

# PRE-MEETING AGENDA

ADRIAN CITY COMMISSION  
AGENDA  
PRE-MEETING STUDY SESSION  
TUESDAY  
SEPTEMBER 8, 2009

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There will be no pre-meeting study session on September 8, 2009.

# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
TUESDAY  
SEPTEMBER 8, 2009  
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF MINUTES OF THE AUGUST 17, 2009 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS
  - 1. C-1. State Revenue Sharing Update
- VI. PUBLIC COMMENTS
- VII. REGULAR AGENDA
  - A. SPECIAL ORDERS
    - 1. SO-1. Public Hearing to hear and consider comments to the approval of a Brownfield Plan for Site #7, 1377 S. Main Street (new First Federal Bank).
    - 2. SO-2. Public Hearing to hear and consider comments to the approval of an application for an Industrial Facilities Exemption Certificate for Inteva Automotive Systems, LLC, District #29, for a period of twelve years.
  - B. RESOLUTIONS
    - 1. R09-147. Resolution to approve a Brownfield Plan for Site #7, 1377 S. Main St. (new First Federal Bank).
    - 2. R09-148. Resolution to approve an Industrial Facilities Exemption Certificate for Inteva Automotive Systems, LLC, District #29, for a period of twelve years.
    - 3. R09-149. Resolution authorizing the City Administrator to restructure payment terms for Lark-Waters Development, LLC, 1136-1140 Country Club Road, for water (SAD#98) and sewer (SAD #209) special assessments for a period of six months, with one renewable term of six months.

4. R09-150. Resolution to approve partial forgiveness of the LDFA Fund Long-Term Advance to eliminate a Community Development Fund deficit.
5. R09-151. Resolution to approve an agreement with MDOT to provide funding for the purchase of a Dial-A-Ride bus and authorizing the Mayor and City Clerk to execute said document.
6. R09-152. Resolution to approve a change in the streetlighting contract with Consumers Energy Company by adding two parking lot lights at Heritage Park.
7. R09-153. Resolution to approve Forestry Services Agreement with Consumers Energy Company.
8. R09-154. Resolution to approve a revised contract amount to Campbell-Doroucher's contract for construction services relative to the facade enhancements in downtown Adrian.
9. R09-155. Resolution to award bid for asphalt crack fill on portions of Broad, Winter and Maumee Streets.
10. R09-156. Resolution requesting ARRA recovery bond allocation.

V I I I. PUBLIC COMMENTS

I X. COMMISSION COMMENTS

# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
AUGUST 17, 2009  
7:00 P.M.**

Official proceedings of the August 17, 2009 regular meeting of the City Commission, Adrian, Michigan.

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

PRESENT: Mayor McDowell, Commissioners Osborne, Miller, Steele, Clegg and DuMars

Mayor McDowell in the Chair.

Commissioner DuMars moved to approve the minutes of the August 3, 2009 regular meeting of the Adrian City Commission, seconded by Commissioner Clegg, motion carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #3095 through #3102	\$ 75,584.86
General Fund Vouchers #19277, #19393 through #19420	\$316,773.65
Clearing Account Vouchers amounting to	<u>\$400,817.74</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$793,176.25</b></u>

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

**COMMUNICATION**

1. Finance Director's report on the City of Adrian being awarded the Certificate of Achievement Award for Excellence in Financial Reporting for the twenty-second year.

**CONSENT AGENDA**

**RESOLUTION CR09-046**

**RE: CITY COMMISSION – Change in Meeting Date Due to Labor Day Holiday**

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

WHEREAS, the regular meeting scheduled for Monday, September 7, 2009, occurs on the Labor Day holiday.

NOW, THEREFORE BE IT RESOLVED that said regular meeting will be held on Tuesday, September 8, 2009 at 7:00 p.m. in the Commission Chambers on the 2<sup>nd</sup> floor of Adrian City Hall.

**RESOLUTION CR09-047**

**RE: INTEVA AUTOMOTIVE SYSTEMS, LLC - ACT 198 INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE APPLICATION ESTABLISHMENT OF PUBLIC HEARING**

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 request certificates; and

WHEREAS, the City of Adrian has received an Industrial Facilities Exemption Certificate request from Inteva Products for an investment of personal property within Adrian Industrial Development District #1; and

WHEREAS, Act 198 requires notification of the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on property within said Adrian Industrial Development District #1, and provision of an opportunity to be heard on this matter prior to consideration of action of the Industrial Facilities Exemption Certificate request.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby acknowledges receipt of said Industrial Facilities Exemption Certificate from Inteva Products, authorizes the scheduling of a public hearing for Tuesday, September 8, 2009, at 7:00 p.m. in the Commission Chambers at Adrian City Hall. 100 E. Church St., 2<sup>nd</sup> Floor, Adrian, MI, to receive comments on this matter, and directs the City Clerk to provide notice to the appropriate taxing units and the public as required by Act 198.

**RESOLUTION CR09-048**

**RE: Reappointments to Stubnitz Environmental Education Center Partnership Advisory Board (SEECPAB)**

WHEREAS, the terms of office of Rhea Mills, Jack Georgal, Robert Gentry and Greg DuMars on the Stubnitz Environmental Education Center Partnership Advisory Board (SEECPAB) have expired; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve the reappointments to SEECFAB as follows:

	<u>TERM EXPIRATION</u>
Rhea Mills	2010
Jack Georgal	2011
Robert Gentry	2012
Greg DuMars	2012

#### **RESOLUTION R09-049**

**RE: COMMUNITY DEVELOPMENT – Set Public Hearing for Brownfield Redevelopment Site #7, 1377 S. Main Street, First Federal Bank**

WHEREAS, the State of Michigan has adopted the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended; and

WHEREAS, Public Act 381 of 1996 provides for the creation of Brownfield Redevelopment Authorities and permits use of tax increment financing to pay for approved eligible activities; and

WHEREAS, the City of Adrian, Lenawee County, Michigan created a Brownfield Redevelopment Authority on May 13, 1997; and

WHEREAS, the Adrian Brownfield Redevelopment Authority has adopted a Brownfield Plan for Site #7, an eligible property located at 1377 South Main Street; and

WHEREAS, Public Act 381 of 1996 requires a Brownfield Plan to be submitted for a hearing before the local unit governing body prior to said governing body taking action.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, does hereby set an official Public Hearing for the regular meeting of the Adrian City Commission to be held on Tuesday, September 8, 2009, at 7:00 p.m. in the Commission Chambers on the 2<sup>nd</sup> floor of City Hall, 100 East Church St., Adrian, MI, to receive and hear comments on the proposed Brownfield Plan for Site #7.

BE IT, FURTHER, RESOLVED that official notice of said hearing shall be made as required by Act 381 of 1996.

On motion by Commissioner DuMars, seconded by Commissioner Clegg, Consent Resolutions CR09-046 through CR09-049 were adopted by a unanimous vote.

#### **PUBLIC COMMENTS**

1. Richard Walker, Sr., 146 Seeley St., expressed concern over the money being spent on the new Municipal Complex and that the current City Hall hadn't been taken care of.

**REGULAR AGENDA**

**RESOLUTION R09-140**

**RE: FIRE DEPARTMENT – Interlocal Agreement – Participation in Lenawee County Fire Chiefs’ Association and the Mutual Aid Box Alarm System Agreement**

WHEREAS, Michigan statutes allow a governing body to enter into a contract for the sharing of functions, services and responsibilities which another government subdivision has the power to perform separately; and

WHEREAS, the current Lenawee County Fire Chiefs’ Association Mutual Aid Agreement has not been updated since 1994; and

WHEREAS, the Fire Chief has recommended that the City Commission adopt the updated Mutual Aid Agreement, which includes a Mutual Aid Box Alarm System (MABAS) Agreement; and

WHEREAS, entering into the Interlocal Agreement with other County agencies will further improve services by allowing fire departments to designate, in advance, apparatus and equipment to be called from member departments in the event of an emergency; and

WHEREAS, it is agreed that the City of Adrian will maintain insurance coverage to cover City employees working under this Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Adrian City Commission does hereby approve the Lenawee County Fire Chiefs’ Association and Mutual Aid Box Alarm System Agreement and authorizes the Mayor to execute said document on behalf of the City of Adrian.

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

**RESOLUTION R09-141**

**RE: UTILITIES DEPARTMENT –Wastewater Plant Energy and Process Optimization Audit**

WHEREAS, citing an annual electrical expense exceeding \$414,000, the Utilities Director has solicited a proposal from Tetra Tech, Ann Arbor, to perform an energy and process optimization audit at the Wastewater Treatment Plant; and

WHEREAS, Tetra Tech, the engineering firm that originally designed the City of Adrian’s Wastewater Treatment Plant, as well as numerous expansions and improvements, has responded to the solicitation with a proposal to perform the aforementioned audit at a cost of \$26,500; and

WHEREAS, the scope of the proposed operational audit will encompass the following objectives:

- Assess plant processes and equipment with respect to energy and chemical use;
- Identify equipment, process and operational modifications and replacements that will result in cost savings, while continuing to meet regulatory requirements;
- Evaluate energy generation potential from biogas generated from anaerobic digesters;
- Identify specific federal, state and utility financial incentives available;
- Provide assistance in initiation of selected optimization projects; and

WHEREAS, the Finance Director indicates that there are sufficient funds available for this purpose in the Sewer Fund – Municipal Equity Account (590-000.00-392.000); and

WHEREAS, the Utilities Director and City Administrator recommend approval of this resolution to perform an energy and process optimization audit at the Wastewater Treatment Plant and waiver of the competitive bid process due to the unique experience of the preferred vendor with the development and maintenance of the City’s Wastewater Plant.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Tetra Tech, Ann Arbor, in the City’s Professional Services Contract to perform an energy and process optimization audit at the Wastewater Treatment Plant at a cost not to exceed \$26,500.00.

