residential districts under certain conditions. **PULLED FROM AGENDA TO FURTHER INVESTIGATE STATE LAW ON HOME OCCUPATIONS.**
3. Ord. 08-03. Introduction of an Ordinance to amend Section XXX – Signs – of the Zoning/Development Regulations, in its entirety.

Commissioner Osborne asked if this Ordinance change would encourage use of monument signs as opposed to pole signs. Commissioner DuMars said that the Zoning Board of Appeals recommended that we do away with pole signs and go to monument signs.

4. Ord. 08-04. Introduction of an Ordinance to delete Section 15.03 (4) of the Zoning/Development Regulations, which would remove work release facilities from the B-3 District.

RESOLUTIONS

RE: CITY ADMINISTRATOR – FY2008-14 City of Adrian Capital Improvement Program and FY2008-09 Capital Budget Recommendation

RESOLUTION R08-031

WHEREAS, consistent with Public Act 621 of 1978, the Uniform Budgeting Act for Local Government, the Adrian City Administration has developed a Multi-Year Capital Improvement Program (CIP), identifying specific capital projects, facilities and equipment, as well as their respective funding sources for the period FY2008-14; and

WHEREAS, on December 1, 2007, the City Commission met to review the Capital Budget requests submitted by Department Heads and provided input regarding priorities to the City Administration; and

WHEREAS, the City Administrator established a CIP Advisory Committee, composed of the City Administrator (Chairman), Finance Director, City Engineer/DPW Director, Utilities Director, Police Chief, Fire Chief/IT Director, Community and Economic Development Director, and Parks & Recreation Director, for purposes of

reviewing Capital Project requests and formulating a Capital Improvement Program Budget Recommendation; and

WHEREAS, within the broad categories of planning, efficient utilization of public resources, economic development, neighborhood support, and safety, the Capital Improvement Program Advisory Committee used the following criteria to evaluate the relative merit of each capital project:

- Asset Replacement Evaluation and replacement of current fixed assets for purposes of maintaining current service levels will be given priority.
- Leverage Grants Projects which are eligible for public or private grant funding, with or without a local matching requirement, will be given priority.
- Adopted Plans Projects which comply with the principles and concepts of an adopted City Plan will be given priority.
- Phased Projects Projects which implement an ongoing phased project will be given priority.
- Health & Safety Hazards Projects which correct a health and safety hazard or prevent a critical breakdown in a City facility will be given priority.
- Operations and Maintenance Projects which provide a significant decrease in City operating and/or maintenance expenses will be given priority.
- Job Creation and Retention Projects which demonstrably support the creation or retention of jobs for City residents will be given priority.
- Neighborhood Development-Projects which are a component of a systematic neighborhood development plan or strategy will be given priority; and

WHEREAS, the City Administrator's FY2008-14 Capital Improvement Program Budget Recommendation is summarized as follows:

<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>
\$8,913,751	\$8,624,490	\$5,788,126	\$6,299,474	\$4,960,815	\$4,864,144

WHEREAS, consistent with the Municipal Planning Act (PA285 of 1931, as amended – MCL125.39), the City Administration submitted the recommended FY2008-14 Capital Improvement Program and FY2008-09 Capital Budget to the Planning Commission for review and consideration before submitting it to the City Commission for final approval; and

WHEREAS, at a regularly scheduled meeting on February 5, 2008, the Planning Commission approved a resolution commending the City Administrator's

recommended FY2008-14 Capital Improvement Program to the City Commission, with the following additional recommended enhancements:

- 1) When formulating Capital Improvement Program budget requests, Capital Projects (land and facilities) should be segregated from Capital Equipment requests.
- 2) An additional criteria should be added for consideration of Capital Project requests, specifically related to consistency with the City's Comprehensive Master Plan; i.e., respond to the question: Is this project consistent with the Comprehensive Master Plan and, if not, why not?
- 3) The December Work Session should be expanded to a joint session of the City Commission and Planning Commission to provide input to formulation of a recommended Capital Improvement Program.
- 4) The City of Adrian Strategic Plan should be amended by incorporating the following language under "*Goal: Strengthen and diversify the local economy*": Maintain the City of Adrian's Comprehensive Master Plan and ensure that other planning processes, such as the Multi-Year Capital Improvement Program are consistent with the specifications and intent of the Comprehensive Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Commission, by this resolution, adopts the City Administrator's recommended FY2008-14 Capital Improvement Program (CIP), summarized as follows, and FY2008-09 Capital Budget for incorporation into the FY2008-09 Operating Budget and General Appropriations Act:

<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>
\$8,913,751	\$8,624,490	\$5,788,126	\$6,299,474	\$4,960,815	\$4,864,144

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

RE: FIRE DEPARTMENT – Authorization to Acquire Replacement for Fire Engine Pumper #1

RESOLUTION R08-032

WHEREAS, consistent with the Fire Department's Five-Year Capital Plan, the Fire Chief recommends replacement of a 1994 Ford F-150 pick-up truck with a 2008 Ford F-350 regular cab pick-up truck with a skid-mounted tank and pump; and

WHEREAS, based on specifications submitted by the Adrian Fire Department, bids were solicited and two bids were received on Thursday, January 24, 2008; one from Spencer Manufacturing, South Haven, MI for \$62,834, and a second one from Wolverine Fire Apparatus, Inc., Union City, MI for \$57,899; and

WHEREAS, a review of the bid submission by the Fire Chief reveals that the bid proposal received from Wolverine Fire Apparatus, Inc. did not meet the required specifications and, therefore, was rejected; and

WHEREAS, \$70,000 has been earmarked for this in the FY2007-08 Fire Department – Motor Vehicle Fund Capital Budget, with funding available in the Fire Department – Motor Vehicle Fund Undesignated Fund Balance (662-000.00-390.000); and

WHEREAS, the Fire Chief and City Administrator recommend acceptance of the aforementioned bid from Spencer Manufacturing, South Haven, MI. in the amount of \$62,834, appropriation of the necessary funding and authorization of the necessary budget amendments.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, accepts the bid from Spencer Manufacturing, South Haven, MI for acquisition of a replacement vehicle for a 1994 Ford F-150 pick-up truck with a 2008 Ford F-350 regular cab pick-up truck with a skid-mounted tank and pump for a price not to exceed \$62,834.

BE IT, FURTHER, RESOLVED that \$62,834 be appropriated from Fire Department – Motor Vehicle Fund Undesignated Fund Balance (662-000.00-390.000) and that the FY2007-08 Budget be amended as follows:

Fire Department – Motor Vehicle Fund (662)

Revenue:		
(662-000.00-697.000)	Prior Year's Revenue	\$62,834
Expenditures:		
(662-443.00-977.000)	Capital Equipment	<u>62,834</u>
	Total	<u>\$ -0-</u>

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

RE: DEPARTMENT OF PUBLIC WORKS – Authorization to Purchase One (1) Used Sport Utility Vehicle (SUV)

RESOLUTION R08-033

WHEREAS, the Public Works Foreman requests authorization to purchase one (1) used Sport Utility Vehicle to replace the Jeep vehicle assigned to the City Engineer; and

WHEREAS, bids were solicited and four (4) bid proposals were submitted on Thursday, February 7, 2008, as follows:

<u>Dealer</u>		<u>Vehicle</u>	<u>Mileage</u>	<u>Amount</u>
Dave Knapp Ford, Adrian, MI	2005 Ford Explorer	30,110	\$15,597	
Clift Buick Pontiac, Adrian, MI	2005 GMC Envoy	31,587	\$15,800	
Dave's Adrian Dodge, Adrian, MI	2007 Dodge Nitro	25,100	\$17,900	
Dave Knapp Ford, Adrian, MI	2007 Ford Explorer	21,729	\$21,039	

; and

WHEREAS, due to the greater capacity cargo area, the Public Works Foreman recommends acquisition of the 2005 GMC Envoy from Clift Buick Pontiac, Adrian, MI, at a price not to exceed \$15,800; and

WHEREAS, due to economies achieved in the purchase of previously authorized Motor Pool capital equipment, sufficient funds are available in the FY2007-08 General Fund Motor Pool Budget (Account #101-443.00-977.000 Capital Equipment) for this purpose; and.

WHEREAS, the City Administrator recommends approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of one (1) used 2005 GMC Envoy from Clift Buick Pontiac, Adrian, MI, at a price not to exceed \$15,800.

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

RE: DEPARTMENT OF PUBLIC WORKS – M-34 Road Improvements for New Bio-Fuel Project

RESOLUTION R08-034

WHEREAS, the Biofuel Industries Group has constructed a new production facility on the south side of M-34, west of US-223, which will require certain road improvements to facilitate access and egress; and

WHEREAS, the project to be designed, let and managed by the MDOT Jackson Transportation Service Center, will include the installation of a new left turn lane, commencing from the existing left turn lane that ends near the TLC Credit Union and extending to the west, ending at a point that provides future left turn access for the property that the City of Adrian owns on the north side of M-34; and

WHEREAS, the Adrian City Commission, by Resolution R07-026 dated February 5, 2007, approved the cost sharing proposal arranged by Michigan Department of Transportation (MDOT), based on an estimated cost of \$648,617:

	<u>Amount</u>	<u>Percent</u>
MDOT Grant Funds	\$388,778	60%
Biofuel Industries Group	168,982	26%
City of Adrian	<u>90,857</u>	<u>14%</u>
Total	<u>\$648,617</u>	<u>100%</u> ; and

WHEREAS, sufficient funds are available for this purpose in the Major Street Fund Undesignated Fund Balance (Account #202-000.00-390.000); and

WHEREAS, the City Administrator and City Engineer recommend approval of this resolution, the approval of the foregoing cost sharing arrangement, appropriation of necessary funds, and authorization of appropriate amendments to the FY2007-08 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves the aforementioned cost sharing arrangement, limiting the City's share to \$90,857 (14%), to fund the proposed M-34 Road Improvement Project for the new Biofuel Industries Group and appropriates said sum from the Major Street Fund Undesignated Fund Balance (Account #202-000.00-390.000).

BE IT, FURTHER, RESOLVED that the Mayor and City Clerk be authorized to sign the proposed contract between the City of Adrian and the Michigan Department of Transportation.

BE IT, FURTHER, RESOLVED that the FY2007-08 Budget be amended as follows:

Major Street Fund (202)

Revenue:

Prior Years' Revenue (202-000.00-967.000)	\$90,857
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Expenditures:

Construction Contract Services (202-451.00-801.000)	<u>90,857</u>
Total	<u>\$ -0-</u>

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

RE: UTILITIES DEPARTMENT –Authorization to Retain Hydrogeological Services for Maple Avenue Well Replacement

RESOLUTION R08-035

WHEREAS, the Maple Avenue well, constructed in 1929, is in need of emergency replacement, currently producing 200 gpm down from 1,000 gpm previously; and

WHEREAS, after careful examination and comparison of long-term benefits, the Utilities Director recommends that the subject well be replaced; and

WHEREAS, the Utilities Director has solicited a proposal and Williams & Works, Inc., Grand Rapids, MI, has submitted a proposal to perform hydrogeological services for the Maple Avenue well replacement at a cost not to exceed \$7,000; and

WHEREAS, the proposed scope of services includes:

- provide on-site hydrogeological services while the well is being drilled, ensuring that MDEQ construction standards for municipal well drilling are followed;
- collect samples during the drilling process and oversee the pump test after the well is developed;
- submit a Groundwater Resource Evaluation Report to MDEQ, including a new capacity rating for the replacement well; and

WHEREAS, sufficient funds are available in the Water Capital Project Fund (496-549.00-977.554) for this purpose; and

WHEREAS, the Utilities Director and City Administrator recommend engagement of Williams & Works, Inc., Grand Rapids, MI, in the City's Standard Professional Services Contract to perform hydrogeological services for the Maple Avenue well replacement at a cost not to exceed \$7,000 and that, because of the firm's familiarity with the city's water system due to prior engagements, the competitive bid process be waived.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Williams & Works, Inc., Grand Rapids, MI., in the City's Standard Professional Services Contract to perform hydrogeological services for the Maple Avenue well replacement at a cost not to exceed \$7,000.

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

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

RE: UTILITIES DEPARTMENT –Authorization to Engage Construction Contractor to Replace Maple Avenue Well

RESOLUTION R08-036

WHEREAS, the Maple Avenue well, constructed in 1929, is in need of emergency replacement, currently producing 200 gpm down from 1,000 gpm previously; and

WHEREAS, after careful examination and comparison of long-term benefits, the Utilities Director recommends that the subject well be replaced at a cost of \$66,145, rather than rehabilitation at a cost of almost \$40,000; and

WHEREAS, the Utilities Director has solicited a proposal and Raymer Water Supply Contractors, Marine, MI, has submitted a proposal to replace the existing Maple Avenue well at a cost not to exceed \$66,145; and

WHEREAS, by deleting two lower priority projects, sufficient funds would become available in the Water Capital Project Fund for this purpose; and

WHEREAS, the Utilities Director and City Administrator recommend engagement of Raymer Water Supply Contractors, Marine, MI, in the City's Standard Professional Services Contract for the purpose of constructing a replacement for the Maple Avenue well at a cost not to exceed \$66,145, that the FY2007-08 Budget be amended accordingly, and that because of the firm's familiarity with the city's water system due to prior engagements, the competitive bid process be waived.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Raymer Water Supply Contractors, Marine, MI., in the City's Standard Professional Services Contract for the purpose of constructing a replacement for the Maple Avenue well at a cost not to exceed \$66,145.

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

BE IT, FURTHER, RESOLVED that the FY2007-08 Budget be amended as follows:

Water Capital Projects Fund (496)

Expenditures:

(496-549.00-977.554) Maple Avenue Well Replacement	\$75,000
(496-549.00-977.544) Lake Adrian Bank Stabilization	(50,000)
(496-549.00-977.533) Security Perimeter Fencing	<u>(25,000)</u>
Total	<u>\$ -0-</u>

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

MISCELLANEOUS

1. D.A.R.T. Passenger Ridership Report
2. Planning Commission Minutes
3. Community Development Work Program Report
4. Departmental Report

The next regular meeting of the Adrian City Commission will be held on Monday, March 3, 2008, at 7:00 p.m. in the Commission Chambers on the 2nd floor of Adrian City Hall, 100 E. Church St., Adrian, MI 49221.

Gary E. McDowell
Mayor

Pat Baker
City Clerk

PRESENTATION OF
ACCOUNTS

March 3, 2008

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



Dane C. Nelson
City Administrator

DCN:bjw

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

Utility Department Vouchers	
Vouchers #2770 through #2778.....	\$183,241.58
General Fund	
Vouchers #18553 through #18572	435,418.60
Clearing Account Vouchers	
amounting to.....	<u>\$210,141.21</u>
TOTAL EXPENDITURES	<u>\$828,801.39</u>

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

March 3, 2008

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<u>Receiving</u>			
2770	City of Adrian: Payroll	Payroll for Feb 15	\$ 20,696.21
2771	Jeff Grof	Blue Cross Refund	\$ 30.00
2772	City of Adrian: General	January Charges	\$ 59,539.82
2773	City of Adrian: IT Dept	January Services	\$ 5,852.18
2774	City of Adrian: Utilities	Various Water Bills	\$ 227.93
2775	Citizens Gas Fuel Co	Various Heat Bills	\$ 16,138.54
2776	Consumers Energy	Various Electric Bills	\$ 34,567.93
2777	City of Adrian: Clearing	Feb 18 CK Register	\$ 684,584.90
2778	City of Adrian: Payroll	Payroll for Feb 22	\$ 46,188.97
Total			\$ 867,826.48
LESS: CK# 2777			\$ 684,584.90
TOTAL			\$ 183,241.58

3-Mar-08

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
18553	\$ 4,789.93	Quick Service Transportation	Payroll W/E Feb 9
18554	\$ 19,151.52	City of Adrian: Payroll	Payroll for Feb 15
18555	\$ 3,542.21	Bank of Lenawee	Soc Security for Feb 15
18556	\$ 41.00	Robert Campbell	Recreation Refund
18557	\$ 33,545.58	Avery Oil & Propane	DPW Gas & Diesel Fuel
18558	\$ 2,633.03	Consumers Energy	Major St Electric
18559	\$ 10,067.39	Consumers Energy	Various Electric Bills
18560	\$ 7,819.50	Citizens Gas Fuel Co	Various Heat Bills
18561	\$ 467.21	Verizon North	Various Phone Bills
18562	\$ 375,991.00	City of Adrian: Clearing Acct	Feb 18 Check Register Exp
18563	\$ 305.17	City of Adrian: Petty Cash	Petty Cash
18564	\$ 205,424.20	City of Adrian: Payroll	Payroll for Feb 22
18565	\$ 13,545.10	Bank of Lenawee	Soc Security for Feb 22
18566	\$ 1,000.00	Kenneth & Teresa Roof	Option
18567	\$ 5,135.32	Quick Service Transportation	Payroll W/E Feb 16
18568	\$ 6.81	City of Adrian: Utilities	Correct receipts Feb 5
18569	\$ 121,958.15	Blue Cross Blue Shield of MI	March Hospitalization Ins
18570	\$ 351.17	Verizon North	Various Phone Bills
18571	\$ 407.50	City of Adrian: Trust Fund	Correct Receipts Jan 3
18572	\$ 5,227.81	Quick Service Transportation	Payroll W/E Feb 22

\$	811,409.60	
\$	(375,991.00)	Less: CK# 18562
\$	435,418.60	

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. ACCUCUT SYSTEMS	187.25		
2. ADRIAN AREA CHAMBER OF COMME	25.00		
3. ADRIAN COMMUNICATIONS	28,304.28		
4. ADRIAN FABRICARE CENTER INC.	590.00		
5. ADRIAN LOCKSMITH & CYCLERY	126.96		
6. ADRIAN MECHANICAL SERVICES C	5,072.36		
7. ADVANCED DOCUMENT SOLUTIONS	858.98		
8. AIR SOURCE ONE, INC.	193.20		
9. AIRGAS GREAT LAKES	152.33		
10. AJJCORNHOLE.COM	51.96		
11. ALEXANDER CHEMICAL CORP.	1,900.00		
12. APOLLO FIRE EQUIPMENT CO	621.81		
13. ARCH WIRELESS	28.42		
14. ASSOCIATED ENGINEERS	250.00		
15. BAKER & TAYLOR BOOKS	3,500.84		
16. BATTERY WHOLESALE	52.50		
17. GREG BELL CHEVROLET, INC	16.31		
18. BLACK BOOK	95.50		
19. BLISSFIELD HEATING AND PLUMB	93.00		
20. BRADY SAND & GRAVEL INC	19,344.00		
21. BRODBECKS LLC	1,750.00		
22. BUCK & KNOBBY EQUIP CO INC	45.92		
23. C-N CONSTRUCTION SUPPLIES IN	255.00		
24. CALIFORNIA CONTRACTORS SUPPL	299.60		
25. CAMPBELL, BARI	55.63		
26. CARUS CHEMICAL	26,459.60		
27. CDW-G COMPUTER SUPPLIES	154.90		
28. CLIFT BUICK-PONTIAC-GMC	15,959.23		
29. COAST TO COAST DELI	46.32		
30. COMCAST	116.88		
31. COMPUTER CARE COMPANY, INC.	129.95		
32. CONTINENTAL SERVICE	468.07		
33. DAVID FENNER	130.00		
34. ESPAR OF MICHIGAN INC.	746.57		
35. ESPECIALLY FOR YOU GIFTS	51.76		
36. FASTENAL COMPANY	277.57		
37. FAVORABLE IMPRESSIONS	225.00		
38. FEDERAL EXPRESS	85.30		
39. FIRST TELECOMMUNICATIONS	149.00		
40. WALTER FISCHOFF	36.10		
41. FISHER SCIENTIFIC COMPANY LL	436.82		
42. FLORIDA MICRO LLC	20.67		
43. WALTER FRAZIER & ASSOCIATES	2,450.00		
44. GALE	134.37		
45. GALL'S INC	431.44		
46. GARRISON SCREEN PRINT	260.00		
47. GEN POWER PRODUCTS INC.	1,750.00		
48. GRAPHICS UNLIMITED	139.25		
49. GREAT LAKES AUTOMATIC DOOR,	1,698.06		
50. GREY FOX FLORAL	406.90		
51. GREY HOUSE PUBLISHING	210.50		
52. GROTH CORPORATION	549.61		
53. HARRIS INFOSOURCE	320.10		
54. HEART ADVISOR	54.00		
55. TOMMY HERRMANN	150.00		
56. HERTZ EQUIPMENT RENTAL	672.32		
57. HEWLETT PACKARD	1,000.00		
58. HUBBARDS AUTO CENTER	606.19		
59. SHARON HUNT	1,075.00		
60. HURON LIME INC.	2,761.76		
61. I.T. RIGHT	1,755.00		
62. ICMA RETIREMENT CORPORATION	198.78		
63. IDEARC MEDIA CORP.	144.10		
64. INDUSTRIAL MILL SUPPLY CORP	593.87		
65. INFO USA MARKETING INC.	630.00		
66. INFORMATION TODAY INC	89.95		
67. INGHAM COUNTY SHERIFF	400.00		
68. INGRAM LIBRARY SERVICES	49.45		
69. INTERNATIONAL ASSOC OF FIRE	190.00		
70. INTERSTATE BATTERIES	359.90		
71. IPSWITCH	298.50		
72. JACKSON TRUCK SERVICE INC.	42.02		
73. JEAN CHRISTOPHER PORTRAITS	2,121.00		
74. JGM VALVE CORP	3,609.89		
75. JONES & HENRY, ENGINEERS	912.58		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. KALIDA TRUCK EQUIPMENT INC	269.50		
77. KEMIRA WATER SOLUTIONS INC	4,449.90		
78. KONICA MINOLTA- ALBIN	21.59		
79. KROLL	50.00		
80. LANSING SANITARY SUPPLY INC	260.00		
81. LENAWEE COUNTY PRINTER	82.53		
82. LENAWEE COUNTY REGISTER OF D	182.00		
83. LENAWEE INTERMEDIATE SCHOOL	165.00		
84. DUSTIN LENT	26.86		
85. LIBRARY DESIGN ASSOCIATES IN	625.00		
86. MANPOWER OF LANSING MI INC.	979.20		
87. MATTHEW BENDER & CO, INC	1,199.00		
88. MEIJER, INC	484.15		
89. METROPOLITAN UNIFORM CO	142.94		
90. MICHIGAN ECONOMIC DEVELOPERS	235.00		
91. MICHIGAN REC & PARK ASSOC	40.00		
92. STATE OF MICHIGAN	1,685.77		
93. MICHIGAN TBA DISTRIBUTORS IN	106.42		
94. MICROMARKETING LLC	254.88		
95. MIDWEST TAPE	394.37		
96. MONROE SYSTEMS FOR BUSINESS	147.63		
97. MORNINGSTAR INVESTOR	155.00		
98. MORTON INTERNATIONAL	10,329.46		
99. MUGS N' MORE IMAGING	375.00		
100. N.A.D.A. APPRAISAL GUIDES	66.00		
101. NATIONAL GEOGRAPHIC SOCIETY	15.90		
102. NEXTEL COMMUNICATIONS	965.56		
103. THE OHIO AQUATIC COUNCIL	340.00		
104. OMNIGRAPHICS INC.	150.22		
105. PITT OHIO EXPRESS	54.26		
106. PLATINUM PLUS	4,296.91		
107. PRO-MED UNIFORM	250.98		
108. PROFESSIONAL PUMP INC	2,274.41		
109. PROMEDICA PHYSICIANS	180.00		
110. PUBLIC AGENCY TRAINING CIUNC	495.00		
111. PURCHASE POWER	3,056.67		
112. QUALITY BOOKS INC	4,922.49		
113. QUICK SERVICE TRANSPORTATION	3,106.69		
114. QUILL CORPORATION	470.69		
115. S N S CLEANING SERVICE	1,592.00		
116. S.L.C. METER SERVICE INC	9,815.47		
117. ED SCHMIDT GMC	619.21		
118. SERVICE ELECTRIC CO OF ADRIA	357.00		
119. SERVICE MASTER OF LENAWEE	1,228.00		
120. STADIUM TROPHY	55.00		
121. STAPLES	774.03		
122. SUPER LAUNDROMAT &	133.60		
123. T-MOBILE	29.99		
124. THOMAS SCIENTIFIC	2,028.51		
125. THOMSON WEST	316.79		
126. TOBY'S INSTRUMENT SHOP INC	403.59		
127. TOP QUALITY CHEMICALS	727.60		
128. TRACTOR SUPPLY COMPANY	245.32		
129. TREND ENTERPRISES INC	31.42		
130. THE TRUCK SHOP INC	109.90		
131. UNITED PARCEL SERVICE	180.35		
132. UPSTART LIBRARY PROMOTIONS	432.97		
133. URS CORPORATION	4,424.64		
134. USA BLUEBOOK	909.91		
135. UTILITIES INSTRUMENTATION	4,868.00		
136. VERIZON	150.00		
137. WARREN HOLDING CO LLC	1,300.00		
138. WATER ENVIRONMENT FED.	174.00		
139. WATER ENVIRONMENT FEDERATION	174.00		
140. HOYT E. WHELAN CO.	316.80		
141. WOODLANDS LIBRARY COOPERATIV	7.00		
TOTAL ALL CLAIMS	210,141.21		

COMMUNICATIONS



MEMO

Date: February 22, 2008

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

From: Jeffrey C. Pardee, Finance Director

A handwritten signature in cursive script, appearing to read 'Jeffrey C. Pardee'.

Re: **Michigan Department of Environmental Quality (MDEQ) – Review of
FY2007 Single Audit**

Please find attached a communication from the Michigan Department of Environmental Quality (MDEQ) regarding a review of the City of Adrian's FY2007 Single Audit. The grant accounting under review included pass-through funds from the U.S. Environmental Protection Agency, including the following:

	<u>Fed Code</u>	<u>Award</u>	<u>Expenditures</u>
Brownfield Assessment and Cleanup	66.818	\$ 400,000	\$ 127,063
State Revolving Funds Wastewater System	66.458	<u>4,123,031</u>	<u>1,075,978</u>
Total		<u>\$4,523,031</u>	<u>\$1,203,041</u>

I am pleased to report that MDEQ has no findings or recommendations related to the compliance with Federal Management Circular (FMC) A-133 Audits of States and Local Governments. If you have any questions or need for further information, please contact my office.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

February 19, 2008

Mr. Jeffrey C. Pardee
Finance Director
City of Adrian
100 East Church Street
Adrian, MI 49221

Dear Mr. Pardee:

SUBJECT: Review of FY2007 Single Audit

We have conducted a review of the audit of your entity provided to us in accordance with Office of Management and Budget, Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Our review was conducted in order to ensure that subrecipients expending \$500,000 or more in Federal awards during the subrecipients fiscal year have met the audit requirements of Subpart B, section .200 (a).

During our review, we determined that the City of Adrian met all of the audit requirements of Subpart B, section .200 (a) of Circular A-133. The Michigan Department of Environmental Quality (MDEQ) has no findings or recommendations related to the compliance with A-133 for grant agreement we negotiated with the City.

If you have any questions regarding this information, please contact me at 517-241-7994 or at mahers@michigan.gov.

Sincerely,

Sharon Maher, Federal Aid
Office of Financial Management
Financial and Business Services Division

cc: Mr. Chip Heckathorn, MDEQ
Robertson, Owen and Eaton, PC

C-2



MEMO

Date: February 23, 2008

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

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

Re: Michigan Department of Treasury Fiscal Indicator Scores

As indicated in my memo of December 10, 2007, the Michigan Department of Treasury has released Fiscal Distress Indicators for all municipalities for FY2005-06, which are now posted on their website. The purpose of this new State program is to provide an early warning system to local officials regarding potential fiscal distress for Michigan local governments. **A low aggregate score reflects no, or relatively little, fiscal distress, while a higher aggregate score reflects significant fiscal distress.** The City of Adrian's Fiscal Distress Indicator, on a scale of ten, is three (3). The lower the score is, the better the performance.

The aforementioned memo provided a detailed explanation of the program background, rationale for scoring, and the specific components of the City of Adrian rating. The purpose of this communication is to provide a comparison between the rated fiscal performance of the City of Adrian with that of selected other communities throughout Michigan. To provide a context for the fiscal indicator scoring system, the Treasury Department has established three categories as follows:

- 0-4 Points Fiscally Neutral
- 5-7 Points Fiscal Watch
- 8-10 Points Fiscal Stress

LENAWEE COUNTY COMMUNITIES

City of Tecumseh	0	Fiscally Neutral
City of Hudson	1	Fiscally Neutral
City of Adrian	3	Fiscally Neutral
City of Morenci	5	Fiscal Watch

NEIGHBORING COMMUNITIES

City of Ann Arbor	1	Fiscally Neutral
City of Hillsdale	1	Fiscally Neutral
City of Ypsilanti	2	Fiscally Neutral
City of Monroe	2	Fiscally Neutral
City of Jackson	4	Fiscally Neutral

COMPARABLE MICHIGAN COMMUNITIES

The following Michigan cities were selected by Plante & Moran, LL., as comparable communities in their “Operations and Organizational Analysis of the City of Adrian. The primary factors in the selection process were: Population (2000 Census), Land Area, Housing Units, and Per Capita Taxable Value, as well as 2002 Millage Rate Comparison.

City of Marquette	1	Fiscally Neutral
City of Mount Pleasant	1	Fiscally Neutral
City of Owosso	2	Fiscally Neutral
City of Adrian	3	Fiscally Neutral
City of Jackson	4	Fiscally Neutral

SELECTED MICHIGAN CITIES – All With a Score of 3 -Fiscally Neutral

City of Adrian	City of Imlay	City of Muskegon
City of Flint	City of Kalamazoo	City of Novi
City of Gibraltar	City of Keego Harbor	City of Pleasant Ridge
City of Grand Blanc	City of Kentwood	City of Romulus
City of Grand Rapids	City of Livonia	City of Royal Oak
City of Grandville	City of Midland	City of Southgate
City of Grosse Point Park	City of Mt. Clemens	City of Wayne
	City of Westland	City of Wyoming

SELECTED MICHIGAN CITIES – All With a Score of 4 -Fiscally Neutral

City of Allen Park	City of Lake Angeles
City of Farmington	City of Saginaw
City of Hazel Park	City of Troy
City of Rockwood	City of Wyandotte

SELECTED MICHIGAN CITIES – All With a Score of 5-7 -Fiscal Watch

City of Belleville	5	City of Melvindale	5	City of Hamtramck	6
City of Garden	5	City of Harper Woods	5	City of Riverview	6
City of Holland	5	City of Pontiac	5	City of Benton Harbor	7
City of Inkster	5	City of Taylor	5	City of Ecorse	7
City of Lincoln Park	5	City of North Muskegon	5	City of Muskegon Hts	7
		City of Village of Clarkston	5		

SELECTED MICHIGAN CITIES – All With a Score of 8-10 -Fiscal Stress

City of Highland Park 8 City of River Rouge 8

As reflected in the above Fiscal Performance Indicators, the anemic Michigan economy is having an adverse impact on a wide range of municipal jurisdictions throughout the state. It is noteworthy that the City of Detroit's Fiscal Performance Evaluation is not included on the Treasury Department's website.

As indicated in the December 10 memo, the primary cause of the three points accorded the City of Adrian was accounting procedures relating to transfers between funds that resulted in negative General Fund operating shortfalls. Corrective steps are being taken that will reflect in the FY2008-09 Budget that should improve the City's Fiscal Performance Score.

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



February 28, 2008

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

Dear Mr. Nelson:

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

Effective March 31, 2008, MTV Hits (channel 139), MTV3 (channel 141) and MTV Jams (channel 142) will be available in the Digital Classic package.

On April 9, 2008, Encore Action, Encore Drama, Encore Love, Encore Mystery, and Encore Western will be repositioned from Digital Preferred service to the lower-cost Digital Classic service. AZN, channel 186 will no longer be available.

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

Sincerely,

A handwritten signature in black ink that reads "Frederick G. Eaton".

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

CONSENT AGENDA

CR-1

CR08-012

March 3, 2008

RESOLUTION

WHEREAS, the term of office of William Vogel on the Board of Review has expired, and Mr. Vogel has indicated his desire to resign from the Board; and

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

WHEREAS, Richard Abraham has expressed a willingness to serve on the Board of Review for a two-year term, if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Richard Abraham.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Richard Abraham to serve on the Board of Review for a two-year term, with said term expiring in 2010.

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

CR-2

CR08-013

March 3, 2008

RESOLUTION

WHEREAS, the resignation of Kirk Valentine from the Planning Commission has created a vacancy on this commission; and

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

WHEREAS, Michael Clegg has expressed a willingness to serve as Ex Officio on the Planning Commission, if appointed; and

WHEREAS, the Adrian City Commission has given careful consideration to the appointment of Michael Clegg.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby appoint Michael Clegg to serve as Ex Officio on the Planning Commission, with his term to run concurrent with his term as City Commissioner (2011).

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

CR-3

CR08-014

March 3, 2008

RESOLUTION

07-17

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

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

On the west side of Kimole Lane in front of Bixby, in the areas not designated as "No Parking", post "Two Hour Parking 6:00 a.m. to 6:00 p.m." signs.

Respectfully,



TERRENCE B. COLLINS,
Chief of Police

TBC/skj

DATED: 2-21-08

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

REGULAR AGENDA

0-1
February 13, 2008

Honorable Mayor
and City Commission:

At the February 5, 2008, regular meeting the Adrian City Planning Commission voted unanimously to adopt the following resolution to recommend to the City Commission the approval of amending the Zoning/Development Regulations to allow shopping centers in the B-1 and B-2 Districts.

**RESOLUTION
CASE NO. 07-068
TEXT AMENDMENTS TO
ARTICLE II, DEFINITIONS;
ARTICLE IV, GENERAL PROVISIONS;
ARTICLE XIII, B-1 LOCAL BUSINESS DISTRICT;
ARTICLE XIV, B-2 COMMUNITY BUSINESS DISTRICT**

WHEREAS, Community Development reviewed the Zoning/Development Regulations and found no reference to shopping centers in the B-1 and B-2 Districts that permitted an integrated or cluster of uses with shared parking; and

WHEREAS, there already exists many of these types of uses in the B-1 and B-2 Districts with no known adverse affects to surrounding properties; and

WHEREAS, Community Development finds that these types of uses are appropriate for inclusion under principal permitted uses in the B-1 and B-2 Districts; and

WHEREAS, Community Development finds that sharing parking facilities is a sustainable approach to land use. The reduction of hard surfaced areas help ease storm drainage issues for the City, reduces the number of curb cuts, facilitates traffic control issues and can be more visually appealing; and

WHEREAS, Community Development finds that Article II, the definition section of the Zoning/Development Regulations should be amended because the definitions make no distinction between a shopping center and a shopping mall; and

WHEREAS, there is a discrepancy in regard to off-street parking requirements for these uses in Article IV, Section 4.37, specifically clustered commercial is not defined and is a confusing term for regulation of parking for shopping centers and shopping malls; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the findings as reviewed and analyzed by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Article IV, General Provisions, Article XIII, B-1 Local Business District and Article XIV, B-2 Community Business District to be in compliance with the City Code of Ordinances and requests that Case 07-068 be forwarded to the City Commission for final approval:

Respectfully submitted,

A handwritten signature in cursive script that reads "Denise Cook". The signature is written in black ink and is positioned above the printed name.

Denise Cook, Secretary

ORDINANCE 08-01

AN ORDINANCE TO AMEND ARTICLE II – DEFINITIONS, ARTICLE IV – GENERAL PROVISIONS, ARTICLE XIII – B-1 LOCAL BUSINESS DISTRICT AND ARTICLE XIV – B-2 COMMUNITY BUSINESS DISTRICT OF THE ZONING/DEVELOPMENT REGULATIONS

The City of Adrian Ordains:

1. Amend Article II, Definitions as follows:

Section 2.99.20 Shopping Center

A commercial establishment or a group of fewer than 10 establishments which is planned, developed, owned and managed as a unit, with 80,000 square feet or less in gross floor area, with off-street parking provided on the property and related in its location, size and type of shops to the trade area.