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

BE IT FURTHER RESOLVED that \$26,500 be appropriated from the Sewer Fund – Municipal Equity Account (590-000.00-392.000) for this purpose and that the FY2009-10 Budget be amended as follows:

**Sewer Fund (590)**

Revenue:	
(590-000.00-697.000) Prior Years’ Revenue	\$26,500
Expense:	
(590-541.00-812.000) WWTP- Consultant Fees	<u>26,500</u>
Total	<u>\$ -0-</u>

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

**RESOLUTION R09-142**

**RE: METRO ACT APPLICATION – Verizon North Systems**

WHEREAS, Verizon North has requested a renewal of their METRO Act Telecommunications Right-of-Way Permit for an additional five (5) years to allow them to work in certain City of Adrian right-of-ways; and

WHEREAS, the City Engineer and City Attorney have reviewed the application and recommend that Verizon's application be approved.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission does hereby approve Verizon North's METRO Act permit application for an additional five-year period under the terms and conditions as outlined in the Right-of-Way Telecommunications Permit.

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

#### **RESOLUTION R09-143**

**RE: UTILITIES DEPARTMENT – Authorization to Sell Property Located at 1802 Hamilton Highway**

WHEREAS, the Adrian City Commission, by Resolution R09-095 dated June 1, 2009, authorized the engagement of Goedert Real Estate, Inc., Adrian, MI, to market city-owned property located at 1802 Hamilton Highway; and

WHEREAS, Hans and Arleen Jacobsson have submitted a valid offer with pre-approved financing in the amount of \$310,000.00; and

WHEREAS, the Utilities Director and City Administrator recommend approval of the sale of the City-owned property located at 1802 Hamilton Highway at a price of \$310,000.00, that the City Administrator and City Clerk be authorized to sign all necessary documents to close the transaction, and that the proceeds from the sale (less selling expenses) be deposited in the Water Fund (590).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of the City-owned property located at 1802 Hamilton Highway at a price of \$310,000.00 to Hans and Arleen Jacobsson, that the City Administrator and City Clerk be authorized to sign a warranty deed and all necessary documents to close the transaction, and that the proceeds from the sale (less selling expenses) be deposited in the Water Fund (590).

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

#### **RESOLUTION R09-144**

**RE: Concrete Work – Library and Alleyway between Library and New City Hall**

WHEREAS, the City Administrator has requested proposals for replacement of a concrete sidewalk in front of the library and for the placement of concrete in the alleyway located between the Adrian Public Library and the new City Hall building; and

WHEREAS, the proposal of Schug Concrete Construction, Inc., d.b.a. Rock Hard Concrete, of Adrian, MI, was the lowest bid for both proposals and it is recommended by the City Administrator to accept said proposals; and

WHEREAS, the Finance Director indicates that sufficient funds are available for this purpose in the Adrian Public Library FY2009-10 Budget – Capital Facilities Account (101-738.00-975.000).

NOW, THEREFORE, IT IS HEREBY RESOLVED that the proposal of Schug Concrete Construction, Inc., d.b.a. Rock Hard Concrete, is hereby accepted for the library sidewalk in the amount of \$2,320.00 and (the proposal for the alleyway for stamped concrete in the amount of \$16,730.00) or (the proposal for concrete in said alleyway in the amount of \$11,250.00) is hereby accepted, and that the source of funds for this purpose is available in the Adrian Public Library FY2009-10 Budget – Capital Facilities Account (101-738.00-975.000).

On motion by Commissioner DuMars to accept the proposal for the stamped concrete, seconded by Commissioner Clegg, motion DENIED by a 1-5 vote.

AYES: Commissioner DuMars

NAYS: Mayor McDowell, Commissioners Osborne, Miller, Steele and Clegg

On motion by Commissioner Steele to accept the proposal for the library sidewalk and non-stamped concrete in the alleyway, seconded by Commissioner DuMars, this resolution was adopted by a unanimous vote.

#### **RESOLUTION R09-145**

#### **RE: ADRIAN PUBLIC LIBRARY –Coffee Shop Cabinetry**

WHEREAS, the Adrian City Commission, by resolution # R07-179 dated November 5, 2007, authorized the engagement of a vendor in the City's Standard Professional Services Contract for the purpose of designing the Adrian Public Library Façade Restoration Project, including the Coffee Shop, teen resource center and mezzanine casual reading area; and

WHEREAS, the Adrian City Commission, by resolution # R07-135 dated August 3, 2009, authorized a lease agreement with Stone Catering, LLC, Adrian, MI for purposes of operating a coffee shop/café as a complementary service of the Adrian Public Library; and

WHEREAS, the aforementioned lease agreement specifies that the City is responsible for the purchase of cabinetry for the service area of the Café, equipment (refrigerators, sinks, etc.) and the construction of a food storage area in the basement of the library; and

WHEREAS, Krieghoff-Lenawee, Adrian, MI has been engaged by J.E. Johnson, Project Managers, to provide cabinetry in various locations in the Downtown Government Complex, including the Library, and is very familiar with the integration of the entire project; and

WHEREAS, the Library Director has solicited a proposal from Krieghoff-Lenawee and they have responded with a proposal to provide the following facilities at cost not to exceed \$4,221.00:

- Stand-alone condiment cart
- Shelving in service area
- Upper cabinets in the service area
- Lower cabinets in the service area
- Counter with cabinet for cash register
- Fold down service counter; and

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

WHEREAS, the Library Director and City Administrator recommend approval of this resolution, engagement of Krieghoff-Lenawee, Adrian, MI to purchase and install the aforementioned cabinetry at a cost not to exceed \$4,221.00, and that in the best interests of the City, the competitive bid process be waived in accordance with the City's Purchasing Policy, as specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby approves engagement of Krieghoff-Lenawee, Adrian, MI in the City's Standard Professional Services Contract to purchase and install the aforementioned cabinetry at a cost not to exceed \$4,221.00.

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

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

#### **RESOLUTION R09-146**

**RE: DIAL-A-RIDE – Approve Agreement with MDOT for Funding of Certain Dial-A-Ride Capital Expenditures**

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

WHEREAS, a project authorization has been proposed which grants \$244,000 for (1) telephone system and up to (3) bus purchases, and be it

RESOLVED, that the City Commission of the City of Adrian does hereby approve Agreement 2007-0156, Authorization #Z5 in the amount of \$244,000 from the FY2009 Section 5311 Capital/Congestion Mitigation and Air Quality Improvement Program and Small Cities (5,000-50,000) Program; and be it

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

HEREBY, authorizes Mayor Gary E. McDowell and City Clerk, Pat Baker, to execute Project Authorization #Z5 for and on behalf of the City of Adrian.

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

#### **MISCELLANEOUS**

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

#### **PUBLIC COMMENTS**

1. Richard Walker, Sr., 146 Seeley St., was frustrated that the City spent so much on the Skate Park and kids still skateboard in the street.

#### **COMMISSIONERS' COMMENTS**

1. Commissioner Osborne asked for a report on Inteva's previous request for an IFT. Administrator Nelson will report back.

The next City Commission meeting will be held on Tuesday, September 8, 2009 at 7:00 p.m. in the Commission Chambers on the 2<sup>nd</sup> floor of City Hall, 100 E. Church Street, Adrian, MI 49221

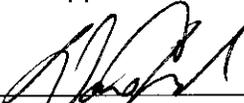
Gary E. McDowell  
Mayor

Pat Baker  
City Clerk

PRESENTATION OF  
ACCOUNTS

September 8, 2009

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

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

DCN:bjw

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

Utility Department Vouchers	
Vouchers #3103 through #3114.....	\$ 178,253.64
General Fund	
Vouchers #19421 through #19458	\$ 488,839.66
Clearing Account Vouchers	
amounting to.....	<u>\$2,536,445.78</u>
TOTAL EXPENDITURES .....	<u>\$3,203,539.08</u>

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

September 8, 2009

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<b><u>Receiving</u></b>			
3103	City of Adrian: Payroll	Payroll for Aug 14	\$ 15,160.04
3104	Consumers Energy	Various Electric Bills	\$ 3,425.64
3105	City of Adrian: Utilities	Various Water Bills	\$ 173.08
3106	City of Adrian: General	July expenses	\$ 39,810.50
3107	City of Adrian	Motor Pool Expenses	\$ 2,664.46
3108	City of Adrian: Clearing	Aug 17 Check Register	\$ 79,915.16
3109	Citizens Gas Fuel Co	Various Heat Bills	\$ 249.74
3110	City of Adrian: Payroll	Payroll for Aug 21	\$ 50,919.36
3111	Verizon North	Water Plant Phone	\$ 44.49
3112	Consumers Energy	WW Electric Bill	\$ 39,534.39
3113	City of Adrian: Payroll	Payroll for Aug 28	\$ 15,195.78
3114	Consumers Energy	Water Plant Electric	\$ 11,076.16
<b>Total</b>			<b>\$ 258,168.80</b>
Less: CK# 3108			\$ 79,915.16
<b>TOTAL</b>			<b>\$ 178,253.64</b>