Add a new section to Article II, Definitions as follows:

Section 2.99.20A Shopping Mall

A commercial establishment or a group of 10 or more establishments which is planned, developed, owned and managed as a unit, with more than 80,000 square feet in gross floor area, with off-street parking provided on the property and related in its location, size, and type of shops to the trade area.

2. Amend Article IV, General Provisions, Section 4.37, Off-Street Parking and Loading as follows:

(H) Parking Requirements

(3) Business and Commercial

q.	Shopping Center or Shopping Mall	One (1) for each three hundred (300) sq. ft. of gross floor area.
----	----------------------------------	---

3. Amend Article XIII, B-1 Local Business District as follows:

ARTICLE XIII

B-1 LOCAL BUSINESS DISTRICT

SECTION 13.1 INTENT: The Local Business District (B-1) is designed to provide for the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas. The district will generally be used as a transitional district between more intensive uses of land such as major thoroughfare and other business districts and less intensive uses of land such as office and residential. It will normally be located only on property which fronts on a major or secondary thoroughfare.

SECTION 13.2 PRINCIPAL USES PERMITTED: In the B-1 Local Business District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses and provided that all business and servicing except for off-street parking or loading, shall be conducted within a completely enclosed building.

1. Medical offices and clinics.
2. Banks and similar financial institutions.
3. Libraries and government office buildings and public utility offices, but not including storage yards.
4. Private clubs or lodges.
5. Photographic studios and interior decorating studios.
6. Veterinary clinics and veterinary hospitals provided all activities are conducted within a permanently enclosed building.
7. Establishments which perform personal services on the premises such as: beauty parlors, barber shops, repair shops (including watches, radio, television, shoe, and etc., but prohibiting major repair shops such as automotive, heavy equipment, large appliances, furniture and etc.), tailor shops, self-service laundries and cleaners, dry cleaning and laundry establishments provided cleaning equipment is used to service only the premises at which it is located.
8. Stores of a generally recognized retail nature which supply commodities on the premises such as, but not limited to: groceries, meats, dairy

products, baked goods, or other foods, drugs, dry goods, clothing, notions and hardware.

9. Standard restaurants and taverns, carryout restaurants, excluding drive-in fast food restaurants.
10. Child care centers.
11. Insurance, real estate and similar uses with a low volume of customer contact.
12. Local Shopping Center, operating as an integrated or cluster of principal permitted uses, sharing a parking area, with 20,000 square feet or less of gross floor area. Uses are limited to the permitted uses as listed in Section 13.2 above.
13. Accessory uses customarily incidental to any of the above permitted uses.

SECTION 13.3 MAXIMUM FOOTPRINT: No structure in the B-1 District may exceed a footprint of 20,000 square feet.

3. Amend Article XIV, B-2 Community Business District as follows:

ARTICLE XIV

B- 2 COMMUNITY BUSINESS DISTRICT

SECTION 14.01 INTENT: The Community Business District (B-2) is designed to provide sites for diversified business types and is often located so as to serve passerby traffic. These uses are generally characterized by generating large volumes of vehicular traffic. This district is intended to prohibit establishments which require outdoor storage of goods and materials. The district will generally be used adjacent to high volume major thoroughfares. This district is also intended to provide an appropriate location for work-release facilities which are considered appropriate, subject to certain conditions.

SECTION 14.02 PRINCIPAL USES PERMITTED: In a B-2 Community Business District, no building or land shall be erected except for one or more of the following specified uses:

1. Any principal permitted use in the B-1 Local Business District.

2. Post offices.
3. Photographic reproduction, blueprinting and print shop.
4. Sit down restaurants and taverns.
5. (reserved for future use)
6. Establishments of electricians, plumbers, heating contractors, bakers, painters, or similar trades in conjunction with a retail sales operation.
7. Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings.
8. Open-air retail sales of plant materials and sales of lawn furniture, playground equipment and garden supplies provided that:
 - a. The open-air sales area is enclosed with a fence.
 - b. That such sales area is in conjunction with indoor sales of the same general type.
 - c. That the square footage of the open sales area is no greater than the indoor sales area.
9. Hotels and motels.
10. Business schools and colleges or private schools operated for a profit.
11. Local Shopping Center, operating as an integrated or cluster of principal permitted uses, sharing a parking area, with 80,000 square feet or less of gross floor area. Uses are limited to the permitted uses as listed in Section 14.02 above.
12. Accessory buildings or uses customarily incidental to any of the above permitted uses which are of the character of a personal or administrative service or a retail facility for a product on a "cash and carry" basis.

INTRODUCTION..... February 18, 2008

SUMMARY PUBLISHED..... February 28, 2008

ADOPTION.....

COMPLETED PUBLICATION

EFFECTIVE DATE

On motion by Commissioner _____,
supported by Commissioner _____, this ordinance
was _____ by a _____ vote.

0-2
February 13, 2008

Honorable Mayor
and City Commission

At their February 5, 2008, regular meeting, the Adrian City Planning Commission voted unanimously to adopt the following resolution to recommend to the City Commission the approval of amending Section XXX – Signs of the Zoning/Development Regulations as proposed.

**CASE 07-047
RESOLUTION TO AMEND
ARTICLE XXX, SIGNS**

WHEREAS, the City of Adrian Departments of Inspections, Community Development and the City Attorney had documented problems and difficulties with the sign ordinance for quite some time; and

WHEREAS, the problems of permitting, interpretation and enforcement has been an ongoing problem; and

WHEREAS, the problematic language regarding political signage needed to be deleted as a result of a City lawsuit; and

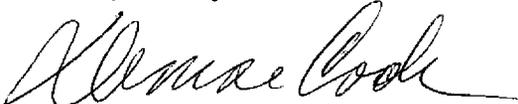
WHEREAS, the Planning Commission established an Ad-Hoc Committee to review the Sign Ordinance and make suggested revisions to address these problems; and

WHEREAS, the Ad-Hoc Committee worked over two months to make revisions to the Sign Ordinance; and

NOW THEREFORE BE IT RESOLVED that the Planning Commission accepts the text amendments as proposed by the Sign Ordinance Ad-Hoc Committee; and

BE IT FURTHER RESOLVED that the Planning Commission approves the following text amendments to Article XXX, Signs:

Respectfully submitted,



Denise Cook, Secretary

ORDINANCE 08-03

AN ORDINANCE TO AMEND SECTION XXX – SIGNS OF THE ZONING/DEVELOPMENT REGULATIONS

The City of Adrian Ordains:

Amend Section XXX – Signs as follows:

ARTICLE XXX

SIGNS

SECTION 30.00 PURPOSE: The purpose of this article is to regulate the size, location, number and type of signs within the City. The regulations of this article are both general in nature and specific to use as established within the individual zoning districts as set forth in this article. The following general objectives support the purpose of this article:

1. To protect residential areas from adverse lighting which may violate the privacy of residences from the encroachment of commercial uses.
2. To prevent the placement of signs which conceal the benefit of other signs or create visual or physical obstacles to motorists or pedestrians.
3. To control the number, size and placement of signs at a level reasonably necessary to identify a business, and provide effective communication and orientation to the public.
4. To prevent the erection of signs which create a hazard related to collapse, fire or collision, or where the location is difficult to maintain, leading to blight, decay or abandonment.
5. To promote the installation of signs which enhance the character of the City of Adrian, by protecting its heritage and enhancing the quality of its commercial and residential areas.

SECTION 30.01 DEFINITIONS: As used in this Article, the following words shall have the meanings set forth in this section:

- 1) Sign. A name, identification, description, display or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.

- a. A-Frame Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground and in the shape of an "A".
- b. Abandoned Sign/Entity. A sign which has been erected on property for a specific business or use which has been discontinued, resulting in a nuisance and removal pursuant to Section 30.07 of this ordinance.
- c. Business Sign. A sign which directs attention to a business or profession conducted, or to a service or entertainment sold or offered upon the premises where such sign is located.
- d. Canopy or Awning Sign. A sign which is embodied within the material or fabric of a canopy or awning which projects from and is supported by the wall of a building.
- e. Business Center Sign. A sign which gives direction and identification to a group of contiguous stores whether or not under single management.
- f. Directional/Information Sign. An on-premise sign giving directions, instruction or facility information and which contains the name or logo of an establishment or group of establishments but no advertising copy; e.g., parking or exit and entrance signs.
- g. Entrance Way Sign. An on-premise sign which designates the entranceway to a residential or industrial subdivision, mobile home park or multiple family development, or to a college or university campus.
- h. Ground-Pole or Ground-Mounted Sign. A sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.
- i. Illuminated Sign. A sign that provides artificial light directly (or through any transparent or translucent material) from a source of light connected with such sign, or a sign illuminated by a light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.
- j. Identification Sign. A sign that identifies the business, owner or resident and/or the street address and which may also include the logo or logo type of the business and which would not include any other advertisement.

- k. Inverted T-Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground, and is in the shape of an upside down " T " .
- l. Marquee Sign. An identification sign attached to a marquee or other surface which projects more than fifteen (15) inches from the building wall and may not be parallel to such wall.
- m. Monument Sign. A sign structurally supported by a solid foundation with zero ground clearance, not attached to a wall or building.
- n. Off-Premise Advertising Sign. A sign which contains a message related to a business or profession conducted or to a commodity, service or entertainment, sold or offered on property other than the premise where such sign is located. Signs that are located on private access easements and provide access to the site, and advertise the use of the property accessed, are not off-premise signs.
- o. Projecting Sign. A sign which projects from and is supported by a wall of a building.
- p. Portable Sign. A free standing sign not permanently anchored or secured to either a building or the ground, such as, but not limited to sandwich boards, "A" frame, "T" shaped or inverted "T" shaped sign structures. All portable signs shall be controlled by the sections of this ordinance regulating the use of temporary signs.
- q. Sandwich Board Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground, and is the shape of an "A".
- r. Street Clock/Temperature Sign. A sign which displays the current time or outdoor temperature or both and which displays no other material except for an identification sign as defined above.
- s. T-Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground, and is in the shape of a "T".
- t. Temporary Sign. A display, informational sign, portable sign, banner, balloon, pennant, streamer, or other advertising device constructed of cloth, canvas, fabric, wood, or other material with or without a structural frame and intended for a limited period of display.

- u. Wall Sign. A sign which is attached directly to or painted upon a building wall and which does not extend more than fifteen (15) inches there from, with the exposed face of the sign in a plane parallel to the building wall.
 - v. Roof Sign. Any sign erected, constructed, and maintained wholly upon or over the roof of any building with the principal support on the roof structure.
2. Area of Sign. For the purposes of this ordinance, the area of a sign shall be defined as the entire area within a circle, triangle or parallelogram enclosing the extreme limits of all individual letters, words, representation emblems, symbols, or any figure or similar character, together with any frame.
 3. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign. When two back-to-back signs are no more than two (2) feet apart, then the area between the two signs shall be included in determining the total area of the sign. When two signs are more than two (2) feet apart, then the total area shall be determined the same as for two separate signs.
 4. Parcel of Land. A unit of real property, platted or unplatted, within the City of Adrian.
 5. Institutional Bulletin Board. A structure containing a surface area upon which is displayed the name of a religious institution, school, library, community center or similar institution and the announcement of its services or activities.
 6. District. A zoning district specified in the Adrian City Zoning/Development Regulations.
 7. Basic Code. The Basic Code shall mean the State of Michigan Building Code as adopted by the City and as may be amended.

SECTION 30.02 APPLICATION OF REGULATION: No person shall erect, construct, maintain, repair, alter, or permit to be erected, constructed, maintained, repaired or altered, any sign in the City of Adrian other than as hereinafter provided.

SECTION 30.03 PERMITS:

1. No person shall erect or construct any sign in the City of Adrian without first securing a permit except as provided for in Section 30.06.

2. All permits shall be obtained from the Building Department.
3. Before any permit is granted for the erection of a sign, plans and specifications, therefore, shall be filed with the Building Department showing the dimensions, materials, and details of construction, including loads, stresses, and anchorage. The application for a permit shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is located.
4. Annual temporary permits shall apply to signage of a temporary nature utilized to market a product or service provided on the premises.
5. All signs shall include an identification plate indicating the name of the owner, the permit number and the date the permit was granted.

SECTION 30.04 PROHIBITIONS:

1. **General Prohibitions**

- a. No sign shall be erected or maintained in any manner which, by reason of its size, location, context, coloring, or manner of illumination, shall constitute a traffic hazard or which shall interfere with the visibility of any traffic control device.
- b. No sign, other than a time and temperature sign shall have any visible moving parts or visible mechanical movement or any other apparent visible movement achieved by electrical, electronic, kinetic means, intermittent electrical pulsations, or wind currents. The image or message of electronic reader boards must remain static on the sign for at least five (5) minutes.
- c. No sign shall be placed so as to obstruct any fire escape, required exit way, window, or door opening used as a means of passage from one part of a building to another (including the roof) or as access thereto for fire fighting purposes.

2. **Prohibited Signs:** The following signs are prohibited within the City of Adrian:

- a. Any sign not permanently installed or not considered temporary according to the provisions of this ordinance. (Magnetic signs shall be considered a permanently installed sign).
- b. Signs utilizing any moving or flashing lights or parts other than electronic messages, Section 30.04(2), approved for street clocks

and temperature signs. Barber poles are excluded from the prohibition.

- c. Pennants, spinners, streamers, balloons, banners, windsocks, and flags, except during promotional sales, such display not to exceed thirty (30) consecutive days within any ninety (90) day period. Applicants shall complete a sign permit application designating the type and dates of the promotional sales. The application for a permit shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is located.
- d. Roof signs or other signage which do not meet the requirements of the district in which it is located or painted, posted, or erected in areas not meeting the sign requirements of this ordinance. (This shall include the use of trees, rocks, or other natural features as signs).
- e. Projecting signs are not permitted except in the B-3 Central Business District.
- f. Off-premises signs are not permitted. Only in cases where the public benefit can be positively demonstrated will a permit be issued by administrative variance as found in Section 27.07 of the Adrian City Zoning/Development Regulations. Off-premise sign administrative variance standards are as follows:
 - a. The sign shall have a total surface area on all surfaces, height and location requirements that are compatible to the standards for signs in the zoning district in which the sign is located; and
 - b. The number of existing signs in the vicinity shall be considered in the permit application review; and
 - c. Such signs shall also be set back from any public right-of-way two (2) feet for every one (1) foot of height and shall not be closer than five hundred (500) feet from any playground, school, park, church or residential dwelling; and
 - d. Temporary off-premise signs shall require a building permit. If the signs do not require structural supports, they may be permitted in non-residential zones under special conditions. The term of the sign permit shall be stipulated and a cash bond posted in an amount acceptable to the Building Department at the time of approval.

SECTION 30.05 NON-CONFORMING SIGNS: At the effective date of adoption or amendment of this article, any lawful sign existing that is made no longer permissible under the terms of this article, as enacted or amended; such sign may be retained in use so long as it remains otherwise lawful, subject to the following provisions:

1. When a new sign is erected or the sign copy changed, the sign shall conform to the regulations of the district in which it is located.
2. Nothing in this ordinance shall be deemed to prevent the normal maintenance or repair of a non-conforming sign, provided the copy is not changed, a new sign is erected, or the area of the sign altered.

SECTION 30.06 EXCEPTIONS: The provisions of this chapter shall not apply to the following:

1. Signs erected by the City for street direction.
2. Special decorative displays for holidays, public demonstrations, or promotion or civic welfare or charitable purposes when authorized by the Building Department and on which there is no advertising material.
3. Signs being used for traffic control that contain no legend for other than the control of traffic.
4. Signs or advertising copy on gasoline pumps, vending machines and the like shall be considered incidental to the principal sign and, therefore, not included in the computation of permitted sign area.
5. Temporary signs in the residential districts for non-occupational purposes shall be permitted, provided they conform to all other requirements of the Zoning/Development Regulations.

SECTION 30.07 NUISANCE, REMOVAL: No sign shall be maintained or permitted to exist when it no longer advertises a bona fide business in existence and being actively conducted or product sold. Any such sign, or any unsafe sign, or any sign which is in violation of the provisions hereof, is hereby declared to be a nuisance. Any such sign shall be removed within thirty (30) days after notice in writing is given to the owner at the address of the owner as shown on the assessment roll. If the owner shall fail or neglect to cause any such sign to be removed within the time set forth above, the City may enter upon the premises and remove said sign and charge the cost thereof to the owner in accordance with Section 70-12 of the Code of Ordinances. For the purpose of this section, the definition of "sign" as written in Section 30.01, shall be expanded to include all parts, columns and supports of any pole or wall sign and the word "remove" shall mean that all parts of the sign shall be removed from the property, and in

the case of a "painted wall sign" it shall be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question.

SECTION 30.08. Reserved for future use.

SECTION 30.09 TEMPORARY SIGN: Non-illuminated temporary signs may be erected in accordance with the use, area, height and placement regulation of this section. Permits for such signs shall specify a maximum length of time such sign may be used and such sign shall thereafter be removed unless such time is extended by the Building Department. Temporary signs for promotional purposes, such as but not limited to, sales and grand openings shall be permitted in the non-residential districts, provided the following conditions are met.

1. The sign shall be secured to a ground-pole sign or a light pole standard, or be ground-mounted and shall not interfere with proper sight distance at the intersection areas.
2. The sign shall not exceed thirty-two (32) square feet in area and shall be limited to no more than ten percent (10%) of the surface area of the wall on which it is installed, inclusive of all other signage present on the surface wall. If installed on a ground-pole sign or light pole standard, it shall be at least eight (8) feet above the ground, with the total square footage of the temporary sign and existing sign not exceeding the area requirements for the district in which it is located.
3. No business shall be permitted to have a temporary sign for promotional purposes for more than thirty (30) consecutive days within any ninety (90) day period.
4. Ground-mounted signs, such as sandwich signs, T- or Inverted T-signs, or A-Frames, shall not exceed six (6) square feet and shall be located no closer than three (3) feet from the sidewalk and shall in no way create a traffic hazard due to reduced vision of motorists or pedestrians.

**TEMPORARY SIGN
SCHEDULE OF REGULATIONS
Section 30.09**

Type of Sign	Size Limit	Height (max.)	Lighting	Time Limit	Placement	Permit Required
Real Estate						
Single family	6 sq. ft.	4 ft.	Non-illuminated	12 months	Private property	Realtor & Property Owner: 1 sign permitted at each location
Non-single family	12 sq. ft.	6 ft.	Non-illuminated	12 months	Private property	Realtors: Annual permits available upon request
Trailer Mounted	32 sq. ft.	6 ft.	Non-illuminated	30 days per year	Private property	Individual permit required
Contractor						
Residential	6 sq. ft.	4 ft.	Non-illuminated	2 weeks	Private property	Included with building permit
Non Residential	12 sq. ft.	6 ft.	Non-illuminated	12 months	Private property	Included with building permit
Banner (flexible, promotional)	32 sq. ft.	N.A.	Non-illuminated	*	Private property	Individual permit
Portable (Section 30.16 regulates B-3 District)	6 sq. ft.	4 ft.	Non-illuminated	**	Private Property	Individual permit

* No more than one 32 sq. ft. banner shall be displayed on a premises at a time. No single banner sign shall be displayed over thirty (30) consecutive days in a 90 day period.

** Portable signs shall be displayed only during regular business hours. Signs shall not create a hazard to pedestrians or reduce the visibility to motorists.

NOTE: No temporary sign shall be placed so as to create a clear vision restriction to vehicles or pedestrians entering or leaving a premises.

NOTE: Signs within the public right-of-way must be approved by the Engineering Department. Any sign occupying the public right-of-way without proper permits shall be confiscated by the City. A processing fee may be charged before a confiscated sign is returned to its owner.

SECTION 30.10 NUMBER OF ON-PREMISE SIGNS PERMITTED:

1. In the case of reverse lots (lots held under one ownership, fronting on two streets or a street and public alley), the number of signs shall be determined as though the lots were held by separate owners. In the case of a corner lot situated on two or more streets, one ground-pole or monument sign may be permitted on each street in accordance with this article. However, both ground signs must face a separate frontage, with each sign being either perpendicular or parallel to the street centerline, and shall be no closer than one hundred (100) feet to one another.
2. Each parcel of land (other than a corner lot or reverse lot as defined above) shall not be permitted more than one sign of the type permitted by this article, except that when more than one ground floor business or usage occupies a single parcel of land, each such ground floor business or usage may have the number of signs permitted. The minimum distance between ground-pole or monument signs shall be one hundred (100) feet. However, a business center shall be permitted a business center or unified development (ground-pole or monument) sign. Individual store or business enterprise ground-pole or monument signs are expressly prohibited within the business center, except as provided for in Sections 30.17(2) and 30.18(2).

SECTION 30.11 ILLUMINATION: No sign shall be illuminated by other than electrical means and electrical devices, and wiring shall be installed in accordance with the requirements of the National Electrical Code. In no case shall any open spark or flame be used.

SECTION 30.12 MATERIAL, MAINTENANCE AND CONSTRUCTION STANDARDS: No sign shall be constructed of any materials or in any manner not permitted by the State Building and Electrical Codes. All signs shall have a good appearance and shall be kept in sound structural condition according to the Michigan Building Code and the National Electrical Code.

SECTION 30.13 SIGN REGULATION BY DISTRICT: The following sign regulations are based upon their relationship to the City of Adrian Zoning/Development Regulations.

1. **Non-illuminated Signs Requiring No Permit.** The following non-illuminated signs shall be permitted in all districts without obtaining a sign permit prior to installation.
 - a. Identification signs not exceeding two (2) square feet in area indicating the name of the business or occupant and the address of the parcel.

- b. Traffic or other municipal signs as installed or approved by the City Commission or City Administrator. This may include legal notices, vehicle or pedestrian traffic signs, emergency signs, or other signs as sanctioned by the City such as for community events.
 - c. Flags bearing the official design of the United States, State of Michigan, a public educational institution, or other organization as approved by the City Commission or City Administrator.
 - d. Exceptions as defined under Section 30.06 of the Zoning/Development Regulations.
2. Signs Permitted in All Residential Districts. The following signs shall be permitted for those principal uses permitted within the R-1, R-2, R-3, R-4, RT, RM-1, RM-2 and RM-H Zoning Districts.
- a. Non-illuminated wall signs identifying home occupations not exceeding 72 square inches (e.g., 6" x 12") in area.
 - b. Institutional signs for churches, hospitals, extended care facilities (but not including nursing homes) educational institutions, subdivision entranceways and similar uses, one sign shall not exceed fifty (50) square feet and shall not be erected closer than twenty-five (25) feet to any property line. The illumination of said sign shall be from a direct non-intermittent source and shall be so arranged and designed that the source of illumination cannot be seen by any adjoining residence. Further, an illuminated bulletin board, not to exceed twelve (12) square feet, may be incorporated in the total area of the sign. Number of on-premises signs permitted, Section 30.10.
3. Signs Permitted for Uses Subject by Special Exception, or Requiring Site Plan Review, Including Permitted Uses in the Office, Commercial, Industrial or Parking Districts. The specific provisions for signs within the non-residential uses or those requiring site plan review are defined by the category of signs outlined in Sections 30.13 through 30.20. Adherence to sign regulations shall be a condition of the approval of the site plan, special exception use permit, and the building permit for such use. Signs shall be placed on private property. If not placed on private property, they will be subject to removal by the City of Adrian.

SECTION 30.14 (Reserved for future use)

SECTION 30.15 Wall Signs: Shall be permitted in the OS-1 Office Service, R-O, Residential Office, B-1 Local Business, B-2 Community Business, B-4 Shopping Center, WH Warehouse and Wholesale, ERO Education Research and

Office, E-1 Exclusive Industrial, I-1 Light Industrial, I-2 General Industrial, and P-1 Vehicular Parking Zoning Districts subject to the following conditions:

1. Wall signs shall not exceed more than fifteen (15) inches from the face of any building wall and must be parallel to the wall in which it is affixed.
2. The wall sign must be installed at least eight (8) feet above the ground level or sidewalk, whichever is higher, and shall not project above the roof line.
3. Where more than one wall is exposed, a maximum of two (2) wall signs, one on each wall, may be installed consistent with the conditions of the Zoning/Development Regulations.
4. The following are maximum sizes (sign area) of wall signs by district:
 - a. OS-1: Not more than 12 sq. ft. in area
 - b. R-O: Not more than 12 sq. ft. in area
 - c. B-1 and B-2:
 1. Wall signs for stand alone buildings cannot exceed 5% of the square footage of the wall where located with a total not more than ninety (90) sq. ft. in area.
 2. Wall signs for integrated or cluster uses (local shopping centers) are permitted a maximum of two wall signs per business, according to conditions as set forth in Section 30.15 (3), not to exceed 5% of the square footage of the wall where located with a total not more than thirty (30) sq. ft. in area.
 - d. B-4: Cannot exceed 10% of the square footage of the wall where located with a total not more than three hundred (300) sq. ft. in area.
 - e. In all other non-residential districts: Cannot exceed 5% of the square footage of the wall where located with a total of not more than two hundred (200) sq. ft. in area.

SECTION 30.16 GROUND POLE SIGNS: Shall be permitted in all non-residential districts, except in the B-3 District, where the building is located at least twenty (20) feet from the property line and the sign does not extend beyond the boundary of the property. The sign may not be located closer than twenty-five (25) feet from any adjacent property and shall not inhibit the vision of

motorists and pedestrians, in accordance with Section 30.04. Each parcel shall be allowed only one (1) ground pole sign, unless a corner lot, which will be allowed two (2) such signs consistent with Section 30.10 of this ordinance. Where the identification or advertising is the same, the sign area shall be deemed one side of the sign. The sign must be permanently attached to the ground. The bottom of the pole sign must be at least twelve (12) feet above ground level or sidewalk.

1. In the B-1 and B-2 Districts, the sign shall not exceed fifty-four (54) square feet in area and shall not exceed twenty-five (25) feet in height.
2. In the B-4 Planned Shopping Center District:
 - a. Shopping Mall: The sign shall not exceed eighty-one (81) square feet if the development is less than fifteen (15) acres and has fewer than twenty (20) stores, or shall not exceed one-hundred and eight (108) square feet if fifteen (15) acres or more and at least twenty (20) stores. In addition, the sign may not exceed thirty-five (35) feet in height and shall allow for individual store identification of no more than five (5) stores with each no greater than twelve (12) square feet in area.
 - b. Stand-alone or out-lot buildings: One ground pole sign may be permitted which shall not exceed twenty-five (25) feet in height measured from ground level, the total area of which shall not exceed fifty-four (54) square feet, to identify the business which shall be located within 400 feet of the business and shall not be located within 400 feet of any other structure. Provided the business shall have obtained and shall maintain a valid easement from the owner of the real property where the sign shall be located to allow for the placement of the sign.
3. In the OS-1 and R-0 Districts, the ground pole sign shall not exceed twenty-four (24) square feet in area and not exceed five (5) feet in height. For unified development signs and on premises signs of a single office building with multiple tenants, the sign area may be increased three (3) square feet in an area of each additional rental or lease unit available up to a maximum of thirty-nine (39) square feet in area. The height of the sign may be increased one (1) foot for each additional rental or lease unit up to a maximum of ten (10) feet in height. All signs shall be located no closer to the right-of-way than one-half the required setback.
4. In the WH, ERO, E-1, I-1 and I-2 Districts, the sign shall not exceed 200 square feet in area and shall not exceed 25 feet in height. No ground pole sign shall be located closer than fifty (50) feet to any property line of an adjacent residential district.

SECTION 30.17 MONUMENT SIGNS: Monument signs shall be permitted in all non-residential districts where the building is located at least twenty (20) feet from the property line and the sign does not extend beyond the boundary of the property. The sign may not be located closer than twenty-five (25) feet from any adjacent property and shall not inhibit the vision of motorists and pedestrians, in accordance with Section 30.04. Each parcel shall be allowed only one (1) monument sign, unless a corner lot, which will be allowed two (2) such signs consistent with Section 30.10 of this ordinance. Where the identification or advertising is the same, the sign area shall be deemed one side of the sign. The monument sign must be permanently attached to the ground. Monument signs shall not exceed four (4) feet in height.

1. In the B-1 and B-2 Districts, the monument sign shall not exceed fifty-four (54) square feet in area.
2. In the B-4 Planned Shopping Center District, the monument sign shall not exceed eighty-one (81) square feet if the development is less than fifteen (15) acres and has fewer than twenty (20) stores, or shall not exceed one-hundred and eight (108) square feet if fifteen (15) acres or more and at least twenty (20) stores. In addition, the sign shall allow for individual store identification of no more than five (5) stores with each no greater than twelve (12) square feet in area.
3. For stand-alone or out-lot buildings, one monument sign may be permitted, the total area of which shall not exceed 54 square feet to identify the business. The sign shall be located within 400 feet of the business and shall not be located closer than 400 feet of any other structure. Provided the business shall have obtained and shall maintain a valid easement from the owner of the real property where the sign shall be located to allow for the placement of the sign and also provided that the owner of the real property where the sign shall be located must consent to the corresponding reduction of signage available on the frontage of this parcel for any other use or business relating to the shopping center property.
4. In the OS-1 and R-0 Districts, the monument sign shall not exceed twenty-four (24) square feet in area. For unified development signs and on premises signs of a single office building with multiple tenants, the sign area may be increased three (3) square feet in an area of each additional rental or lease unit available up to a maximum of thirty-nine (39) square feet in area. All signs shall be located no closer to the right-of-way than one-half the required setback.
5. In the WH, ERO, E-1, I-1 and I-2 Districts, the monument sign shall not exceed 200 square feet in area. No monument sign shall be located

closer than fifty (50) feet to any property line of an adjacent residential district.

SECTION 30.18 DIRECTIONAL/INFORMATION SIGN: One (1) ground pole sign or monument sign may be permitted per entrance/exit of a parking lot or shipping/receiving area, not to exceed three (3) square feet in area nor four (4) feet in height and may be located within the minimum setback area of all districts except R-1 through R-4. The sign may contain the name and/or logo of the establishments (as distinguished from parking, access, egress, or driving information) and shall occupy no more than thirty (30) percent of the sign area and shall consist of letters, numbers and symbols no larger than or more conspicuous than those used for parking access information.

SECTION 30.19 OTHER SIGNS PERMITTED:

1. **Other Permitted Signs:** These signs are subject to the granting of a permit by the City of Adrian subject to the following conditions for the district in which they are located:
 - a. **Street Clocks/Temperature Signs.** These signs are restricted to commercial districts (B-1, B-2, B-3 and B-4). The signs may not exceed fifty-four (54) square feet in area and the lettering or numbering shall not exceed eight (8) inches in height. The signs shall be at least twelve (12) feet above ground level or sidewalk and must not overlay the public right-of-way, except with written approval from the City Commission.
 - b. **Billboards or Message Boards.** Signs in excess of twelve (12) square feet must be attached to a permanent foundation or adhere to the requirements for a wall sign or ground pole-sign from the district in which they are located. Small temporary message boards or "sandwich boards" may not exceed twelve (12) square feet, and one (1) shall only be allowable within the B-3 district. They may be placed in front of the entrance area to the store, front, rear or side, during regular business hours and must be removed to the store's interior at the end of each business day. These shall not create a hazard to pedestrians or reduce the visibility to motorists in accordance with Section 30.04.
 - c. **Illuminated Signs.** Illuminated signs are not allowed in residential areas not including illuminated house numbers and must be buffered from residential areas when installed in adjacent commercial locations. Internal illumination must be within the faces of the sign only and not within the supporting structure of the sign. External illumination shall be directed to the sign only and shall be shielded for the vision of pedestrians or motorists.

SECTION 30.20 SIGNS PERMITTED WITHIN THE B-3 CENTRAL BUSINESS DISTRICT

1. This section has special provisions to promote and protect the public health, welfare and safety within the B-3 Central Business District. It is intended to improve communication within the District, protect property values, preserve the historic character and streetscape, and create a more attractive economic and business climate. It is further intended to reduce advertising distractions that may contribute to traffic accidents and reduce hazards to the general public.
2. For the purpose of this Section (30.16) only, the term "sign" shall mean any material, symbol, emblem, structure, or advertising device, composed of lettering, images or pictures and used to identify or direct attention to any business, institution, organization, person, object, event or activity when visible from a public area. The "sign" shall include all related materials, attachments, mounting and illumination. The "sign" may be applied directly or indirectly to facades, windows or walls and includes "signs" painted on a building wall or facade or which project from a building on a pole, canopy or awning, or are placed separate from the building as a permanent ground sign or temporary sidewalk sign.
3. Sign Application Review Process. All signs erected within the B-3 Central Business District shall be reviewed by the Community Development Department. An application for a permit for a sign within the B-3 Central Business District shall be submitted to the Building Department who shall transmit the application to Community Development. Community Development shall review the application pursuant to the following criteria and submit rejection or approval to the Building Department within five (5) business days of receipt of the application.

Design Criteria

- a. Size, in relation to: Building proportions and architecture, street proportions; nearby signage and dimension restrictions listed above.
- b. Colors, in relation to: Building colors, street colors; or appropriate color schemes of the central business district.
- c. Materials, of sign and attachments, as they relate to building architecture; style and period.
- d. Style, in terms of: Letters as they coordinate with style of building and period; graphics as they relate to architectural styles and period; trademarks which are less than 10% of total signs; and

general design as it relates to business advertised and building style.

- e. Illumination, either attached or detached, as it relates to style of sign and building.

In the event an application is approved, the Community Development Department shall issue a Certificate of Approval, upon receipt of which the Building Department will issue a sign permit if the sign is in conformance with this and other ordinances of the City. If Community Development rejects the application, it shall be returned to the applicant together with a written list of reasons why the application was rejected.

4. Allowable Signage. Only "flat facade signs", "projecting signs", "awning or marquee signs", "window lettering", "detached sidewalk signs" and "monument signs" will be permitted based on criteria for dimension, location and design as follows:
 - a. Flat Façade Sign (Wall or Marquee Signs). One or more wall signs or marquee signs are permitted, provided the total area shall not exceed five (5%) percent of the number of square feet on the side of the structure where the sign is located, and provided further that the combined area of wall and marquee sign shall not have a copy area greater than five (5%) percent of the wall where located or one hundred fifty (150) square feet. No wall signs shall project above or beyond the highest point of the roof or parapet. Wall or marquee signs placed flush with building shall not extend more than fifteen (15) inches from the face of any wall or building. The minimum height of the lowest edge of a flat face sign shall not be less than eight (8) feet above the sidewalk. The maximum height of such sign shall not exceed two (2) inches above the top of the face of the marquee to which it is attached.
 - b. Projecting Signs on a pole perpendicular to the building shall have a clearance of eight (8) feet from the ground, be no larger than six (6) square feet and extend a maximum of three (3) feet from facade.
 - c. Window Lettering shall be determined by the Community Development Department according to size and proportion of each window sign to be applied.
 - d. Awning Signs may be placed anywhere on a structure when such awning has a ground clearance of seven (7) feet, six (6) inches and extends no more than three (3) feet from façade. No flat metal or

wood canopies will be permitted unless in place at time of ordinance adoption.

- e. Sidewalk Signs, otherwise known as “sandwich boards”, shall be no more than 10 square feet in area. All sidewalk signs are temporary by nature and will not be considered as “existing signage” under this ordinance. A permit may be issued after approval by Community Development. No fee will be charged for this permit. They may be placed in front of the entrance area to the store, front, rear or side, during regular business hours and must be removed to the store’s interior at the end of each business day. These shall not create a hazard to pedestrians or reduce the visibility to motorists.

- f. Monument Signs
 - 1. Each parcel shall be limited to one monument sign, the total area of which shall not exceed sixteen (16) square feet.
 - 2. Shall not exceed four (4) feet in height, measured from surrounding ground level.
 - 3. Shall not extend beyond any property line.

- 5. Location and Number of Signs. Signs will be permitted on the front, rear, and side facades of buildings. The total number of signs permitted will be determined by the Community Development Department.

- 6. Sign Illumination. Any illumination of a sign within the B-3 Central Business District either at time of erection or after shall be considered part of such a sign. The sign owner must receive the written approval of both the Building Department and Community Development prior to use of such illumination. All illumination of all signs shall be from a direct, non-intermittent source, and shall be so arranged and designed that the source of illumination cannot be seen from any residential area.

- 7. Maintenance of Signs. The owner of any sign shall be required to maintain any sign in a good and safe condition. Any sign which is virtually deteriorated due to peeling paint, rust or disintegration of materials shall be considered as unsafe and unlawful by the Building Department.