WW = \$ 144,873.91

WAT = \$ 113,294.89

8-Sep-09

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
19421	\$ 14,614.68	City of Adrian: Payroll	Payroll for Aug 14
19422	\$ 2,517.36	First Federal Bank	Soc Security for Aug 14
19423	\$ -	City of Adrian: Utilities	Transfer State MI Funds
19424	\$ 244.05	Ralph D Piercy	Blue Cross Refund
19425	\$ 50.00	Jim Cleveland	Recreation Refund
19426	\$ 60.00	Kim Horstman	Recreation Refund
19427	\$ 117.50	Tom Maldonado	Recreation Refund
19428	\$ 20.00	Yumiko Doan	Recreation Refund
19429	\$ 4.00	Carol Masterson	Recreation Refund
19430	\$ 132.00	Mindy Goetz	Recreation Refund
19431	\$ 27.00	Cara French	Recreation Refund
19432	\$ 13,853.76	Consumers Energy	Various Electric Bills
19433	\$ 4,834.86	City of Adrian: Utilities	Various Water Bills
19434	\$ 239,525.22	City of Adrian: Clearing Acct	Aug 17 Check Register Exp
19435	\$ 4,034.27	Quick Service Transportation	Payroll W/E Aug 15
19436	\$ 4,449.78	Citizens Gas Fuel Co	Various Heat Bills
19437	\$ 231,731.26	City of Adrian: Payroll	Payroll for Aug 21
19438	\$ 15,769.74	First Federal Bank	Soc Security for Aug 21
19439	\$ 160.76	Verizon North	Various Phone Bills
19440	\$ 663.19	Tri State Supply LLC	Thermostats for 135 E Maumee
19441	\$ 200.00	Bethany Assembly of God	Recreation Refund
19442	\$ 200.00	Ogden Church	Recreation Refund
19443	\$ 122,789.77	Blue Cross Blue Shield of MI	September Hospitalization Ins
19444	\$ 14,662.74	Consumers Energy	Various Electric Bills
19445		City of Adrian: Utilities	Transfer State MI Funds
19446	\$ 4,972.77	Quick Service Transportation	Payroll W/E Aug 22
19447	\$ 394.67	Verizon North	Various Phone Bills
19448	\$ 15,622.98	City of Adrian: Payroll	Payroll for Aug 28
19449	\$ 2,479.36	First Federal Bank	Soc Security for Aug 28
19450		City of Adrian: Utilities	Transfer State MI Funds
19451		City of Adrian: Stormwater	Transfer State MI Funds
19452	\$ 295.00	Eric Kirk	Recreation Refund
19453	\$ 20,148.00	Lenawee Fuels Inc	DPW Gas & Diesel Fuel
19454	\$ 235.00	James Burdine	Recreation Refund
19455	\$ 319.98	City of Adrian	Petty Cash
19456	\$ 958.15	US Postmaster	Recreation Postage
19457	\$ 8,099.56	Consumers Energy	Various Billings
19458	\$ 4,177.47	Quick Service Transportation	Payroll W/E Aug 29
	\$ 728,364.88		
	\$ (239,525.22)	Less: CK# 19434	
	\$ 488,839.66		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. ADDISON VETERINARY CLINIC, P	90.00		
2. ADRIAN COMMUNICATIONS	91.70		
3. ADRIAN LANDFILL	447.15		
4. ADRIAN LOCKSMITH & CYCLERY	224.99		
5. ADRIAN MECHANICAL SERVICES C	4,522.92		
6. ADRIAN PAINTERS SUPPLY & EQU	2,085.19		
7. ADRIAN WATER CONDITIONING IN	19.50		
8. ADVANCE AUTO PARTS COMMERCIA	26.02		
9. AIRGAS GREAT LAKES	131.17		
10. ALLIED WASTE SERVICES	49,214.52		
11. ALLIED WASTE SERVICES #259	7,221.97		
12. AMAZON CREDIT PLAN	48.29		
13. AMERICAN OFFICE SOLUTIONS	59.04		
14. ANTIBUS SCALES & SYSTEMS, IN	365.00		
15. APOLLO FIRE APPARATUS REPAIR	24.50		
16. ARCH WIRELESS	31.54		
17. ASTI ENVIRONMENTAL SERVICES	1,595.50		
18. BADER & SONS CO	67.32		
19. BAKER & TAYLOR BOOKS	1,253.79		
20. BANK OF NEW YORK	1,343,064.36		
21. BATTERY WHOLESALE	154.41		
22. BEAUBIEN INC.	120.00		
23. FREDERICK BEEKEL	29.36		
24. GREG BELL CHEVROLET, INC	255.98		
25. BELL EQUIPMENT CO	704.96		
26. BELSON ASPHALT PAVING INC	2,696.50		
27. BETTER BUYS FOR BUSINESS	199.95		
28. BILL'S SERVICE, INC.	153.90		
29. BLACK SWAMP EQUIPMENT	635.00		
30. BLISSFIELD PARTS CO INC	2.69		
31. BOOK OF THE MONTH CLUB	78.27		
32. BRODBECKS LLC	1,500.00		
33. BRONNER'S CHRISTMAS WONDERLA	4,278.86		
34. HOWARD BROOKET	1,500.00		
35. BUCK & KNOBBY EQUIP CO INC	3,123.60		
36. C-GATE ENTRY SYSTEMS LTD.	630.00		
37. C-N CONSTRUCTION SUPPLIES IN	2,037.03		
38. CDW-G COMPUTER SUPPLIES	461.00		
39. CHAMBERS CONTROL COMPANY	1,381.15		
40. CLIFT BUICK-PONTIAC-GMC	207.68		
41. COIN-OP SPECIALISTS INC.	85.74		
42. COLLECTIVE DATA	1,250.00		
43. DAVE COMFORT	25.00		
44. COMFORT ENTERPRISES INC.	1,484.52		
45. COMPUTER CARE COMPANY, INC.	239.85		
46. CONTINENTAL CARBONIC PRODUCT	730.00		
47. CONTINENTAL SERVICE	2,289.63		
48. COOKS SIGNS PLUS	379.00		
49. CRONER PUBLICATIONS INC	129.95		
50. CTI & ASSOCIATES, INC.	524.00		
51. D & N UPHOLSTERY, INC.	2,356.00		
52. DAN'S FARM SUPPLY INC	79.23		
53. DEANNA DENNIS	1,187.50		
54. DEYO-STONE ASSOC INC	3,085.00		
55. DOAN CONSTRUCTION CO	1,797.75		
56. DRUMMUNITY	500.00		
57. E & B SALVAGE LLC	86.00		
58. STEVE EBERLE	400.00		
59. DONALD EMMONS	112.50		
60. ENCYCLOPEDIA BRITANNICA INC	224.50		
61. ENVIRONMENTAL RESOURCE ASSOC	253.16		
62. EXECUTONE COMMUNICATIONS LLC	5,361.69		
63. FASTENAL COMPANY	312.45		
64. FEDERAL EXPRESS	295.53		
65. GALE	1,035.36		
66. GAYLORD BROS INC	230.40		
67. GEAR UP INC	180.00		
68. GEMPLER'S INC.	4,138.23		
69. DENNIS GIBBS	200.00		
70. GORDON FOOD SERVICE	338.73		
71. GOVERNMENTAL BUSINESS SYSTEM	249.51		
72. GREAT LAKES BOOK DISTRIB	242.32		
73. GREAT LAKES GYPSUM & SUPPLY	607.60		
74. GREY HOUSE PUBLISHING	441.25		
75. GRITZMAKER BUILDERS, INC.	3,425.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. H & M DEMOLITION COMPANY	23,900.00		
77. HACH COMPANY	390.42		
78. HADDEN TIRE COMPANY	186.00		
79. HAZEN & SAWYER	7,112.00		
80. HERITAGE PERENNIAL FARM	646.05		
81. HERITAGE PLUMBING & HEATING	665.00		
82. TERRY HICKS	1,096.25		
83. HILLS AUTO & TRUCK REPAIR IN	33.90		
84. HUBBARDS AUTO CENTER	80.10		
85. HURON LIME INC.	2,976.51		
86. ICMA RETIREMENT CORPORATION	1,025.80		
87. IDEXX LABORATORIES, INC.	2,657.69		
88. IMAGE GALLERY	16.99		
89. INDUSTRIAL MILL SUPPLY CORP	770.55		
90. INGRAM LIBRARY SERVICES	439.23		
91. J.E. JOHNSON DEVELOPMENT GRO	347,016.00		
92. JAMES DELIVERY SERVICE	190.00		
93. JETT PUMP & VALVE LLC	843.47		
94. JFNEW	3,000.00		
95. JNET	21.82		
96. JONES & HENRY, ENGINEERS	2,896.74		
97. KAPNICK INSURANCE GROUP	1,263.09		
98. KELLER THOMA, P.C.	902.50		
99. KEY GOVERNMENT FINANCE, INC.	25,845.33		
100. KIMBALL MIDWEST	176.36		
101. KNISEL'S TREE SERVICE	4,900.00		
102. KONICA MINOLTA- ALBIN	19.68		
103. KROLL	683.65		
104. BRENT KUBALEK	64.32		
105. KUHLMAN CORP.	1,269.85		
106. LAB SAFETY SUPPLY INC.	174.64		
107. LANSING SANITARY SUPPLY INC	1,302.16		
108. SUSAN LAUGHLIN	56.10		
109. LEGACY PRINTING	76.32		
110. LENAWEЕ COUNCIL FOR VISUAL A	3,000.00		
111. LENAWEЕ COUNTY PROSECUTORS	1,302.00		
112. LENAWEЕ COUNTY REGISTER OF D	14.00		
113. LENAWEЕ INTERMEDIATE SCHOOL	128.87		
114. LENAWEЕ TIRE & SUPPLY CO	465.43		
115. LEXIS NEXIS RM INC	150.00		
116. LOWE'S CREDIT SERVICES	1,829.08		
117. MANPOWER OF LANSING MI INC.	1,958.40		
118. MAPLE CITY GLASS INC.	37.36		
119. MARGARET O'MALLEY	42.40		
120. MC SPORTS	287.94		
121. MCGOWAN ELECTRIC SUPPLY INC	148.30		
122. MCMASTER- CARR SUPPLY CO.	1,605.20		
123. STEVE MCMULLIN	100.00		
124. MEADOWBROOK INSURANCE INC.	221,053.00		
125. METROPOLITAN UNIFORM CO	570.92		
126. MICHIGAN CORPORATE OFFICE PL	339.50		
127. MICHIGAN DEPT OF LABOR	150.00		
128. MICHIGAN LIBRARY ASSOC	485.00		
129. MICHIGAN MUNICIPAL LEAGUE	1,107.00		
130. MICHIGAN MUNICIPAL WORKER'S	53,976.00		
131. MICHIGAN OFFICE SOLUTIONS	138.30		
132. MICHIGAN PIPE & VALVE INC	476.08		
133. MICHIGAN SECTION-AWWA	900.00		
134. STATE OF MICHIGAN	1,967.70		
135. MICHIGAN TBA DISTRIBUTORS IN	23.55		
136. MICROMARKETING LLC	482.45		
137. MIDWEST GAS INSTRUMENT SERVI	440.00		
138. MIDWEST TAPE	517.92		
139. MOBILE MONUMENT SERVICES	130.00		
140. MUCK TV & APPLIANCE	2,489.00		
141. MUGS N' MORE IMAGING	112.50		
142. MUNICIPAL EMPLOYEES' RETIRE	68,157.35		
143. NANTZ, LITOWICH, SMITH, GIRA	262.50		
144. NEWCO CONTROLS, INC.	3,000.00		
145. NEXT STEP	1,115.00		
146. NORTH EASTERN UNIFORMS & EQU	58.50		
147. NORTHWEST POOLS, INC.	120.50		
148. OFFICEMAX CONTRACT INC.	48.98		
149. OMNIGRAPHICS INC.	161.78		
150. ON DUTY GEAR, LLC	399.34		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. GAIL PALPANT	47.52		
152. PARAGON LABORATORIES INC	1,555.00		
153. DAVID PATE	300.00		
154. PEERLESS SUPPLY INC	925.77		
155. PEST PATROL	475.00		
156. PHENICIES ENTERPRISES LLC	725.00		
157. PIONEER MANUFACTURING CO.	1,400.00		
158. PLATINUM PLUS	1,385.77		
159. PLYMOUTH DISTRICT LIBRARY	700.00		
160. POLARIS LIBRARY SYSTEMS, INC	818.26		
161. PRINTCOMM	2,753.00		
162. PROQUEST CSA	995.00		
163. QUICK SERVICE TRANSPORTATION	6,729.95		
164. RAISIN TOWNSHIP	330.00		
165. RECORDED BOOKS LLC.	572.60		
166. RED PAINT PRINTING LLC	1,410.00		
167. RIO SUPPLY MICHIGAN METER, I	5,411.50		
168. S N S CLEANING SERVICE	1,623.00		
169. SAFEWAY MOVING & STORAGE	188.00		
170. SANCHIN SYSTEMS INC	1,217.63		
171. TRACIE SEISER	78.08		
172. SERVICE ELECTRIC CO OF ADRIA	2,752.00		
173. SETON IDENTIFICATION PRODUCT	160.35		
174. SHERWIN-WILLIAMS CO	24.28		
175. SHIVELY-BOUMA INC	217.50		
176. SLUSARSKI EXCAVATING & PAVIN	211,436.68		
177. SNYDER WIRELESS & SATELLITE	24.98		
178. SPENCER MANUFACTURING INC.	129.88		
179. STAPLES	28.79		
180. STATE CHEMICAL MFG CO.	427.61		
181. STEVENSON LUMBER, INC.	1,042.04		
182. STITCH WIZARD EMBROIDERY INC	1,619.75		
183. LAD STRAYER	300.00		
184. SUPER LAUNDROMAT &	199.85		
185. SWANK MOTION PICTURES INC	321.00		
186. T-MOBILE	29.99		
187. THERMO ELECTRON NORTH AMERIC	572.00		
188. THOMAS SCIENTIFIC	527.90		
189. TRACTOR SUPPLY COMPANY	179.36		
190. TRAFFIC & PARKING CONTROL CO	545.94		
191. TTB CLEANING LLC	125.00		
192. ULINE	1,681.83		
193. UNDERWOOD'S NURSERY LLC	2,210.50		
194. UNIQUE BOOKS, INC.	28.35		
195. UNITED PARCEL SERVICE	83.02		
196. UNUM LIFE INSURANCE COMPANY	2,376.43		
197. USA BLUEBOOK	704.38		
198. UTILITIES INSTRUMENTATION	5,679.00		
199. WARREN HOLDING CO LLC	1,370.00		
200. WASTE MANAGEMENT-UPSTREAM	1,875.00		
201. WEST GROUP PAYMENT CENTER	150.00		
202. H W WILSON COMPANY	605.00		
203. JIM WING PLUMBING COMPANY IN	393.71		
204. WINTERFEST	1,500.00		
205. WOODLANDS LIBRARY COOPERATIV	20.00		
<b>**TOTAL ALL CLAIMS**</b>	<b>2,536,445.78</b>		