- 8. Appeals and Waivers. Decisions relating to dimensional regulations of this Section (30.16) may be appealed to the Board of Zoning Appeals for the City of Adrian. Requirements of this section may be waived by the Board of Zoning Appeals if the sign is shown to be an historic resource or if the sign is a proposed reproduction of an historic source.

Section 30.21 Footnotes:

The sign schedule of regulations appearing above and the following footnotes are provided as supplemental reference to Ordinance XXX that regulates signs. In any case where Section 30.21 is found to be in conflict with other sections of this ordinance, the other section shall take precedence.

1. Pole signs shall be permitted in all non-residential districts where the building is located as least 20 feet from the property line and the sign does not extend beyond the bounding of the property. (Section 30.17)
2. Pole signs may not be erected any closer than 25 feet from any adjacent property and shall not inhibit the vision of motorists and pedestrians. (Section 30.17)
3. Each parcel shall be allowed only 1 ground pole sign, unless a corner lot which will be allowed 2 ground pole signs consistent with Section 30.10 of this ordinance. (Section 30.17)
4. Where the identification or advertising is the same, the sign area shall be deemed one side of the sign. (Section 30.17)
5. The ground pole sign must be permanently attached to the ground. (Section 30.17)
6. Bottom of the pole sign must be at least 12 feet above ground level or sidewalk. (Section 30.17)
7. Ground monument signs must not exceed 4 feet in height and shall not create a vision restriction to vehicles or pedestrians. (Section 30.17)
8. In the B-4 Planned Shopping Center District, the sign shall not exceed 81 sf if the development is less than 15 acres and has fewer than 20 stores, or shall not exceed 108 sf if 15 acres or more and at least 20 stores. (Section 30.17)
9. In the B-4 Planned Shopping Center District, the sign may not exceed 35 feet in height and shall all for individual store identification of no more than 5 stores with each no greater that 12 sf in area. (Section 30.17)
10. In the B-4 Planned Shopping Center District, one ground pole sign may be permitted which shall not exceed 35 feet in height measured from ground level, the total area of which shall not exceed 54 square feet, to identify the business which shall be located within 400 feet of the business and shall not be located within 400 feet of any other structure. Provided the business shall have obtained and shall maintain a valid easement from the

owner of the real property where the sign shall be located to allow for the placement of the sign and also provided that the owner of the real property where the sign shall be located must consent to the corresponding reduction of signage available on the frontage of this parcel for any other use or business relating to the shopping center property. (Section 30.17)

11. In the OS-1 and R-0 Districts, the ground pole sign shall not exceed twenty-four (24) square feet in area and not exceed five (5) feet in height. For unified development signs and on premises signs of a single office building with multiple tenants, the sign area may be increased three (3) square feet in an area of each additional rental or lease unit available up to a maximum of thirty-nine (39) square feet in area. The height of the sign may be increased one (1) foot for each additional rental or lease unit up to a maximum of ten (10) feet in height. All signs shall be located no closer to the right-of-way than one-half the required setback. (Section 30.17)
12. Institutional signs for churches, hospitals, extended care facilities (but not including nursing homes) educational institutions, subdivision entranceways and similar uses, one sign shall not exceed fifty (50) square feet and shall not be erected closer to any property line than twenty-five (25) feet. The illumination of which sign shall be from a direct non-intermittent source and shall be so arranged and designed that the source of illumination cannot be seen from any adjoining residence; and further provided, an illuminated bulletin board may be incorporated in the area of which shall not exceed twelve (12) square feet. Number of on-premises signs permitted Section 30.10, Subsection 1. (Section 30.13)
13. Signs shall be placed on private property. If not placed on private property, they will be subject to removal by the City of Adrian. (Section 30.13)
14. Illuminated signs are not allowed in residential areas not including illuminated house numbers and must be buffered from residential areas when installed in adjacent commercial location. Internal illumination must be within the faces of the sign only and not within the supporting structure of the sign. External illumination shall be directed to the sign only and shall be shielded for the vision of pedestrians or motorists. (Section 30.19)
15. Directional/Information Sign: One (1) ground pole sign may be permitted per entrance/exit of a parking lot or shipping/receiving area, not to exceed three (3) square feet in area nor four (4) feet in height and may be located within the minimum setback area of all districts except R-1 through R-4. The sign may contain the name and/or logo of the establishments (as distinguished from parking, access, egress, or driving information) and

shall occupy no more than thirty (30) percent of the sign area and shall consist of letters, numbers and symbols no larger than or more conspicuous than those used for parking access information. (Section 30.18)

16. No sign other than a time and temperature sign shall have any visible moving parts or visible mechanical movement or any other apparent visible movement achieved by electrical, electronic, kinetic means, intermittent electrical pulsations, or wind currents. The image or message of electronic reader boards must remain static on the sign for at least five (5) minutes. (Section 30.04)
17. No sign shall be erected or maintained in any manner which, by reason of its size, location, context, coloring, or manner of illumination, shall constitute a traffic hazard or which shall interfere with the visibility of any traffic control device. (Section 30.04)
18. No sign shall be placed so as to obstruct any fire escape, required exit way, window, or door opening used as a means of passage from one part of a roof to another or as access thereto for fire fighting purposes. (Section 30.04)
19. In the case of reverse lots (lots held under one ownership, fronting on two streets or a street and public alley); the number of signs shall be determined as though the lots were held by separate owners. In the case of a corner lot situated on two or more streets, one ground pole sign may be permitted on each street in accord with this article. However, both ground pole signs must face a separate frontage, with each sign being either perpendicular or parallel to the street centering. (Section 30.10)
20. Each parcel of land (other than a corner lot or reverse lot as defined above) shall not be permitted more than one sign of the type permitted by this article, except that when more than one ground floor business or usage occupies a single parcel of land, each such ground floor business or usage may have the number of signs permitted. The minimum distance between ground signs shall be one hundred (100) feet. However, a business center shall be permitted a business center or unified development (ground) sign. Individual store or business enterprise pole signs are expressly prohibited within the business center. (Section 30.10)
21. Signs Permitted in All Districts: The following non-illuminated signs shall be permitted in all districts without obtaining a permit prior to installation. (Section 30.13)
 - a. Home occupation signs in residential districts shall be non-illuminated. One (1) identification sign not exceeding two (2) square

feet in area indicating the name of the business or occupant and the address of the parcel. The sign shall be attached to the principal structure. Section 25.14(2, h) and Section 30.13 (a))

- b. Traffic or other municipal signs as installed or approved by the City Commission or City Administrator. This may include legal notices, vehicle or pedestrian traffic signs, emergency signs, or other signs as sanctioned by the city such as for community events.
- e. Flags bearing the official design of the United States, State of Michigan, a public educational institution, or other organization as approved by the City Commission or City Administrator.
- f. Exceptions as defined under Section 30.06 of this ordinance.
- e. Political signs not exceeding six (6) square feet, which are ground mounted and adhere to the following:
 - 1. Signs shall be removed within seven (7) days after the election for which they are placed.
 - 2. Signs shall be located no closer than three (3) feet from the sidewalk and shall in no way create a traffic hazard due to reduced vision of motorists or pedestrians.

22. Signs Permitted for Uses Subject by Special Exception, or Requiring Site Plan Review, Including Permitted Uses in the Office, Commercial, Industrial or Parking Districts. The specific provisions for signs within the non-residential uses or those requiring site plan review are defined by the category of signs outlined in Sections 30.15 through 30.18. Adherence to sign regulations shall be a condition of the approval of the site plan, special exception use permit, and the building permit for such use. (Section 30.13)

- a. Signs shall be placed on private property. If not placed on private property, they will be subject to removal by the City of Adrian.

23. Street Clocks/Temperature Signs. These signs are restricted to the B-4 commercial districts. The signs may not exceed fifty-four (54) square feet in area and the lettering or numbering shall not exceed eight (8) inches in height. The signs shall be at least twelve (12) feet above ground level or sidewalk and must not overlay the public right-of-way, except with written approval from the City Commission. (Section 30.19)

Section 30.21 – Sign Schedule of Regulations

Zoning District	Height of Sign			Size Limit Maximum Sq. Ft.		Lighting	Placement on Property	Additional Signage Allowed		Additional Requirements	Required Permit
	Pole	Monument	Wall	Pole / Monument	Wall		Pole / Monument	Pole/Monument	Wall		
R-1					(12,21a)	Not allowed (14)		(12,22)		Section 30.19	
R-2					(12, 21a)	Not Allowed (14)	(13)	(12,22)		Section 30.19	Section 30.03
R-4					(12, 21a)	Not allowed (14)	(13)	(12, 15, 22)		Section 30.19	Section 30.03
RT					(12,21a)	Not allowed (14)	(13)	(12, 15, 22)		Section 30.19	Section 30.03
RM-1					(12,21a)	Not allowed (14)	(13)	(12, 15, 22)		Section 30.19	Section 30.03
RM-2					(12,21a)	Not allowed (14)	(13)	(12,15,22)		Section 30.19	Section 30.03
RMH					(12,21a)	Not allowed (14)	(13)	(12,15,22)		Section 30.19	Section 30.03
OS-1	5 to 10 ft (1, 2, 11)	4 ft (7)	(24,25)	24 to 39 sf (11)	12 sf (27)	Allowed (14, 16) Section 30.11	10' from property line (13)	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
R-O	5 to 10 ft (11)	4 ft (7)	(24,25)	24 to 39 sf (11)	12 sf (27)	Allowed (14, 16) Section 30.11	10' from property line (13)	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
B-1	25 ft (1, 2)	4 ft (7)	(24,25)	54 sf	5% of SF of wall-not to exceed 90 sf (27)	Allowed (14, 16) Section 30.11	(13)	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
B-2	25 ft (1, 2)	4 ft (7)	(24,25)	54 sf	Same as B-1	Allowed (14, 16) Section 30.11	(13)	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
B-3	5 ft (1, 2)	4 ft (7)	Section 30.20	18 sf	Section 30.20	Allowed (14, 16) Section 30.11 Section 30.20	(13) Section 30.20	(15) Section 30.20	Section 30.20	(17, 18) Section 30.16 Section 30.19	Section 30.03
B-4	35 ft (1,2,9,10)	4 ft (7)	(24,25)	81 to 108 sf (8)	10% of SF of wall-not to exceed 300 sf (27)	Allowed (14, 16) Section 30.11	(13)	(15)		(4, 5, 17, 18, 19, 20, 23) Section 30.19	Section 30.03
WH	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	5% of SF of wall – not to exceed 200 sf (27)	Allowed (14,16) Section 30.11	50 feet from adjacent residential district (14)	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
ERO	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11	Same as WH	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
E-1	25 ft (1, 2)	4 ft (7)	((24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11	Same as WH	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
I-1	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11	Same as WH	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
I-2	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11	Same as WH	(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
P	(2)				Same as WH	Allowed (14, 16) Section 30.11		(15)		(4, 5, 17, 18, 19, 20) Section 30.19	Section 30.03
PUD	(1, 2)							(21a)		(17, 18, 23) Section 30.19	Section 30.03

24. Wall signs shall not exceed more than fifteen (15) inches from the face of any building wall and must be parallel to the wall in which it is affixed. (Section 30.15)
25. The wall sign must be installed at least eight (8) feet above the ground level or sidewalk, whichever is higher, and shall not exceed higher than the roof line. (Section 30.15)
26. Where more than one wall is exposed, a maximum of two (2) wall signs may be installed consistent with the conditions of this ordinance. (Section 30.15)

SECTION 30.22 APPEALS:

1. The Zoning Board of Appeals shall have the power to hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or determination made by the building inspector, or other administrative official, in connection with the endorsement of this article. The Zoning Board of Appeals shall have power to authorize a variance from the strict application of this article where such application will result in practical difficulties or unnecessary hardships, other than financial hardships, to the person owning or having the beneficial use of the property or sign for which a variance is sought; except that no variance may be granted from the strict application of Section 30.04(4).
2. Application of the Variance Power. A variance may be allowed by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when the evidence supports all the following affirmative findings:
 - a. That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city.
 - b. That the alleged hardships and practical difficulties, or both, which will result from the failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.
 - c. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this article, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

The above findings of fact shall be made by the Zoning Board of Appeals, which is not empowered to grant a variance without an affirmative finding of fact on the categories above.

SECTION 30.23 ADMINISTER AND ENFORCEMENT: The City of Adrian Sign Ordinance shall be administered by the Department designated by the City to monitor and enforce its provisions. This shall include the Building Department, Community Development Department or other department assigned this responsibility through the granting of permits and approval of site plans which include such signage requests.

1. Violation of Penalties. It shall be unlawful for any person or business to install, construct, enlarge or alter a sign pursuant to these provisions without first obtaining a permit from the City of Adrian. Violation of these provisions by any person shall be guilty of a misdemeanor, and upon conviction, shall be punishable with a fine of not more than one-hundred dollars (\$100.00). Each day a violation is cited shall be considered a separate offense punishable by the terms of this section.

2. Validity & Severability Clause. If any court of competent jurisdiction shall declare any part of this ordinance to be invalid, such ruling shall not prohibit the enforcement of other provisions of this ordinance.

INTRODUCTION February 18, 2008

SUMMARY PUBLISHED February 28, 2008

ADOPTION

COMPLETE PUBLICATION

EFFECTIVE DATE

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

0-3

February 13, 2008

Honorable Mayor
and City Commission:

At the February 5, 2008, meeting the Adrian City Planning Commission voted to adopt the following resolution to recommend to the City Commission the approval of deleting Section 15.03 (4) from Article XV – B-3 Central Business. This text amendment would remove work release facilities from the B-3 District.

**RESOLUTION
CASE NO. 07-064
TEXT AMENDMENT TO
ARTICLE XV, B-3 CENTRAL BUSINESS DISTRICT**

WHEREAS, Community Development reviewed Article XV – B-3 Central Business District and found that work release facilities as described in Section 15.03 (4) should be removed in its entirety; and

WHEREAS, the Planning Commission felt that allowing this type of use in the B-3 District may be a deterrent to potential development along the river front; and

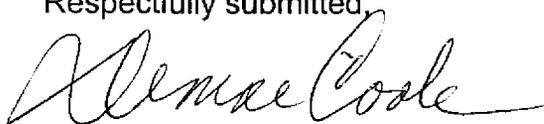
WHEREAS, work release facilities are still permitted as a use subject to zoning exception in the B-2 Community Business, E-1 Exclusive Industrial, I-1 Light Industrial and I-2 General Industrial; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission finds that Section 15.03 (4) be removed in its entirety from the Zoning/Development Regulations and requests that Case 07-064 be forwarded to the City Commission for final approval:

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

Against Motion: Dye.

Respectfully submitted,



Denise Cook, Secretary
Adrian City Planning Commission

ORDINANCE 08-04

AN ORDINANCE TO AMEND ARTICLE XV – B-3 CENTRAL BUSINESS DISTRICT OF THE ZONING/DEVELOPMENT REGULATIONS

The City of Adrian Ordains:

ARTICLE XV B-3 CENTRAL BUSINESS DISTRICT

SECTION 15.01 INTENT: The B-3 Central Business District is designed to provide for a restricted variety of retail stores and retail activities and for office buildings and service establishments which occupy the prime retail frontage in the CBD and which serve the comparison, convenience and service needs of the region. The District is intended to promote convenient pedestrian shopping and the stability of retail development by encouraging a continuous retail frontage and by prohibiting automotive related services and non-retail uses which typically interfere with such continuity. This district is also intended to provide an appropriate location for residential, office, and service uses located primarily above street level retail uses and on the fringes of the retail area.

SECTION 15.02 PRINCIPAL USES PERMITTED: In a B-3 Central Business District, no building shall be erected except for one or more of the following specified uses:

1. Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as, but not limited to: foods, liquor, furniture, clothing, dry goods, notions, drugs, or hardware.
2. Any personal service establishment which performs services on the premises within a completely enclosed building, such as, but not limited to: repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographer and dry cleaners.
3. Restaurants and taverns where the patrons are served while seated within a building occupied by such establishment, and where in said establishment does not extend as an integral part of, or accessory thereto, any service of a drive-in or open front store.
4. Offices and office buildings of an executive, administrative or professional nature.
5. Hotels and motels.

6. Post offices and libraries.
7. Mixed uses i.e. commercial and residential uses combined in one structure, subject to Section 12.03.5.
8. Theaters, banquet facilities, concert halls, or places of assembly that promote pedestrian shopping and the stability of retail development when said uses are conducted completely within enclosed buildings. The Board of Appeals shall have the power and duty to authorize in specific cases a relaxation of the provisions of this Ordinance through a variance as will not be contrary to public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship or practical difficulty.
9. Housing for the elderly.
10. Other uses which are similar to the above and subject to the following restrictions:
 - a. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from the premises where produced.
 - b. All business, servicing or processing except for off-street parking or loading shall be conducted within completely enclosed buildings.
 - c. Storage of commodities shall be within buildings and shall not be visible to the public from the street or thoroughfare.
11. Off-street parking lots, operated as a business.
12. Accessory buildings and uses customarily incidental to the principal uses.
13. Public education facilities subject to the following restrictions:
 - a. Not for profit adult education facilities are allowed which excludes Pre-K through 12 of compulsory education.
 - b. Facility must demonstrate private free parking for students available for expected demand within 1,200 feet of the facility. Specifically, a minimum of 24 private parking spaces must be provided on the premises, plus additional spaces equal to 50% of the maximum potential number of enrolled students occupying the building, up to the maximum determined by the Fire Department.