# COMMUNICATIONS

CR-1

# MEMO

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

From: Jeffrey C. Pardee, Finance Director



Re: State Revenue Sharing - Update

Date: August 31, 2009

Compared to the FY2008-09 Adopted Budget of \$2,339,217 for State Revenue Sharing, the City of Adrian received \$2,338,104, or \$1,113 less than budgeted. The first Revenue Sharing payment for FY2009-10 (August) has been received and recorded. The August payment represents the last payment in the State's current fiscal year; the next payment (October) will be the first payment in the next fiscal year. A comparison between estimated and actual, categorized by Constitutional and Statutory, is provided as follows:

<u>August</u>	<u>State</u>		<u>Variance</u>	
	<u>Estimated</u>	<u>Actual</u>	<u>Amount</u>	<u>Percent</u>
Constitutional	\$250,838	\$225,718	\$(25,120)	(10.0) %
Statutory	187,461	139,634	(47,827)	(25.5) %
Total	<u>\$438,299</u>	<u>\$365,352</u>	<u>\$(72,947)</u>	(16.6) %

The State Estimate for August, which is more than a year-old projection, is based on the May 2008 Consensus Revenue Estimates and the Governor's FY 2008-09 Budget Recommendation. The State Department of Treasury has not yet published estimates for FY2009-10, beginning October 1, 2009, presumably because budget decisions are still in the formative stage. Once available, a comparison will be made with the City's current budget of \$2,131,531, which reflects the budget reduction resulting from the Governor's Executive Order 2009-22 that cut \$209,643 from the original budget of \$2,341,174.

For FY2008-09, Constitutional comprised 64% of Revenue Sharing payments, while Statutory Revenue Sharing makes up 36% of the total. Adjustments due to reduced Sales Tax revenue impact both Constitutional and Statutory Revenue Sharing payments because they are formula driven. Legislative adjustments affect only Statutory Revenue Sharing payments and are driven by budget considerations.

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

REGULAR

AGENDA

50-11R-1

September 8, 2009

**SPECIAL ORDER**

The Mayor called for the hearing and consideration of comments to approval of a Brownfield Plan for Site #7, 1377 S. Main St., for construction of a new First Federal Bank.

Discussion

When the Mayor called for final objections \_\_\_\_\_

\_\_\_\_\_ and he declared the hearing closed.



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

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

FROM: Chris Atkin  
Director of Community Development

DATE: August 24, 2009

SUBJECT: Adrian Brownfield Redevelopment Authority –Proposed Site #7 Brownfield Plan

To all:

On August 13, 2009, the Adrian Brownfield Redevelopment Authority approved a Brownfield Plan for eligible property located at 1377 South Main Street. This property has been tentatively designated as "Site #7". A copy of the proposed brownfield plan is attached to this cover.

In summary, this plan proposes to reimburse the owner of the property approximately \$48,000 in eligible activity cost from taxes generated by the new investment on the subject parcel located at 1377 South Main Street. In addition to the reimbursement of eligible activity costs, the proposed nine (9)-year plan will provide approximately \$33,787 for the Adrian Brownfield Redevelopment Authority's Remediation Fund, and approximately \$31,817 for administrative costs to support operations of the Authority into the future.

Pursuant to Public Act 381 of 1996, as amended, the City Commission must hold a public hearing prior to considering action on a brownfield plan submitted by a Brownfield Redevelopment Authority. The attached resolution establishes Tuesday, September 8, 2009 as the public hearing date.

Community Development respectfully requests the City Commission to adopt the attached resolution for approval of proposed Brownfield Site #7. I will be pleased to answer any questions either prior to or during your meeting.

---

Chris Atkin  
Director of Community Development

**ACT 381**  
*(MCL 125.2752 ET. SEQ.)*  
**BROWNFIELD REDEVELOPMENT PLAN**

**SITE #7**  
**1377 SOUTH MAIN STREET**  
**ADRIAN, MICHIGAN**

*for*

**BAUMGARTNER/FIRST FEDERAL BANK PROJECT**



**CITY OF ADRIAN**  
**BROWNFIELD REDEVELOPMENT AUTHORITY**

**APPROVED BY ABRA**  
**AUGUST 13, 2009**

**APPROVED BY ADRIAN CITY COMMISSION**  
**SEPTEMBER XX, 2009**

## PROJECT SUMMARY

**Project Name:** Baumgartner/First Federal Bank Project  
**Project Location:** 1377 S. Main St, Adrian, Michigan  
**Property Eligibility:** Blighted Property  
**Eligible Activities:** Site Improvements/Site Preparation  
**Reimbursable Costs:** **\$50,000**  
**Years to Complete Payback:** Nine (9) – year repayment to Developer from ABRA  
**Revolving Fund Capture:** Yes

### Project Overview:

The Developer plans to remove any existing concrete and asphalt remaining from the former structure. The site is the former location of a McDonalds Restaurant and the developer wishes to construct a branch for First Federal Bank. This Plan has been prepared to facilitate removal of any asphalt or concrete material from the property, any site preparation, including grading, soil preparation or site work, and provide tax increment financing pursuant to Public Act 381 of 1996, as amended, for reimbursement of eligible costs.



## **City of Adrian, Michigan**

---

**Honorable Gary McDowell, Mayor**

**City Commission**

Michael Clegg

Greg DuMars

Chris Miller

Michael Osborne

Harry Steele

**Brownfield Redevelopment Authority**

Ron Reeves, Chair

Karol Bolton

Roger Ferguson

Gary McDowell

Barbara Mitzel

Dane Nelson

Jeff Pardee

Don Taylor

**City Administration**

Dane Nelson, City Administrator

Jeff Pardee, Director of Finance

Chris Atkin, Director of Community Development

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**BROWNFIELD REDEVELOPMENT PLAN**  
**1357 South Main Street**  
**ADRIAN, MICHIGAN**

**CITY OF ADRIAN**  
**BROWNFIELD REDEVELOPMENT AUTHORITY**

**1.0 INTRODUCTION**

The City of Adrian established a Brownfield Redevelopment Authority (Authority) by adoption of a resolution pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended (Act 381) on May 13, 1997. The Michigan Department of State, Office of the Great Seal, acknowledged receipt and filing of the resolution on May 23, 1997. The primary purpose of Act 381 is to encourage the redevelopment of blighted, contaminated and functionally obsolete property by providing economic incentives through Single Business Tax credits and Tax Increment Financing for certain eligible activities. Tax increment revenues may be captured to pay for all activities allowed by law. The Authority is authorized by Act 381 to undertake all activities allowed by law.

**2.0 GENERAL DEFINITIONS AS USED IN THIS PLAN**

All terms used in this Brownfield Plan are defined as provided in the following statutes, as appropriate:

*The Brownfield Redevelopment Financing Act, 1996 Mich. Pub. Acts. 381, M.C.L. § 125.2651 et seq., as amended.*

*Sections 38d and 38g of the Single Business Tax Act, 1975 Mich. Pub. Acts. 228, M.C.L. §§ 208.1 – 208.145, as amended.*

*The Natural Resources and Environmental Protection Act, 1994 Mich. Pub. Acts 451, M.C.L. § 324.20101 et seq., as amended.*

**3.0 STATUTORY ELEMENTS OF THE BROWNFIELD PLAN**

Brownfield plans developed by the Authority are submitted to the City Commission for approval. A brownfield plan may apply to one or more parcels of eligible property. The capture of tax increment revenues under a brownfield plan shall be determined individually for each parcel of eligible property. Section 13 of Act 381 requires that the plan contain the following information about the eligible property to the extent applicable.

- (a) A description of costs intended to be paid for with tax increment revenues, including a brief summary of the eligible activities that are proposed for each eligible property.
- (b) An estimate of the captured taxable value and tax increment revenues for each year of the plan from each parcel of eligible property and in aggregate.
- (c) The method by which the costs of the plan will be financed, including a description of any advances made or anticipated to be made for the costs of the plan from the municipality.
- (d) The maximum amount of note or bonded indebtedness to be incurred, if any.
- (e) The duration of the plan, which shall not exceed the lesser of the period required for payment of the eligible activities from tax increment revenues plus the period of capture authorized for the local site remediation revolving fund or 30 years.
- (f) An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the property is located.
- (g) A legal description of each parcel of eligible property to which the plan applies, a map showing the locations and dimensions of each eligible property, and a statement of whether personal property is included as part of the eligible property.
- (h) An estimate of the number of persons residing on each eligible property to which the plan applies and the number of families and individuals to be displaced, if any.
- (i) A plan for establishing priority for the relocation of persons displaced by implementation of the plan, if applicable.
- (j) Provisions for the costs of relocating persons displaced by implementation of the plan, and financial assistance and other reimbursement of expenses, if any.
- (k) A strategy for compliance with the Michigan Relocation Assistance Act, if applicable.
- (l) A description of proposed use of the site remediation revolving fund.
- (m) Other material that the authority or governing body considers pertinent.

#### **4.0 STATE APPROVAL FOR CAPTURE OF SCHOOL TAX LEVIES**

If the brownfield plan provides for the capture of taxes levied for school operating purposes from eligible property in order to fund eligible activities, a work plan or remedial action plan must be approved by the Michigan Department of Environmental Quality (MDEQ) and/or Michigan Economic Growth Authority (MEGA) in accordance with Act 381.

## **5.0 GOVERNING BODY APPROVAL OF THE BROWNFIELD PLAN**

### **5.1 Notice Requirements**

At least 10 days prior to approving a brownfield plan, the City Commission must give notice and a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to express their views and recommendations regarding the plan.

### **5.2 Considerations for Approval**

The City Commission may approve or reject the plan, or approve it with modification based upon the following considerations:

1. Whether the plan contains the necessary information and meets the requirements of Act 381.
2. Whether the proposed method of financing the costs of eligible activities is feasible and the Authority has the ability to arrange the financing.
3. Whether the costs of eligible activities proposed are reasonable and necessary to carry out the purposes of Act 381.
4. Whether the amount of captured taxable value estimated to result from adoption of the plan is reasonable.

## **6.0 PROJECT DESCRIPTION & BROWNFIELD REDEVELOPMENT PLAN**

### **6.1 Description of the project and costs intended to be paid for with tax increment revenues, including a brief summary of the eligible activities that are proposed for each eligible property.**

#### **Eligible Property and Project Description**

Act 381 defines "Eligible Property" as *"property for which eligible activities are defined under a brownfield plan that was used or is currently used for commercial, industrial or residential purposes that is either in a qualified local unit of government and is a facility, functionally obsolete, or blighted or is not in a qualified local unit of government and is a facility, and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property. Eligible property includes, to the extent included in the brownfield plan, personal property located on the property."*

The eligible property is comprised of two (2) adjoining parcels of land located at 1377 South Main Street within the corporate limits of the City of Adrian. See the Eligible Property Location Map found in the Appendix.

The project Developer, Baumgartner, LLC, intends to remove all the existing/remaining asphalt and concrete on the subject eligible property, prepare the site and facilitate construction of a new First Federal Bank. The project shall be comprised of a single-story above ground structure, vehicle parking, landscaping, and other site improvements.

Evidence of Eligible Property as “Blighted”

Section 2 of Act 381 (MCL 125.2652) also provides the definition of a *blighted* property as “a declared public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance”. A study of the property’s qualifying factors of blighted by the city’s building official certifying the findings are found in the Appendix.

Summary of Eligible Activities & Description of Costs to be Paid with Tax Increment Revenues

Eligible activities which shall be conducted as part of this Plan include (1) surface improvements, and (2) Brownfield Plan preparation. A summary and the estimated costs of the eligible activities to be reimbursed under this Plan are presented in the table below:

<b>ITEM</b>	<b>ESTIMATED COST</b>
Removal of Asphalt	\$48,000.00
Brownfield Plan Preparation	\$2,000.00
<b>Eligible Activity Subtotal</b>	<b>\$50,000.00</b>
Estimated Financing Costs	\$11,664.00
BRA Administrative Expenses	\$31,817.00
Local Remediation Fund Deposit	\$33,787.00
<b>TOTAL COSTS</b>	<b>\$127,268.00</b>

This Plan shall authorize use of Tax Increment Financing to reimburse the Developer for the above eligible activity costs incurred as part of the project.