SECTION 15.03 USES SUBJECT TO A ZONING EXCEPTION PERMIT:

1. Sidewalk Cafes: In the interest of promoting business by increasing activity and improving the general business climate in business districts, the City Administrator may issue revocable permits to businesses who apply for a permit to operate a sidewalk café, as an extension of a compatible existing business, on a portion of a City sidewalk, alley, or other outside property adjacent to the existing business. The use of the café shall be limited to activities carried on by the existing business.
 - a. Sidewalk café occupancy permits shall be issued if the Superintendent of Public Works, the City Engineer and the Chief of Police determine the occupancy will not:
 1. Reduce any sidewalk, alley or passageway width to less than 6 feet.
 2. Unreasonable interfere with the view of, access to or use of property adjacent to said sidewalk or area;
 3. Cause damage to the sidewalk or alley or to trees, benches, landscaping or other objects lawfully located therein;
 4. Cause violation of any state or local laws;
 5. Be attached to or reduce the effectiveness of or access to any utility pole, sign, other traffic control device or street lighting;
 6. Interfere with street cleaning or snow removal activities.
 7. Be in or adjacent to property zoned exclusively for residential purposes.
 8. Be principally used for off premise advertising.
 9. Cause increase risk of theft or vandalism.
 - b. All businesses selling food or beverages to be consumed in a public sidewalk area adjacent to the business shall enclose the area with a temporary structure approved by the Engineering Department. Prior to approval, written plans shall be submitted to the Engineering Department. All construction shall conform with existing building codes and regulations of the city and shall not be permanent. Such plans shall also include the location of adequate trash receptacles.
 - c. The City Commission may waive the foregoing spacing requirements if it finds the following conditions exist:
 1. The proposed use will not be contrary to the public interests or injurious to nearby properties in the proposed location and

the spirit and intent of the purpose of the spacing regulations will still be observed;

2. The proposed use will not enhance or promote a deleterious effect upon adjacent areas through causing or encouraging blight, a chilling effect upon other businesses and occupants and a disruption in neighborhood development.
2. Group family homes, subject to 2.52 (C) and Section 25.15
 3. Government and administrative buildings including courthouses, jails, fire stations and city hall, subject to the following standards and conditions:
 - a. Off-street parking sufficient to meet the needs of employees and visitors shall be provided in accordance with standards contained in Section 4.37 of this ordinance.
 - b. Parking shall be designed and located to encourage use by employees and visitors.
 - c. A vehicular and pedestrian plan shall be prepared. The plan shall provide safe and adequate internal circulation and access to streets in the downtown area. The plan shall include a component for pedestrian circulation and safety, which affords both internal circulation and access to the downtown area.
 - d. Buildings shall be designed and located to enhance the aesthetic appeal of the downtown area to include the skyline, view shed to and from the building, building shape and building materials.
 - e. Jails shall be located and designed to reduce negative impacts on surrounding land uses:
 - i. Jail recreation areas shall be screened from the view of adjacent non-governmental properties.
 - ii. The design shall negate the possibility of communication between inmates and the public by visual, verbal or other means from adjacent properties.
 - iii. Security lighting shall be designed and installed to avoid glare upon adjoining properties.
 - iv. Prisoner transport shall be designed so loading and unloading of prisoners takes place within an enclosed building.

SECTION 15.04 SITE PLAN APPROVAL: For principal permitted uses and uses subject to a zoning exception permit, a site plan shall be submitted in accordance with Section 4.6.

SECTION 15.05 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS:
Area, height, bulk and placement requirements unless otherwise specified are as provided in Article XXIV, Schedule of Regulations.

INTRODUCTION February 18, 2008

SUMMARY PUBLISHED February 28, 2008

ADOPTION.....

COMPLETED PUBLICATION

EFFECTIVE DATE

On motion by Commissioner _____, supported by
Commissioner _____, this ordinance was _____
by a _____ vote.

R-1

R08-037

March 3, 2008

RE: ADMINISTRATION - MARVIN FARM LEASE

RESOLUTION

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

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

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

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Mayor is hereby authorized to enter into a Farm Lease Agreement with James Marvin to rent approximately 157 acres of tillable ground on the above mentioned parcel of real estate for Seventy-Five (\$75.00) Dollars per acre for a period ending December 30, 2008, and subject to other terms acceptable to the City Administrator.

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

FARM LEASE

This Lease Agreement entered into this ____ day of March 2008, between the undersigned Landlord and undersigned Tenant:

WITNESSETH:

The Landlord for and in consideration of the rents and covenants hereinafter mentioned to be paid and performed by the said Tenant, has demised, leased, and by these premises does demise, lease and let unto the said Tenant the following described land, to-wit:

One hundred fifty-seven (157) acres of land adjacent to Beecher Road in the City of Adrian. The exact area to be farmed shall be the land purchased by the Landlord on May 23, 2003, from members of the Marvin family.

1. The term of this lease shall be from the date of this agreement to the last day of December 2008.
2. As rent hereunder, the Tenant shall pay the sum of \$75.00 per acre for 157 acres, said rent to be paid as follows: \$11,775.00 when the crops are removed, but not later than January 30, 2009.
3. The Landlord shall pay all taxes on the real estate above described.
4. The Landlord shall give the Tenant quiet and peaceful possession of the above-described premises so long as Tenant performs the terms and conditions contained herein. Notwithstanding this covenant, the Tenant understands that the Landlord may endeavor to use the rented land for purposes other than farming during the term of this Lease. It is understood by the Tenant that the Landlord, or anyone authorized by the Landlord, may enter onto the rented land for inspections. If any damage occurs to any growing crops, the Landlord will reimburse the Tenant for any such loss. The Landlord is also authorized to terminate this Lease as to a portion or all of the rented land during the term of this Lease and in the event the Landlord chooses to do so, the Tenant will be reimbursed for any loss sustained.
5. The Tenant shall not remove any trees, bushes, other natural vegetation, or fencing and fence posts without the written consent of the Landlord.
6. The Tenant covenants and agrees that he shall not assign, transfer, or sublet said premises, or any part thereof, without the written consent of the Landlord.
7. The Tenant shall farm the crop land in an efficient and businesslike way, doing the plowing, seeding, cultivating, fertilizing, herbiciding and harvesting at the proper time and in the proper manner in accordance with the usual farming practices followed in this area.
8. The Tenant shall not commit waste on or damage to the premises and will use due care to prevent their employees, agents, or others entering on the premises with their permission from so doing.

9. The Tenant agrees to yield possession of the demised premises at the end of the term of this lease, however, if climatic conditions prevent the Tenant from removing their crops by the end of the term of this lease, they shall have a reasonable period of time after the term to do so.
10. The Tenant agrees to discontinue the practice of no-till farming and will plow under debris present after harvest.
11. The Tenant shall not plant any crops on the premises which could not normally be harvested prior to the end of the term of this lease.
12. If default is made in the payment of rent above referred to or any part thereof, or any of the agreements herein contained to be kept by the Tenant, it shall be lawful for the Landlord, without notice, to declare the term ended and to remove and put out the Tenant or any person or persons occupying the premises, using such force as may be deemed necessary in so doing. In the event of such a default, the Landlord shall have a lien on the growing crops and may, at his option, take over the farming operations and harvest and market the crops, the proceeds of which shall be applied first to the reasonable labor and expenses of the Landlord in growing and marketing said crops, with the then remaining balance to be applied to the unpaid rent due hereunder, and the remaining balance, if any, to be divided equally between the Landlord and the Tenant, after affording the Tenant a reasonable amount for his costs and labor in connection with the crops.
13. The Landlord does covenant that the Tenant, on paying the aforesaid installments of rent and performing all of the covenants aforesaid, shall and may peacefully and quietly have, hold, and enjoy the premises for the term aforesaid.
14. Tenant agrees to work with the Landlord to eliminate water-borne debris onto adjacent property.

This agreement shall be binding on the parties hereto, their respective heirs, representatives, successors and assigns.

IN WITNESS WHEREOF we make our hands and seals the date first above written.

IN THE PRESENCE OF:

LANDLORD:
City of Adrian:

By: _____
Gary E. McDowell
Its: Mayor

TENANT:

By: _____
James Marvin
7151 W. Beecher Rd.
Clayton, MI 49235



MEMO

Date: February 21, 2008

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

From: Heather Lasky, Human Resources Director *H. Lasky*

Re: Drug-Free Workplace Policy

The Wellness & Enrichment Committee, on February 21, 2008, took action to recommend a Drug-Free Workplace Policy. The purpose of the recommended policy is to maintain a safe, healthy and productive work environment for all of its employees and customers by prohibiting the possession or sale of alcohol, drugs or controlled substances on the job or worksite, which could otherwise adversely affect the work environment, job performance and safety of all employees and customers. It is also recognized that addiction/dependency is a treatable illness and provisions are made to assist employees with addiction/dependency to seek treatment, achieve recovery and return as productive members of its workforce; and

The recommended Drug-Free Workplace Policy specifically states that *Unauthorized possession and/or use of alcohol on the job and/or on City property may result in disciplinary action, up to and including immediate termination.* The recommended policy further specifies provisions for Supervisory Responsibilities and Training, Employee Education, Employee Assistance and Drug Testing, as well as appropriate Disciplinary Actions.

A copy of the proposed policy has also been distributed to all union representatives for their information and feedback.

I respectfully recommend adoption of the Drug-Free Workplace Policy. The attached resolution has been prepared for City Commission consideration at their March 3, 2008 meeting. If you have any questions or need for further information, please contact my office.

CITY OF ADRIAN
DRUG-FREE WORKPLACE POLICY

Proposed by

Wellness & Enrichment Committee

February 21, 2008

CITY OF ADRIAN

DRUG-FREE WORKPLACE POLICY

I. PURPOSE

The City of Adrian is committed to maintaining a safe, healthy and productive work environment for all of its employees and customers. The City recognizes that the abuse of alcohol, drugs or controlled substances can adversely affect the work environment, job performance and safety of all employees and customers. The City also recognizes that addiction/dependency is a treatable illness and strives to assist employees with addiction/dependency to seek treatment, achieve recovery and return as productive members of its workforce.

II. STATEMENT OF POLICY

Generally, the use, possession, distribution and sale of alcohol and other drugs (including prescription drugs without a valid prescription) at work or on City property are strictly prohibited.

Specifically,

- When there is reasonable belief that drugs or alcohol are present in a City-supplied locker, desk or any other City-provided property, a search may be conducted.
- All employees are subject to alcohol and drug testing as a result of involvement in a workplace accident or serious safety-related incident, being identified as unfit for work by a supervisor or other employer representative, a City-required physical examination, or a drug/alcohol-related condition of continued employment.
- Because the City recognizes alcohol and chemical dependencies as treatable illnesses, an employee who has an alcohol or chemical dependency and requests treatment will be given one opportunity to seek professional treatment, provided no grounds for termination exist. If a personal leave of absence is requested and granted, relevant policy guidelines will apply.
- Even though an employee may have an alcohol or chemical dependency, he or she is expected to comply with all City policies and performance standards.
- All employees of the City of Adrian must abide by the terms this policy and, furthermore, must notify their supervisor or Department Head of any criminal drug statute conviction no later than five (5) days after such conviction.

III. SUPERVISOR RESPONSIBILITIES AND TRAINING

In relation to a drug-free workplace program, supervisor's responsibilities include monitoring employees' performance, staying alert to and documenting performance problems, and enforcing policy. However, supervisors are not expected to diagnose alcohol- and drug-related problems or provide counseling to employees who may have them.

Because supervisors will be held responsible for recommending referrals for drug testing based on reasonable suspicion, they also must be trained on how to make that determination.

The Human Resources Department is responsible, through use of our Employee Assistance Program, for developing and conducting a supervisory training program encompassing the following components:

- The Drug-Free Workplace Policy;
- Ways to recognize and deal with employees who have performance problems that may be related to alcohol or other drugs;
- Identification of resources available for employee assistance.

IV. EMPLOYEE EDUCATION

The Human Resources Department is responsible, through use of our Employee Assistance Program, for developing and conducting a mandatory employee education program encompassing the following components:

- The Drug-Free Workplace Policy;
- Generalized information about the nature of alcohol and drug addiction, its impact on work performance, health and personal life;
- Types of help available for individuals with related problems.

The message communicated regarding a drug-free workplace should be consistent and on-going through a variety of means. Forums for employee education may include home mailings and/or with paycheck distribution, workplace displays, brown-bag lunches, guest speakers, seminars and sessions at new employee orientation.

V. EMPLOYEE ASSISTANCE

The City of Adrian's Employee Assistance Program (EAP) is available to City employees and is an effective vehicle for addressing poor workplace performance that may stem from an employee's personal problems, including the abuse of alcohol or other drugs. Referrals to the EAP can be voluntary or mandatory depending upon the unique

circumstances of a particular situation, however, in every case the interaction between the individual and EAP representative will be held in strictest confidence.

VI. DRUG TESTING

Drug testing will be under the purview of the Human Resources Department and will be in compliance with state and federal laws. All employees are subject to drug testing, which may be conducted on a random basis, or targeted at employees in safety sensitive positions (such as heavy equipment operator or positions requiring a Commercial Drivers' License), or upon reasonable suspicion or for cause, post-accident, periodically or post-rehabilitation.

VII. DISCIPLINARY ACTION

Employees violating this policy are subject to appropriate personnel/disciplinary action, up to and including termination and/ or prosecution, and/or other remedial measures as the individual circumstances warrant.

Unauthorized possession and/or use of alcohol on the job and/or on City property may result in disciplinary action, up to and including immediate termination.

Because the City recognizes alcohol and chemical dependencies as treatable illnesses, an employee who has an alcohol or chemical dependency and requests treatment will be given one opportunity to seek professional treatment, provided no grounds for termination exist.

VIII. POLICY ADMINISTRATION

Under the direction of the City Administrator, the Human Resources Director is charged with the administration of this policy.

WELLNESS COMMITTEE RECOMMENDATION

December 20, 2007

R-2

R08-038

March 3, 2008

RE: WELLNESS & ENRICHMENT COMMITTEE – Recommended Drug-Free Workplace Policy

RESOLUTION

WHEREAS, the Wellness & Enrichment Committee, on February 21, 2008, took action to recommend a Drug-Free Workplace Policy; and

WHEREAS, the purpose of the recommended policy is to maintain a safe, healthy and productive work environment for all of its employees and customers by prohibiting the possession or sale of alcohol, drugs or controlled substances on the job or worksite, which could otherwise adversely affect the work environment, job performance and safety of all employees and customers; and

WHEREAS, it is also recognized that addiction/dependency is a treatable illness and provisions are made to assist employees with addiction/dependency to seek treatment, achieve recovery and return as productive members of its workforce; and

WHEREAS, the recommended Drug-Free Workplace Policy specifically states that, *"Unauthorized possession and/or use of alcohol on the job and/or on City property may result in disciplinary action, up to and including immediate termination"*; and

WHEREAS, the recommended policy further specifies provisions for Supervisory Responsibilities and Training, Employee Education, Employee Assistance, and Drug Testing, as well as appropriate Disciplinary Actions; and

WHEREAS, the Wellness & Enrichment Committee, Human Resources Director, Risk Manager, and City Administrator recommend adoption of the Workplace Violence Policy.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the attached DRUG-FREE WORKPLACE POLICY and delegates the administration of such to the Human Resources Department.

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

R-3



MEMO

Date: February 25, 2008

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

From: Rick Knapp, Assessing Officer
Jeffrey C. Pardee, Finance Director

RE: PROPOSED POLICY for GRANTING POVERTY EXEMPTION

Section 211.7u of the General Property Tax Act of 1893 (as amended) provides for the granting of hardship exemptions, in whole or in part, on the principal residence of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute toward the public charges.

In accordance with the Act, The Adrian City Commission shall determine and make available to the public the policy and guidelines the Assessing Office uses for the granting of exemptions under this Act. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets.

The Board of Review shall follow the policy and guidelines as established by the City Commission for granting or denying an exemption under this policy, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant.

The City Assessor and Finance Director have prepared a proposed Policy for Granting Poverty Exemption, in accordance with the provisions of Section 211.7u of the General Property Tax Act of 1893 (as amended) and recommend adoption by the City Commission (copy attached).

The attached resolution has been prepared for City Commission consideration at their March 3, 2008 meeting. If you have any questions or need for further information, please contact my office.

CITY OF ADRIAN

POLICY
for
GRANTING POVERTY EXEMPTION

THE GENERAL PROPERTY TAX ACT
Act 206 of 1893 (as amended)

Prepared by

City Assessor and Finance Director

March 3, 2008

**CITY OF ADRIAN
POLICY
for
GRANTING POVERTY EXEMPTION**

I. PURPOSE

The purpose of this policy for granting a poverty exemption is to provide guidance to the City of Adrian's Board of Review in making determinations regarding applications under Section 211.7u of the General Property Tax Act of 1893 (as amended).

II. STATEMENT OF POLICY

In compliance with the Poverty Exemption provision of the General Property Tax Act (MCL 211.7u), the principal residence of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under that Act. This section does not apply to the property of a corporation.

III. DEFINITIONS

As used in this policy, "principle residence" means principal residence or qualified agricultural property as those terms are defined in Section 211.7dd, as follows:

- A. "Principal residence" means the one place where an owner of the property has his or her true, fixed, and permanent home to which, whenever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established. Principal residence includes only that portion of a dwelling or unit in a multiple-unit dwelling that is subject to ad valorem taxes and that is owned and occupied by an owner of the dwelling or unit. Principal residence also includes all of an owner's unoccupied property classified as residential that is adjoining or contiguous to the dwelling subject to ad valorem taxes and that is owned and occupied by the owner. Contiguity is not broken by a road, a right-of-way, or property purchased or taken under condemnation proceedings by a public utility for power transmission lines if the two parcels separated by the purchased or condemned property were a single parcel prior to the sale or condemnation. Principal residence also includes any portion of a dwelling or unit of an owner that is rented or leased to another person as a residence as long as that portion of the dwelling or unit that is rented or leased is less than 50% of the total square footage of living space in that dwelling or unit. Principal residence also includes a life care facility registered under the living care disclosure act, 1976 PA 440, MCL 554.801 to 554.844. Principal residence also includes property owned by a cooperative housing corporation and occupied by tenant stockholders.

- B. "Qualified agricultural property" means unoccupied property and related buildings classified as agricultural, or other unoccupied property and related buildings located on that property devoted primarily to agricultural use as defined in section 36101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.36101. Related buildings include a residence occupied by a person employed in or actively involved in the agricultural use and who has not claimed a principal residence exemption on other property. Property used for commercial storage, commercial processing, commercial distribution, commercial marketing, or commercial shipping operations or other commercial or industrial purposes is not qualified agricultural property. A parcel of property is devoted primarily to agricultural use only if more than 50% of the parcel's acreage is devoted to agricultural use. An owner shall not receive an exemption for that portion of the total state equalized valuation of the property that is used for a commercial or industrial purpose or that is a residence that is not a related building.