**6.2 An estimate of the captured taxable value and tax increment revenues for each year of the plan from each parcel of eligible property and in aggregate.**

1	<u>Captured Taxable Value</u>	
	Initial Real Property Taxable Value	\$ 666,298
	Estimated Real Property Taxable Value after Improvements	\$ 1,191,298
	Estimated Real Property Captured Taxable Value	\$ 525,000
	Initial Personal Property Taxable Value	\$ 0
	Estimated Personal Property Taxable Value after Improvements	\$ 0
	Estimated Personal Property Captured Value	\$ 0

The captured taxable value is the difference between the initial taxable value before improvements and the taxable value after improvements, which is estimated at \$525,000 in the first year following project completion. Personal property shall not be subject to capture in the Brownfield Plan. Taxes levied for school operating purposes from the Property shall not be captured. Please see Table 2 for detailed property value calculations.

2 Annual Tax Increment Revenues

Please see Table 2 for calculations of estimated annual tax increment revenues.

**6.3 The method by which the costs of the plan will be financed, including a description of any advances made or anticipated to be made for the costs of the plan from the municipality.**

The Developer, Baumgartner, LLC, will initially finance the eligible activity costs as presented in Section 6.1. If the developer completes the project as described, the Authority will reimburse the developer from tax increment revenues for the eligible activities for which the developer has paid for a set period identified in the tables to this Plan. Pursuant to a forthcoming Reimbursement Agreement to be executed by the Authority and developer, upon completion of the project and approval of submitted eligible activity invoices by the Authority, principal payments shall be made as tax increment revenues are captured, and interest shall be paid as indicated in this Plan on any outstanding balance. At the end of the reimbursement period, the plan shall end.

If property taxes on property owned by the developer are delinquent for more than one year or become delinquent more than once during the time of the agreement, reimbursement shall terminate and no further reimbursement shall occur. No reimbursement payments shall be made while any taxes are delinquent. If the property owned by the developer is destroyed by fire or natural acts, the agreement to reimburse terminates unless reconstruction occurs at an equal or greater taxable value. Annual payments to the developer shall not exceed the amount of annual captured taxes paid by the developer and may be reduced by the Authority's expenses and allocations described in this Plan, including without limitation, an allocation to the local site remediation revolving fund.

Table 3 sets out the reimbursement schedule, which may be modified by the Board without notice. All estimates of revenues and the allocations of those revenues are subject to amendments and adjustments based upon the actual amounts of the investment, millages, expenses, and other related economic variables.

**6.4 The maximum amount of note or bonded indebtedness to be incurred, if any.**

The City of Adrian and the Adrian Brownfield Redevelopment Authority (BRA) will not incur any bonded indebtedness for this project. The Developer may incur debt for the eligible activities in this project.

**6.5 The duration of the plan, which shall not exceed the lesser of the period required to pay for the eligible activities from tax increment revenues plus the period of capture authorized for the local site remediation revolving fund or 30 years.**

The duration of the plan shall be nine (9) years, commencing upon approval by the Adrian City Commission and ending with payment of taxes due on December 1, 2019.

**6.6 An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the property is located.**

Please see Table 4 for an estimate of tax increment financing impact on those taxing jurisdictions whose millages are subject to capture from this plan.

- 6.7 A legal description of each parcel of eligible property to which the plan applies, a map showing the locations and dimensions of each eligible property, and a statement of whether personal property is included as part of the eligible property.**

Legal Description and Tax Parcel IDs: Land situated in the City of Adrian, Lenawee County, Michigan and described as follows:

1377 South Main St. XA0-100-0010-00

**Legal:** BEG 1889.91 FT S & 60 FT E OF W 1/4 COR SEC 11 T7S R3E TH E 200 FT TH S 110 FT TH W 200 FT TH N 110 FT TO POB

0 South Main St. XA0-100-0012-03

**Legal:** COM W 1/4 SEC 11 T7S R3E TH S 01° 47' E 1038.50 FT TH N 88°18' E 60 FT TH S 01°47' E 751.41 FT TO POB TH N 88°23' E 200 FT TH S 01°47' E 100 FT TH S 88°23' W 200 TH N 01° 47' W 100 FT TO POB

Application for parcel combination has been approved and will be recognized as a single parcel in 2010. New property identification number will be as follows: **XA0-100-0010-01**

Zoning: B-2 Community Business

Map: See the Appendix.

Personal Property: Personal property SHALL NOT be included.

- 6.8 An estimate of the number of persons residing on each eligible property to which the plan applies and the number of families and individuals to be displaced, if any.**

Not applicable because at the time of implementation of this Plan, no person shall reside on the eligible property.

- 6.9 A plan for establishing priority for the relocation of persons displaced by implementation of the plan, if applicable.**

Not applicable.

- 6.10 Provision for the costs of relocating persons displaced by implementation of the plan, and financial assistance and other reimbursement of expenses, if any.**

Not applicable.

- 6.11 A strategy for compliance with the Michigan Relocation Assistance Act, if applicable.**

Not applicable.

- 6.12 A description of proposed use of the site remediation revolving fund.**

Tax increment revenue in this Plan's capture not used to reimburse approved eligible activities, and not withdrawn for administrative/operating expenses, will be deposited in the Authority's Local Site Remediation Revolving Fund. An estimate of the deposit amount is found in Table 3. All proceeds deposited in the Authority's Local Site Remediation Revolving Fund as part of this and other brownfield plans will be used in accordance with the Act.

**6.13 Other material that the authority or governing body considers pertinent.**

Any new eligible activity cost or approved cost which, in combination with other approved costs, results in an excess of 115% of the anticipated costs of this Plan shall require amendment of this Plan by the Authority and the Adrian City Commission.

## **7.0 LIST OF TABLES & APPENDICIES**

### **TABLES**

- TABLE 1: DESCRIPTION OF ELIGIBLE ACTIVITY COSTS
- TABLE 2: ESTIMATED TAX INCREMENT REVENUES
- TABLE 3: ESTIMATED REIMBURSEMENT SCHEDULE
- TABLE 4: ESTIMATED ANNUAL TAX INCREMENT REVENUE RELATED TO EACH TAXING JURISDICTION

### **APPENDIX – ELIGIBLE PROPERTY INFORMATION**

1. ELIGIBLE PROPERTY BOUNDARY MAP
2. ELIGIBLE PROPERTY PARCEL DATA
3. BLIGHTED INFORMATION

CITY OF ADRIAN, MICHIGAN  
BROWNFIELD REDEVELOPMENT AUTHORITY  
SITE #7  
1377 SOUTH MAIN PROJECT

**TABLE ONE**  
**DESCRIPTION OF ELIGIBLE ACTIVITY COSTS**

**NON-ENVIRONMENTAL ACTIVITIES**

Asphalt/Concrete Removal 48,000

**PLAN PREPARATION**

Brownfield Plan Preparation 2,000

**TOTAL 50,000**

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CITY OF ADRIAN, MICHIGAN  
 BROWNFIELD REDEVELOPMENT AUTHORITY  
 SITE #7  
 1377 SOUTH MAIN PROJECT

**TABLE TWO  
 ESTIMATED TAX INCREMENT REVENUES**

Notes:  
 (1) The projected amounts set forth in the following tables are based upon the assumption that, removal of the remaining asphalt/concrete will be 100% complete by 12-31-2010.  
 (2) The intent of the plan is to capture 100% of the tax increment revenues until the approved and authorized costs have been paid.

**TAX VALUE AT 100% COMPLETION**

First Federal Bank

Estimated Real Property Improvements	1,050,000
Estimated Personal Property Additions	N/A
Estimated Real Property True Cash Value	1,050,000
Initial Real Property Taxable Value	666,298
Initial Personal Property Taxable Value	N/A
Estimated Real Property Taxable Value After Construction	1,191,298
Estimated Personal Property Taxable Value After Occupancy	N/A
Captured Real Property Taxable Value (100%)	<b>525,000</b>
Captured Personal Property Taxable Value (100%)	N/A

*Initial Taxable Value = 2009 Taxable Value*  
 XA0-100-0010-00 \$548,347  
 XA0-100-0012-03 \$117,951  
**Total Taxable Value \$666,298**

**MILLAGE RATES**

<u>Millage</u>	<u>Rate</u>
City of Adrian Combined	0.0153513
Lenawee County Combined	0.0056128
Lenawee ISD	0.0072796
State Education	0.0060000
Local School Operating	<u>0.0180000</u>

TOTAL HOMESTEAD MILLAGE	0.0342437
TOTAL NON-HOMESTEAD MILLAGE	0.0522437
TOTAL LOCAL MILLAGE	<b>0.0282437</b>
TOTAL AVAILABLE MILLAGE	0.0282437

← This Plan shall capture only local millages.

The captured values are increased by an annual factor of 2%.