IV. ELIGIBILITY REQUIREMENTS AND CLAIM PROCEDURE

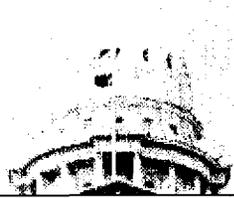
To be eligible for exemption, a person shall do all of the following on an annual basis:

- A. Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- B. File a claim with the Board of Review on a form provided by the City of Adrian Assessing Office, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediate preceding year or in the current year. The filing of a claim constitutes an appearance before the Board of Review for the purpose of preserving the claimant's right to appeal the decision of the Board of Review regarding the claim.
- C. Produce a valid driver's license or other form of identification, if requested by the Board of Review.
- D. Produce a deed, land contract, or other evidence of ownership of the property for which the exemption is requested, if required by the Board of Review.
- E. Meet the federal poverty guidelines updated annually in the Federal Register by the United States Department of Health and Human Services, under authority of Section 673 of Subtitle B of Title VI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, 42 U.S.C. 9902, or alternative guidelines adopted by the Adrian City Commission, provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.
- F. The application for exemption under this policy shall be filed after January 1 but before the day prior to the last day of the Board of Review.

- G. A person who files a claim under this policy is not prohibited from also appealing the assessment on the property for which that claim is made before the Board of Review in the same year.

V. POLICY FORMULATION AND ADMINISTRATIVE EXECUTION

- A. The Adrian City Commission shall determine and make available to the public the policy and guidelines the Assessing Office uses for the granting of exemptions under this policy. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets.
- B. The Board of Review shall follow the policy and guidelines as established by the City Commission for granting or denying an exemption under this policy, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant.



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MICHIGAN LEGISLATURE

94th Legislature Regular Session
 Michigan Compiled Laws Complete Through PA 6 of 2006
 House: Adjourned until Tuesday, February 26, 2008 1:30:00 PM
 Senate: Adjourned until Tuesday, February 26, 2008 10:00:00 AM

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Section 211.7u

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**THE GENERAL PROPERTY TAX ACT (EXCERPT)
 Act 206 of 1893**

211.7u Principal residence of persons in poverty; exemption from taxation; applicability of section to property of corporation; eligibility for exemption; application; policy and guidelines to be used by local assessing unit; duties of board of review; appeal of property assessment; "principal residence" defined.

Sec. 7u.

(1) The principal residence of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act. This section does not apply to the property of a corporation.

(2) To be eligible for exemption under this section, a person shall do all of the following on an annual basis:

(a) Be an owner of and occupy as a principal residence the property for which an exemption is requested.

(b) File a claim with the supervisor or board of review on a form provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. The filing of a claim under this subsection constitutes an appearance before the board of review for the purpose of preserving the claimant's right to appeal the decision of the board of review regarding the claim.

(c) Produce a valid driver's license or other form of identification

- Legislature
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if requested by the supervisor or board of review.

(d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

(e) Meet the federal poverty guidelines updated annually in the federal register by the United States department of health and human services under authority of section 673 of subtitle B of title VI of the omnibus budget reconciliation act of 1981, Public Law 97-35, 42 U.S.C. 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

(3) The application for an exemption under this section shall be filed after January 1 but before the day prior to the last day of the board of review.

(4) The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines the local assessing unit uses for the granting of exemptions under this section. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets.

(5) The board of review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant.

(6) A person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the board of review in the same year.

(7) As used in this section, "principal residence" means principal residence or qualified agricultural property as those terms are defined in section 7dd.

History: Add. 1980, Act 142, Imd. Eff. June 2, 1980 ;-- Am. 1993, Act 313, Eff. Mar. 15, 1994 ;-- Am. 1994, Act 390, Imd. Eff. Dec. 29, 1994 ;-- Am. 2002, Act 620, Imd. Eff. Dec. 23, 2002 ;-- Am. 2003, Act 140, Eff. Jan. 1, 2004

Popular Name: Act 206

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STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

ROBERT J. KLEINE
STATE TREASURER

DATE: October 25, 2007
TO: Assessors and Equalization Directors
FROM: State Tax Commission
SUBJECT: Poverty Exemptions

This is to notify all Assessor and Equalization Directors that the State Tax Commission intends to undertake a statewide review of poverty exemptions over the next year. Assessors are asked to review the policies adopted by their local units to ensure that they meet the requirements of MCL 211.7u. Assessors are reminded that local governing bodies are required to set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services (provided annually by the STC in the Bulletin on procedural changes). Also please note, that poverty exemption guidelines established by the governing body of the local assessing unit shall include an asset level test.

The Commission is asking all Assessors to remind their Boards of Review of the requirements for granting poverty exemptions. The Commission is asking assessors to inform the Commission if they believe their Board of Review is inappropriately granting poverty exemptions. Thank you for your cooperation.

2007-2008 INCOME ELIGIBILITY GUIDELINES
 Effective July 1, 2007 to June 30, 2008 (updated July 2007)

Household Size	Federal Poverty Guidelines		
	ANNUAL	MONTH	WEEK
48 CONTIGUOUS UNITED STATES, DISTRICT OF COLUMBIA, GUAM AND TERRITORIES			
1	10,210	851	196
2	13,690	1,141	263
3	17,170	1,431	330
4	20,650	1,721	397
5	24,130	2,011	464
6	27,610	2,301	531
7	31,090	2,591	598
8	34,570	2,881	665
For each add'l family member add	3,480	290	67

**CITY OF ADRIAN
LENAWEE COUNTY, MICHIGAN**

**GUIDELINES FOR APPLICANTS REQUESTING
CONSIDERATION FOR 2008 HARDSHIP EXEMPTION**

BY LAW, ALL BOARD OF REVIEW MEETINGS AND INFORMATION DISCUSSED ARE OPEN TO THE PUBLIC. EVIDENCE GIVEN TO THE BOARD OF REVIEW OR THE ASSESSOR IS SUBJECT TO THE FREEDOM OF INFORMATION ACT. REQUESTS FOR INFORMATION MAY BE RELEASED TO THE PUBLIC.

1. All applicants must obtain and fill out the attached application. It must be given to the local Assessor no later than:

5:00 PM Friday, March 16, 2008 for action by the March Board of Review *or*

5:00 PM Friday, July 13, 2008 for action by the July Board of Review *or*

5:00 PM Friday, December 07, 2008 for action by the December Board of Review

2. Applicants must own and occupy the homestead property for which the exemption is requested. The homestead percentage, as determined by General Property Tax Law 211.7dd, will determine the percentage of property that can be considered for exemption.

"Homestead" means that portion of a dwelling or unit in a multiple-unit dwelling that is subject to ad valorem taxes and is owned and occupied as a principal residence by an owner of the dwelling unit. Homestead also includes all of an owner's unoccupied property classified as residential that is adjoining or contiguous to the dwelling subject to ad valorem taxes and that is owned and occupied as a principal residence by the owner. A road or a right-of-way does not break contiguity. Homestead also includes any portion of a principal residence of an owner that is rented or leased to another person as a residence as long as that portion of the principal residence that is rented or leased is less than 50% of the total square footage of living space in that principal residence. Homestead also includes a life care facility registered under the living care disclosure act, Act No. 440 of the Public Acts of 1976, being sections 554.801 to 554.844 of the Michigan Compiled Laws. Homestead also includes property owned by a cooperative housing corporation and occupied as a principal residence by tenant stockholders.

"Qualified agricultural property" means unoccupied property and related buildings classified as agricultural, or other unoccupied property and related buildings located on that property devoted primarily to agricultural use as defined in section 2 of the Farmland and Open Space Preservation Act, Act No. 116 of the Public Acts of 1974, being section 554.702 of the Michigan Compiled Laws. Related buildings include a residence occupied by a person employed in or actively involved in the agricultural use and who has not claimed a homestead exemption on other property. Property used for commercial storage, commercial processing, operations or other commercial or industrial purposes is not qualified agricultural property. A parcel of property is devoted primarily to agricultural use only if more than 50% of the parcel's acreage is devoted to agricultural use. An owner shall not receive an exemption for that portion of the total state equalized valuation of the property that is used for a commercial or industrial purpose or that is a residence that is not a related building.

3. Applicants cannot be considered for exemption if their total household gross income is 120% of the federal guidelines.

Family Size	Annual Household Income	Monthly Household Income
A family of one (1) shall make no more than	10,210	851
family of two (2) shall make no more than	13,690	1,141
A family of three (3) shall make no more than	17,170	1,431
A family of four (4) shall make no more than	20,650	1,721
A family of five (5) shall make no more than	24,130	2,011
A family of six (6) shall make no more than	27,610	2,301
A family of seven (7) shall make no more than	31,090	2,591
A family of eight (8) shall make no more than	34,570	2,881
For each additional person add	3,480	290

4. Cash assets for the total household may not exceed an amount equal to one month's gross household income (see above table).
5. Non-cash assets (See II Assets, Section A-E) for the total household may not exceed 120% of the federal guidelines. The following assets are excluded from this limit:

- Applicant's homestead property
- Applicant's household personal property
- One vehicle used for personal transportation and titled to a member of the household
- Applicant's interest in Indian trusts lands
- Assets not accessible by the applicant, co-owner or any member of the applicant's household.

1. All applicants, if approved by the Board of Review, will pay taxes equal to 3.5% of their total household gross income. Applicants over 65, paraplegic, quadriplegic, hemiplegic, or totally and permanently disabled as defined under Social Security Guidelines 42 USC 416, will pay taxes equal to the following percentages:

Total household gross income less than \$6,000	0%
Total household gross income \$6,001 to \$7,000	1.0%
Total household gross income \$7,001 to \$8,000	2.0%
Total household gross income \$8,001 to \$9,000	3.0%
Total household gross income greater than \$9,000	3.5%

2. The Board of Review will consider all revenue and non-revenue producing assets of the owner, co-owner, and all members of the household. Any attempt to hide and/or shift income and/or assets to another person, business or corporation shall be grounds for immediate denial.

3. The Board of Review will consider the effect of all Michigan Income Tax Credits the applicant receives or can receive. Credits include Homestead Property Tax Credits, Senior Citizen Prescription Drug Credits and Home Heating Credits.
4. Applications must be filed every year. If granted, exemptions are in effect for one year only.
5. Applicants must produce a driver's license or other acceptable identification if asked by the Board of Review. Applicants must also produce a deed, land contract or other proof of property ownership if asked by the Board of Review.
6. The Board of Review will review applications. The Board may ask applicants or their authorized agents to be physically present to answer questions.
7. Applicants or their authorized agents may have to answer questions regarding such subjects as financial affairs, health and/or the status of people living in their home at a meeting that is open to the public.
8. All applications will be evaluated based on data and statements given to the Board by the applicant. The Board can also use information gathered from any other source.
9. The Board of Review shall follow the policy and guidelines established by the City Commission of the City of Adrian in granting or denying an exemption.
10. The Board of Review may deviate from the guidelines if it determines there are substantial and compelling reasons. Compelling reasons includes, but is not limited to, excessive medical expenses or excessive expenses necessary for the care of elderly or handicapped persons. Reasons will be communicated, in writing, to the applicant.
11. Applicants may be subject to investigation of their entire financial and property records by the City. This would be done to verify information given or statements made to the Board of Review or Assessor in regard to their poverty tax claim.
12. Household income limits are updated each year, using the poverty thresholds established by the *U.S. Office of Management and Budget*.
13. Applicants will be sent a written notice of the Board's final decision. An applicant may appeal the Board's decision to the Michigan Tax Tribunal. An assessor may also appeal the Board's decision. Appeals must be filed with the Tribunal by the following dates:

June 10, 2008 for decision made by March Board of Review

August 14, 2008 for decision made by July Board of Review

January 08, 2009 for decision made by December Board of Review

**BOARD OF REVIEW
DECLARATION OF HARDSHIP AND
REQUEST FOR TAX RELIEF APPLICATION**

Property ID Number: _____ Current SEV: _____

Property Address: _____

APPLICANT INFORMATION

IMPORTANT: It is necessary that you fill out this petition as carefully as you can. All questions must be answered. Please have supporting information such as contracts, mortgage receipts, tax receipts, bank books, etc. available. An investigator may call at your home to examine your records. **NOTE:** Any person making a false petition for the purpose of exemption from taxation shall be guilty of the crime of perjury, and shall be punished accordingly.

I (We) hereby appeal to the Board of Review for a reduction of taxable valuation because of inability to contribute fully toward the public charges by reason of Hardship.

Name of Owner and Co-Owners: _____

Street Address: _____

City, State, Zip: _____ Phone Number: _____

Did you or a co-owner apply for a Michigan Homestead Property Tax Credit? Yes ___ no ___

If YES, did you receive a refund or tax credit? ___ refund ___ credit How Much \$ _____

If NO, why not: _____

OWNERS:

Social Security # _____

Age as of Dec 31st: _____

Are you blind ___ YES ___ NO

Are you paraplegic, hemiplegic or quadriplegic? ___ YES ___ NO

Are you totally and permanently disabled as defined under Social Security Guidelines 42 USC 416?
___ YES ___ NO

Are you a Veteran with service connected disability? ___ YES ___ NO

If YES, what % disability _____%

Are you a surviving spouse of a Veteran with a service connected disability? ___ YES ___ NO

If YES, what % disability? _____%

Are you a surviving spouse of a veteran deceased in service? ___ YES ___ NO

Are you a veteran of wars before WWI, pensioned veteran, their surviving spouses, or active military?

YES NO

Are you a surviving spouse of a non-disabled or non-pensioned veteran of the Korean War, WWII, or WWI?

YES NO

CO-OWNERS:

Social Security # _____

Age as of December 31st: _____

Are you blind? YES NO

Are you paraplegic, hemiplegic or quadriplegic? YES NO

Are you totally and permanently disabled as defined under Social Security Guidelines 42 USC 416?

YES NO

Are you a Veteran with service connected disability ? YES NO

If YES, what % disability? _____%

Are you a surviving spouse of a Veteran with a service connected disability? YES NO

If YES, what % disability? _____%

Are you a surviving spouse of a veteran deceased in service? YES NO

Are you a veteran of wars before WWI, pensioned veteran, their surviving spouses, or active military?

YES NO

Are you a surviving spouse of a non-disabled or non-pensioned veteran of the Korean War, WWII, or WWI?

YES NO

Has an *Affidavit for Homestead Exemption From Some School Taxes* been filed for this property?

YES NO If YES, what percent (%) exemption was granted _____%

SUBSTANTIAL & COMPELLING REASONS

In the spaces below list any substantial and compelling reasons you feel the Board should consider during the evaluation of this petition.

GENERAL INFORMATION

Check one: ___ Married ___ Single ___ Divorced ___ Widow ___ Widower ___ Separated

How long have you been a resident of the City of Adrian? _____ years

What year did you purchase this property? _____

Purchase Price? \$ _____ Down Payment \$ _____ Interest Rate _____ %

Total unpaid balance of mortgage as of December 31 of last year \$ _____

Mortgage or Contract Holder: _____

Taxes: Delinquent years _____ Delinquent Amount \$ _____

List all persons living in the household (including yourself):

<i>Last Name</i>	<i>First Name</i>	<i>Age</i>	<i>Relationship</i>	<i>Employment</i>

INCOME & ASSETS

SECTION A: Schedule of Family Income

DO NOT INCLUDE THE FOLLOWING:

Money received from the sale of property such as stocks, bonds, a house, or a car unless a person is in the business of selling such property.

- Withdrawals of bank deposits and borrowed money.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefit programs such as Medicare, Medicaid, food stamps, school lunches.

INCLUDE INCOME OF ALL PERSONS RESIDING IN THE HOME

Salaries, wages, tips & other employee compensation (include strike, sick and sub pay)	\$
2. Cash in Hand (including balances in checking and savings accounts)	
3. All dividends and interest (including U.S. state and municipal bond interest)	
4. Net rent, royalty, business, gambling or lottery income	
5. Annuity and pension benefits: Name of payer _____	
6. Net farm income	
7. All Capital gains less capital losses	
8. Alimony and other taxable income: Describe _____	
9. Other adjusted income	
10. Social Security, supplemental income (SSI) or railroad retirement Benefits	
11. Unemployment compensation & trade readjustment allowance (TRA) Benefits	
12. Child Support, Military Family Allotments	
College or university scholarships, grants, fellowships and assistant fellowships	
14. Other non-taxable income: Describe _____	
15. Worker's compensation, veteran's disability compensation & Pension benefits	
16. ADC, GA or Emergency Assistance benefits	
All other public assistance payments (home heating credit, Michigan property tax credit, etc.) Describe _____	
18. Income from real estate	
19. SUBTOTAL: (add lines 1 through 18)	\$
Insurance premiums you paid for medical care for yourself and family	
21. TOTAL HOUSEHOLD INCOME: (subtract line 20 from line 19)	\$

II. ASSETS

SECTION A: Investments

On spaces below, list all cash, stocks, bonds, mortgages, land contracts, annuities, US Savings Bonds or any other investments you, the co-owner or any member of your household has.

<i>Description of Investment</i>	<i>Present Value</i>	<i>Income Earned Last Year</i>

SECTION A, SUBTOTAL:

\$ _____

SECTION B: Real Estate

In the spaces below, list all property owned in full or in part by you, the co-owner or any member of your household (houses, land, cottages, garages, stores, etc.) Do not list the property this application is being applied for.

<i>Address of Property</i>	<i>Owner</i>	<i>Market Value</i>	<i>Taxes</i>	<i>Income</i>

SECTION B, SUBTOTAL:

\$ _____

SECTION C: Life Insurance Policies

In the spaces below, list all the insurance policies held by you, the co-owner, or any member of the household.

<i>Insured</i>	<i>Amount of Policy</i>	<i>Amount Paid Monthly</i>	<i>Cash Value of Policy</i>	<i>Name of Beneficiary</i>	<i>Relationship to Insured</i>
	\$	\$	\$		

SECTION C, SUBTOTAL:

\$ _____

SECTION D: Motor Vehicles

In the spaces below, list all automobiles, motorcycles, trucks, off-the-road vehicles, etc. owned by you, the co-owner or any member of the household.