**ESTIMATED TAX INCREMENT REVENUES**

	<u>Year</u>	<u>FY</u>	<u>Real Capt Value</u>	<u>Personal Multiplier</u>	<u>Personal Capt Value</u>	<u>Total Capt Val</u>	<u>Applied Millage</u>	<u>Annual Revenue</u>	<u>Cumulative Revenue</u>
1	2009	2010	0	---	0	0	0.0282437	0	0
2	2010	2011	525,000	0%	0	525,000	0.0282437	14,828	14,828
3	2011	2012	535,500	0%	0	535,500	0.0282437	15,125	29,952
4	2012	2013	546,210	0%	0	546,210	0.0282437	15,427	45,379
5	2013	2014	557,134	0%	0	557,134	0.0282437	15,736	61,115
6	2014	2015	568,277	0%	0	568,277	0.0282437	16,050	77,165
7	2015	2016	579,642	0%	0	579,642	0.0282437	16,371	93,536
8	2016	2017	591,235	0%	0	591,235	0.0282437	16,699	110,235
9	2017	2018	603,060	0%	0	603,060	0.0282437	17,033	127,268

CITY OF ADRIAN, MICHIGAN  
 BROWNFIELD REDEVELOPMENT AUTHORITY  
 SITE #7  
 1377 SOUTH MAIN PROJECT

**TABLE THREE**  
**ESTIMATED REIMBURSEMENT SCHEDULE**

Principal amount to be reimbursed from Table One      **50,000**

	<u>Year</u>	<u>Fiscal Year</u>	<u>Interest Rate</u>	<u>Annual Tax Payment</u>	<u>Remediation Fund</u>	<u>Admin/Op Expense</u>	<u>Remaining Funds</u>	<u>Interest</u>	<u>Principal</u>	<u>Balance</u>
1	2009	2010	---	0	0	0	0	---	0	50,000
2	2010	2011	5.00%	14,828	3,000	3,707	8,121	2,500	5,621	44,379
3	2011	2012	5.00%	15,125	3,000	3,781	8,343	2,219	6,124	38,255
4	2012	2013	5.00%	15,427	3,000	3,857	8,570	1,913	6,658	31,597
5	2013	2014	5.00%	15,736	5,000	3,934	6,802	1,580	5,222	26,375
6	2014	2015	5.00%	16,050	5,000	4,013	7,038	1,319	5,719	20,656
7	2015	2016	5.00%	16,371	5,000	4,093	7,278	1,033	6,246	14,411
8	2016	2017	5.00%	16,699	5,000	4,175	7,524	721	6,803	7,607
9	2017	2018	5.00%	17,033	4,787	4,258	7,987	380	7,607	0
				<b>127,268</b>	<b>33,787</b>	<b>31,817</b>		<b>11,664</b>	<b>50,000</b>	<b>0</b>
				Principal	50,000		Admin/Op	31,817		
				Interest	<u>11,664</u>		Rem Fund	<u>33,787</u>		
				Totals	61,664			<u>65,604</u>		

CITY OF ADRIAN, MICHIGAN  
 BROWNFIELD REDEVELOPMENT AUTHORITY  
 SITE #7  
 1377 SOUTH MAIN PROJECT

**TABLE FOUR  
 ESTIMATED ANNUAL TAX INCREMENT REVENUE RELATED TO EACH TAXING JURISDICTION**

Year	Capt TV	CITY 0.0153513	COUNTY 0.0056128	LISD 0.0072796	STATE ED 0.0060000	LSO 0.0180000	LOCAL	SCHOOL
							PORTION	PORTION
1 2009	0	0	0	0	0	0	0	0
2 2010	525,000	8,059	2,947	3,822	0	0	6,769	0
3 2011	535,500	8,221	3,006	3,898	0	0	6,904	0
4 2012	546,210	8,385	3,066	3,976	0	0	7,042	0
5 2013	557,134	8,553	3,127	4,056	0	0	7,183	0
6 2014	568,277	8,724	3,190	4,137	0	0	7,326	0
7 2015	579,642	8,898	3,253	4,220	0	0	7,473	0
8 2016	591,235	9,076	3,318	4,304	0	0	7,622	0
9 2017	603,060	9,258	3,385	4,390	0	0	7,775	0
<b>TOTAL</b>		<b>69,174</b>	<b>25,292</b>	<b>32,802</b>	<b>0</b>	<b>0</b>	<b>58,094</b>	<b>0</b>

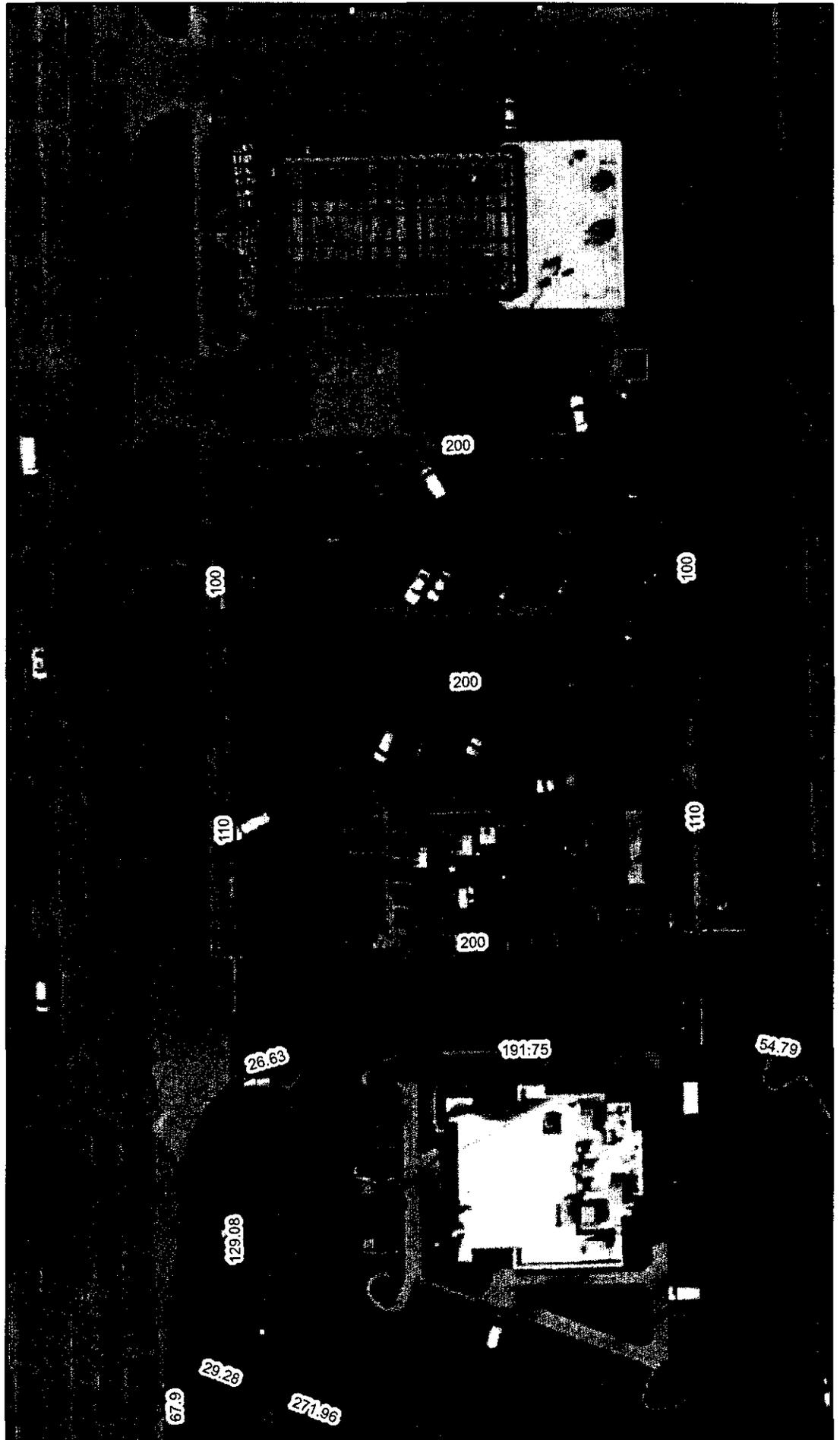
CITY FUNDS  
 CITY 69,174  
 TOTAL \$69,174

NON-CITY FUNDS  
 Lenawee County 25,292  
 LISD 32,802  
 TOTAL \$58,094

TOTAL FUNDS  
 CITY \$69,174  
 NON-CITY \$58,094  
 SCHOOL \$0  
 TOTAL = \$127,268



100 E. Church St.  
Adrian, Michigan 49221



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*"respect for the individual voice, service for the common good"*

Grantor	Grantee	Sale Price	Sale Date	Inst Type	Terms of Sale	Liber & Page	Verified by	Prcnt Trans
MCDONALDS REAL ESTATE CO	BAUMGARTNER LLC	311,801	06/25/2009	OTH	OTHER	2386:0969	DEED	100.0
MCDONALDS CORPORATION	MCDONALDS REAL ESTATE CO	1	11/01/1995	WD	WARRANTY DEED	2386:0968	DEED	0.0
ROSS, BEVERLY	MCDONLD'S CORPORATION	10	06/24/1990	WD	WARRANTY DEED	1128:449	RPS	0.0
WALMAC LAND COMPANY	ROSS, BEVERLY	1	06/24/1990	QC	QUIT CLAIM DEED	1128:443	RPS	0.0