<i>Make & Model</i>	<i>Year</i>	<i>License Number</i>	<i>Monthly Payment</i>	<i>Balance Owed</i>
			\$	\$

SECTION D, SUBTOTAL

\$ _____

SECTION E: All Other Assets

In the spaces below, list all other assets and their values that are owned or controlled by you, the co-owner or any member of the household. (For example, boats, coin collections, antiques, jewelry, silver, etc.)

<i>Type of Asset</i>	<i>Value</i>	<i>Owner</i>
	\$	

SECTION E, SUBTOTAL:

\$ _____

TOTAL ASSETS: Sections A - E

\$ _____

EXPENSES

SECTION A: Debts

In the spaces below, list all outstanding debts that you, the co-owner, or any member of the household may have. Include mortgages, home improvement loans, chattel mortgages, finance company loans, personal loans, credit cards, automobile loans, etc. Do not include the mortgage payments for the property being applied for.

<i>Creditor</i>	<i>Purpose of Debt</i>	<i>Date of Debt</i>	<i>Original Balance</i>	<i>Monthly Payment</i>	<i>Balance Owed</i>
			\$	\$	\$

SECTION A, TOTAL DEBTS:

\$ _____

SECTION B: Subsistence Costs

In the spaces below, list the actual monthly household costs where available and estimate the others as closely as possible. You may be asked to verify your estimates with copies of bills and receipts.

<i>TYPE</i>	<i>Credits</i>	<i>Expenses</i>
1. Land Contract or Mortgage payment for homestead only Does this include an escrow amount for tax purposes ___ YES ___ NO		\$
Gas or Fuel Oil Did you receive a State of Michigan Home Heating Credit ___ YES ___ NO If YES list amount in "Credits" column	\$	
3. Electricity		
4. Water, Sewer, Garbage		
5. Food (exclude liquor, cigarettes, pet food, pop, etc.)		
Doctors & Medicine Do you have medical insurance? ___ YES ___ NO. If YES, who _____ Please be ready to provide a copy of your policy if so requested. Did you receive a State of Michigan Senior Citizen Prescription Drug Claim Credit? ___ YES ___ NO If YES list amount in "Credits" column	\$	
7. Homeowner's Insurance		
8. TOTAL SUBSISTENCE HOUSEHOLD EXPENSES		\$
TOTAL HOUSEHOLD CREDITS (Home heating & Senior Citizen Prescription Credit)	\$	
NET TOTAL SUBSISTENCE HOUSEHOLD EXPENSES (LINE 8 MINUS LINE 9)		\$

ADDITIONAL INFORMATION

With this petition you will need to submit last year's copies of the following applicable documents for yourself, the co-owner, and every member of the household.

- 1. Federal, State and City Income Tax Returns – 1040 or 1040A and any schedules
- 2. All W-2 and 1099 forms
- 3. Michigan Homestead Property Tax Credit Claim MI-1040CR
- 4. Michigan Home Heating Credit
- 5. Social Security Benefit Statement Form SSA-1099
- 6. DSS Year End Total Payments Report
- 7. Statement from Friend of the Court
- 8. State Income Tax Return
- 9. City Income Tax Return

NOTE: DO NOT SIGN THIS PETITION UNTIL WITNESSED BY THE ASSESSOR, BOARD OF REVIEW MEMBER, OR NOTARY.

I (We), _____, being duly sworn, depose and state under the penalties for perjury, that the information contained in this petition and my (our) financial condition as above stated is true and correct and to the best of my (our) knowledge and belief.

I (We), the Co-Owner, or any member of the household has no money, income or property other than herein mentioned. I (We) hereby grant permission to review income tax files in order to process this petition.

I (We) authorize the Board of Review, City of Adrian to obtain and utilize whatever documentation and/or information necessary.

Applicant

Applicant

Subscribed and sworn this _____ day of _____.

Witness for Board of Review

_____ Print name and title

AR: 2008

FOR BOARD OF REVIEW USE ONLY
POVERTY EXEMPTION CALCULATION

PARCEL ID NUMBER: _____ TAXABLE VALUE \$ _____

HOMESTEAD % _____

- _____ Under 65, no disabilities, not a veteran
- _____ Over 65, paraplegic, quadriplegic or hemiplegic (as defined under Social Security Guidelines 42 USC 416) with income *greater than \$9,000*
- _____ Over 65, paraplegic, quadriplegic or hemiplegic (as defined under Social Security Guidelines 42 USC 416) with income *less than \$9,000*
- _____ Blind, veteran with service-connected disability or veteran's surviving spouse, surviving spouse of veteran deceased in service, veteran of wars before WWI, pensioned veteran, their surviving spouse, or active military, or surviving spouse of non-disabled or non-pensioned veteran of the Korean War, WWI or WWII

PETITIONER: _____

ADDRESS OF PROPERTY: _____

- 14. Current property tax due (taxable value x millage, including 1%
Administrative fee) Taxable Value _____ x Millage _____ \$ _____
- 2. Gross Income from all sources \$ _____
- 3. EXTENUATING CIRCUMSTANCES \$ _____
- 4. Income subject to pay tax liability (subtract line 5 from line 4) \$ _____
- 5. Allowable tax amount (line 1 x appropriate tax liability %) \$ _____
- 6. Amount that needs to be adjusted \$ _____
(line 1 minus line 5; if less than zero, enter none)
- 7. Taxable value reduction (line 6 divided by millage rate) \$ _____
- 8. **NEW TAXABLE VALUE** (TV line 1 minus line 7) \$ _____

FOR BOARD OF REVIEW USE ONLY

POVERTY EXEMPTION CALCULATION

PROPERTY TAX CREDIT CALCULATION SHEET

Under 65, no disabilities, not a veteran

- 1. Total Gross Household Income \$ _____
- 2. Taxable Value of Homestead Property \$ _____
- 3. Estimate of Taxes \$ _____
(taxable value x current homestead millage rate, including 1% administrative fee)
- 4. Petitioner's Tax Responsibility \$ _____
(3.5% of total household income)
- 5. State Homestead property Tax Credit \$ _____
(line 3 minus line 4; maximum \$1,200)

Over 65, paraplegic, quadriplegic or hemiplegic (as defined under Social Security Guidelines 42 USC 416) with income *greater than \$9,000.*

- 1. Total Gross Household Income \$ _____
- 2. Taxable Value of Homestead Property \$ _____
- 3. Estimate of Taxes \$ _____
(taxable value x current homestead millage rate, including 1% administrative fee)
- 4. Petitioner's Tax Responsibility (3.5% of Total Household Income) \$ _____
- 5. State Homestead Property Tax Credit \$ _____
(line 3 minus line 4; maximum \$1,200)

FOR BOARD OF REVIEW USE ONLY

POVERTY EXEMPTION CALCULATION

PROPERTY TAX CREDIT CALCULATION SHEET

Over 65, paraplegic quadriplegic or hemiplegic (as defined under Social Security Guidelines 42 USC 416) with income *less than \$6,000*

1. Total Gross Household Income \$ _____
2. Taxable Value of Homestead Property \$ _____
3. Estimate of Taxes \$ _____
(taxable value x current homestead millage rate, including 1% administrative fee
Taxable Value _____ x Millage rate _____)
4. Petitioner's Tax Responsibility \$ _____
3.0% x total household income if total income \$8,001 - \$9,000
2.0% x total household income if total income \$7,001 - \$8,000
1.0% x total household income if total income \$6,001 - \$7,000
0% x total household income if total income \$6,000 or less
5. State Homestead Property Tax Credit (line 3 minus line 4; maximum \$1,200) \$ _____

Blind, veteran with service-connected disability or veteran's surviving spouse, surviving spouse of veteran deceased in service, veteran of wars before WWI, pensioned veteran, their surviving spouse, or active military, or surviving spouse of non-disabled or non-pensioned veteran of the Korean War, WWI or WWII

1. Total Gross Household Income \$ _____
2. Taxable Value of Homestead Property \$ _____
3. Percent of tax relief _____
(% tax relief for the SEV of your home from Current Tax Table Form MI 1040 CR2)
4. Estimate of taxes \$ _____
(taxable value x current homestead millage rate, including 1% administrative fee)
5. Petitioner's Tax Responsibility (line 3 x line 4) \$ _____
6. State Homestead Property Tax Credit \$ _____
(line 3 minus line 4; maximum \$1,200)

RE: CITY OF ADRIAN ASSESSING OFFICE -- Policy for Granting Poverty Exemption

RESOLUTION

WHEREAS, Section 211.7u of the General Property Tax Act of 1893 (as amended) provides for the granting of hardship exemptions, in whole or in part, on the principal residence of persons who in the judgment of the Board of Review, by reason of poverty, are unable to contribute toward the public charges; and

WHEREAS, in accordance with the Act, the Adrian City Commission shall determine and make available to the public the policy and guidelines the Assessing Office uses for granting of exemptions under this Act; and

WHEREAS, the guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and total household income and assets; and

WHEREAS, the Board of Review shall follow the policy and guidelines as established by the City Commission for granting or denying an exemption under this policy, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant; and

WHEREAS, the City Assessor and Finance Director have prepared a proposed Policy for Granting Poverty Exemption, in accordance with the provisions of Section 211.7u of the General Property Tax Act of 1893 (as amended); and

WHEREAS, the City Administrator recommends adoption of the proposed Policy for Granting Poverty Exemption.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the attached Policy for Granting Poverty Exemption and delegates the administration of such to the City of Adrian Board of Review.

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

R-4



downtown  adrian

MEMORANDUM

TO: MR. DANE C. NELSON, CITY ADMINISTRATOR
CC: MR. JAMES TISCHLER, COMMUNITY DEVELOPMENT DIRECTOR
FROM: KYLE D. HOFFMAN, DOWNTOWN DEVELOPMENT DIRECTOR
SUBJECT: VSCI GRANT – REQUEST FOR GRANT FUNDS – AUTHORIZING RESOLUTION
DATE: TUESDAY, FEBRUARY 26, 2008

Per the requirements of the Michigan State Housing Development Authority's Vibrant Small Cities Initiative Request for Grant Funds (RFG) process, the legislative body of the grantee (City Commission) is required to approve an additional resolution of authorization (a previous resolution was approved for the application process in November of 2007) providing indication of their full support of the application and understanding of the expenditure stipulations relative to the five identified program/project areas as included in the City's Notice of Interest, Application and finally Request for Grant Funds.

The resolution identifies the following five program areas and relative expenses:

Program Area	Project Identification	VSCI Funds Requested
1. Public Infrastructure	Two-Way Traffic Circulation	\$500,000
2. Façade Improvement	DT Façade Improvement Projects	\$200,000
3. DT Wireless Networks	DT Wireless Network	\$ 35,000
4. Blight Reduction	DT Blight Reduction	\$150,000
5. Rental Rehabilitation	DT Upper Level New Unit Creation	\$ 95,000
• Administration	Program Administration	\$ 20,000 (\$4K per program area)

The required City match includes significant contributions towards the two-way traffic project, blight reduction and program administration. Additional local matches are expected to be generated through private funds utilized in the completion of eligible façade and upper level rental rehabilitation projects.

Applicants interested in leveraging façade and/or rental rehabilitation funds will be required to adhere to specific program guidelines including job creation for façade improvement funds (i.e. \$20,000 of CDBG funds for every 1 new FTE).

As has been noted previously, the City has benefited from the State's release of requiring job creation for the public infrastructure program area. This project will now be qualified as an area wide benefit. As a result, the City *WILL NOT* be required to produce evidence of new job creation as a direct result of this project.

In addition to completion and submission of the necessary RFG documents, City staff is also in the process of completing the required Environmental Review. The Environmental Review process is required prior to the expenditure of any Community Development Block Grant (CDBG) funds and represents a process that will evaluate the impact or lack thereof on historic resources as well as natural features within the project area.

I would respectfully request that the City Commission approve the attached resolution which will be included with the City's submission of the Request for Grant Funds documents.

Should you have any questions or desire any additional information, please don't hesitate to contact me.

**RE: CITY OF ADRIAN VIBRANT SMALL CITIES INITIATIVE GRANT
AUTHORIZING RESOLUTION**

RESOLUTION

WHEREAS, the City of Adrian intends to utilize one million dollars (\$1,000,000) in Michigan State Housing Development Authority CATeam Community Development Block Grant funds in conjunction with one million dollars (\$1,000,000) in local match dollars to be provided from public and private sources, including but not necessarily limited to, the City's DDA funds, City General funds, City Major/Local Street funds; and

WHEREAS, the Vibrant Small Cities Initiative one million dollar grant will be utilized to support priority projects within the City's downtown development district as was defined in the city's Notice of Interest and Application to the Michigan State Housing Development Authority; and

WHEREAS, the City of Adrian has identified five program areas of which to target, including: public infrastructure, facade improvements, downtown wireless networks, blight reduction and rental rehabilitation; and

WHEREAS, the City of Adrian intends to utilize \$500,000 of Vibrant Small Cities Funds for project number one of five as requested in the City's RFG submission, the proposed two-way traffic circulation public infrastructure projects; and

WHEREAS, the City of Adrian intends to utilize \$200,000 of Vibrant Small Cities Funds for project number two of five as requested in the City's RFG submission, downtown facade improvement projects, requiring a minimum fifty percent private match and adherence with the job creation national objective; and

WHEREAS, the City of Adrian intends to utilize \$35,000 of Vibrant Small Cities Funds for project number three of five as requested in the City's RFG submission, downtown wireless network; and

WHEREAS, the City of Adrian intends to utilize \$150,000 of Vibrant Small Cities Funds for project four of five as requested in the City's RFG submission, downtown blight reduction; and

WHEREAS, the City of Adrian intends to utilize \$95,000 of Vibrant Small Cities Funds for project five of five as requested in the City's RFG submission, downtown rental rehabilitation projects requiring a minimum fifty percent private match and adherence with the rental limits as required by HUD; and

WHEREAS, the City of Adrian intends to utilize \$20,000 of Vibrant Small Cities Funds for administrative costs associated with the implementation of the five program areas previously identified; and

WHEREAS, the City of Adrian has prepared the Notice of Interest, Application and Request for Grant Funds for the Vibrant Small Cities Initiative grant in a fashion consistent with the City's Comprehensive Plan and Blueprint for Downtown

Revitalization, and the Commission adopted strategic plans for the enhancement of the downtown; and

WHEREAS, the City of Adrian's Notice of Interest included projects placed in the priority of importance as identified in the city's Community Development Plans; and

WHEREAS, at least fifty-one percent (51%) of the beneficiaries of the proposed projects would be low and moderate income persons or will result in the removal of downtown blight; and

WHEREAS, no project costs (CDBG or non-CDBG) will be incurred prior to a formal grant award, completion of the environmental review process and written authorization to incur costs is received from the MSHDA Community Assistance Team; and

WHEREAS, the City of Adrian understands that all required matching funds must be placed in an escrow account by 8:00 AM on Monday, March 17, 2008; and

WHEREAS, Dane C. Nelson, City Administrator, is hereby authorized to submit the Michigan CDBG Vibrant Small Cities Initiative Request for Grant Funds (RFG) and associated documents on behalf of the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED that the City of Adrian, by resolution, hereby provides its assurance that it will work in accordance with the stipulations as determined by the Michigan State Housing Development Authority (MSHDA) and its Community Assistance Team (CA Team) in relation to the one-million (\$1,000,000) Vibrant Small Cities Initiative grant award for which the City has received.

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



downtown adrian

MEMORANDUM

TO: MR. DANE C. NELSON, CITY ADMINISTRATOR
CC: MR. JAMES TISCHLER, COMMUNITY DEVELOPMENT DIRECTOR
FROM: KYLE D. HOFFMAN, DOWNTOWN DEVELOPMENT DIRECTOR
SUBJECT: VSCI GRANT – REQUEST FOR GRANT FUNDS – ENVIRONMENTAL REVIEW
DATE: WEDNESDAY, FEBRUARY 27, 2008

As the VSCI grant is a federally funded, Community Development Block Grant (CDBG) program, the City is required to complete an environmental review process prior to the release of any funds by the Michigan State Housing Development Authority. The environmental review process involves the submission of a variety of documents to the Michigan State Historic Preservation Office as well as the Michigan Department of Environmental Quality to ensure that the proposed projects will not have an adverse impact on any natural or historic resource(s).

Step 1 of the environmental review process requires that the City designate a certifying officer for submission of the environmental review documents. As the City Administrator has been designated as the certifying officer for submission of other grant documents related to the VSCI program, it is my recommendation that the City Administrator be designated as the certifying officer for this process as well.

I would respectfully request that the Adrian City Commission approve the attached resolution designating the City Administrator as the official certifying officer as it relates to completion of the environmental review for the VSCI grant award.

Should you have any questions, please don't hesitate to contact the Community Development Director.

**RE: CITY OF ADRIAN VIBRANT SMALL CITIES INITIATIVE GRANT
ENVIRONMENTAL REVIEW DESIGNATION OF A CERTIFYING OFFICER**

RESOLUTION

WHEREAS, the City of Adrian intends to utilize one million dollars (\$1,000,000) in Michigan State Housing Development Authority CATEam Community Development Block Grant funds in conjunction with one million dollars (\$1,000,000) in local match dollars to be provided from public and private sources, including but not necessarily limited to, the city's DDA Funds, General Fund and Major/Local Street Funds; and

WHEREAS, the Vibrant Small Cities Initiative one million dollar grant will be utilized to support priority projects within the city's Downtown Development District as was defined in the City's Notice of Interest and Application to the Michigan State Housing Development Authority; and

WHEREAS, the City of Adrian has identified five program areas of which to target, including: public infrastructure, facade improvement, downtown wireless networks, blight reduction and rental rehabilitation; and

WHEREAS, the VSCI program is a federally funded program utilizing Community Development Block Grant (CDBG) funds; and

WHEREAS, prior to the expenditure of any federal CDBG funds, the City of Adrian must complete an environmental review process; and

WHEREAS, the environmental review process requires that the City formally designate a certifying officer for the purposes of completing and submitting the environmental review; and

WHEREAS, Dane C. Nelson, the City Administrator has previously been authorized to submit the Michigan CDBG Vibrant Small Cities Initiative Request for Grant Funds (RFG) and associated documents on behalf of the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED that Dane C. Nelson, City Administrator, is hereby designated as the City of Adrian's certifying officer for the purpose of completing and submitting the necessary environmental review documents to the appropriate agencies and ensuring that the appropriate public notices are made.

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