Property Address 1377 S MAIN ST		Class: COMMERCIAL, 201		Zoning: B-2		Building Permit(s)		Date	Number	Status
Owner's Name/Address BAUMGARTNER LLC PO BOX 8326 TOLEDO OH 43605		School: MADISON SCHOOLS 46090		B- DEMOLITION		05/13/2009		PB09-115		
		P.R.E. 0%		APPEALS		05/11/2009		PRZ05-017		
		MAP #:								
		2010 Est TCV Tentative								

Description BEG 1889.91 FT S & 60 FT E OF W 1/4 COR SEC 11 T7S R3E TH E 200 FT TH S 110 FT TH W 200 FT TH N 110 FT TO POB		X	Improved		Vacant	Land Value Estimates for Land Table CSMNS.COMM - STD LOT ON S MAIN - 34-223					
Comments/Influences 7/8/09 - PER DOUG BAUMGARTNER CHANGE MAILING ADDRESS TO PO BOX 8326. TOLEDO, OH 43605 2009 ZONING APPROVED FROM B-4 TO B-2.		Public Improvements			* Factors * Description Frontage Depth Front Depth Rate %Adj. Reason Value 110.00 200.00 1.0000 0.0000 0 100* S MAIN - BEECHR-223 0.510 Acres 400000 125 Off Mall Lot 255,000 * denotes lines that do not contribute to the total acreage calculation. 110 Actual Front Feet, 0.51 Total Acres Total Est. Land Value = 255,000						
		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.			< Land Improvement Cost Estimates > Description Rate CountyMult. Size %Good Cash Value D/W/P: Asphalt Paving 1.51 1.32 18840 67 25,160 Residential Local Cost Land Improvements Description Rate CountyMult. Size %Good Cash Value Gas 0.00 1.00 1.0 96 Curb 0.00 1.00 1.0 96 Total Estimated Land Improvements True Cash Value = 25,160						
		Topography of Site									
		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
					2010	Tentative	Tentative	Tentative			Tentative
		Who When What			2009	127,500	504,000	631,500			548,347C
The Equalizer. Copyright (c) 1999 - 2000. Licensed to: City of Adrian, Lenawee County					2008	127,500	515,500	643,000			525,237C
					2007	127,500	511,700	639,200			513,429C



\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

Desc. of Bldg/Section: CALC 170 Calculator Occupancy: Restaurant, Fast Food		<<<< Calculator Cost Computations >>>> Class: C Quality: Very Good Percent Adj: +0	
Class: C Floor Area: 5,111 Stories Above Grd: 1 Average Sty Hght : 8 Bsmnt Wall Hght : 8	Construction Cost		
	High	Above Ave.	Ave. X Low
Depr. Table : 2% Effective Age : 8 Physical %Good: 85 Func. %Good : 100 Economic %Good: 115		** ** Calculator Cost Data ** ** Quality: Very Good Adj: %+0 \$/SqFt:0.00 Heat#1: Package Heating & Cooling 100% Heat#2: Complete H.V.A.C. 0% Ave. SqFt/Story: 5111 Ave. Perimeter: 328 Has Elevators:	
1971 175	Year Built Remodeled	*** Basement Info *** Area: 1080 Perimeter: 132 Type: Unfinished/Utility Heat: Forced Air Furnace	
8	Overall Bldg Height	* Mezzanine Info * Area #1: Type #1: Area #2: Type #2:  * Sprinkler Info * Area: Type: Good	
Comments:		(10) Heating system: Package Heating & Cooling Cost/SqFt: 0.00 100% Bsmnt Heating system: Forced Air Furnace Cost/SqFt: 4.50 Adjusted Square Foot Cost for Upper Floors = 153.55 Adjusted Square Foot Cost for Basement = 23.70  1 Stories Number of Stories Multiplier: 1.000 Average Height per Story: 8 Height per Story Multiplier: 0.920 Ave. Floor Area: 5,111 Perimeter: 328 Perim. Multiplier: 1.059 Basement Area: 1,080 Perimeter: 132 Basement Perim. Multiplier: 1.190 Basement Height: 8 Basement Height Multiplier: 0.920 Refined Square Foot Cost for Upper Floors: 149.60 Refined Square Foot Cost for Basement: 30.87  County Multiplier: 1.32, Final Square Foot Cost for Upper Floors = 197.473 for Basement = 40.753  Total Floor Area: 5,111 Base Cost New of Upper Floors = 1,009,284 Basement Area: 1,080 Base Cost New of Basement = 44,013  Reproduction/Replacement Cost - 1,053,297 Eff.Age:8 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 85 /100/100/115/97.8 <<<<< Computations Too Long. Print on separate sheet. >>>>> ECF (COMM S MAIN AND US 223) 0.970 => TCV of Bldg: 1 = 998,710 Replacement Cost/Floor Area= 206.08 Est. TCV/Floor Area= 195.40	

(1) Excavation/Site Prep:			(7) Interior:				(11) Electric and Lighting:			(39) Miscellaneous:			
(2) Foundation:			(8) Plumbing:				Outlets:			Fixtures:			
X	Poured Conc.	Brick/Stone	Block	Many Above Ave.	Average Typical	Few None	Few Average Many Unfinished Typical	Few Average Many Unfinished Typical	(40) Exterior Wall:				
(3) Frame:			Total Fixtures	Urinals				Flex Conduit					Incandescent
			3-Piece Baths	Wash Bowls				Rigid Conduit	Fluorescent				
			2-Piece Baths	Water Heaters				Armored Cable	Mercury				
			Shower Stalls	Wash Fountains				Non-Metalic	Sodium Vapor				
			Toilets	Water Softeners				Bus Duct	Transformer				
(4) Floor Structure:			(9) Sprinklers:				(13) Roof Structure: Slope=0						
(5) Floor Cover:			(10) Heating and Cooling:				(14) Roof Cover:						
			Gas Oil	Coal Stoker	Hard Fired Boiler								
(6) Ceiling:													

\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

Grantor	Grantee	Sale Price	Sale Date	Inst Type	Terms of Sale	Liber & Page	Verified by	Front Trans
MCDONALDS REAL ESTATE CO	BAUMGARTNER LLC	63,199	06/25/2009	OTH	OTHER	2386:0969	DEED	100.0
MCDONALDS CORP 021-0117	MCDONALDS REAL ESTATE CO	1	11/01/1995	WD	WARRANTY DEED	2386:0968	DEED	0.0
WALMAC LAND COMPANY	MCDONALD'S CORP		09/20/1979	WD	WARRANTY DEED	882:977	RPS	0.0

Property Address S MAIN ST	Class: COMMERCIAL, 201	Zoning: B 2	Building Permit(s)	Date	Number	Status
Owner's Name/Address BAUMGARTNER LLC PO BOX 8326 TOLEDO OH 43605	School: MADISON SCHOOLS 46090	P.R.E. 0%	MAP #:	2010 Est TCV Tentative		

Description COM W 1/4 SEC 11 T7S R3E TH S 01° 47' E 1038.50 FT TH N 88°18' P 60 FT TH S 01°47' E 751.41 FT TO PCB TH N 88°23' E 200 FT TH S 01°47' E 190 FT TH S 88°23' W 200 TH N 01° 47' W 190 FT TO PCB	Improved	X	Vacant	Land Value Estimates for Land Table CSMNS.COMM - SID LOT ON S MAIN - 34-223			
	Public Improvements			Description	Frontage	Depth	Rate %Adj. Reason

Comments/Influences 7/8/09 - PER DOUG BAUMGARTNER CHANGE MAILING ADDRESS TO PO BOX 8326. TOLEDO, OH 43605	Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.	* Factors * 190.00 200.00 1.0000 0.0000 0 190* S MAIN - BEECHR-223 0.460 Acres 40000 125 Off Mall Lot 230,000 * denotes lines that do not contribute to the total acreage calculation. 100 Actual Front Feet, 0.46 Total Acres Total Est. Land Value = 230,000					
		< Land Improvement Cost Estimates > Description Rate CountyMult. Size %Good Cash Value D/W/P: Asphalt Paving 1.51 1.32 20000 67 26,709 Residential Local Cost Land Improvements Description Rate CountyMult. Size %Good Cash Value Gas 0.00 1.00 1.0 96 Curb 0.00 1.00 1.0 96 Total Estimated Land Improvements True Cash Value - 26,709					

Topography of Site	Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain
--------------------	--

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
2010	Tentative	Tentative	Tentative			Tentative
2009	115,000	13,000	128,000			117,951C
2008	115,000	13,200	128,200			112,980C
2007	115,000	12,800	127,800			110,440C

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\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

**RE: ADRIAN BROWNFIELD REDEVELOPMENT AUTHORITY PROPOSED ACT 381, SITE #7 BROWNFIELD PLAN, 1377 SOUTH MAIN ST., BROWNFIELD PLAN ADOPTION**

**RESOLUTION**

WHEREAS, the State of Michigan has adopted the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended; and

WHEREAS, Public Act 381 of 1996 provides for creation of Brownfield Redevelopment Authorities and permits use of tax increment financing to pay for approved eligible activities; and

WHEREAS, the City of Adrian, Lenawee County, Michigan created a Brownfield Redevelopment Authority on May 13, 1997; and

WHEREAS, on August 13, 2009 the City of Adrian Brownfield Redevelopment Authority adopted a Brownfield Plan for Tax Parcel(s) XAO-100-0010-00 and XAO-100-0012-03, which have been approved for parcel combination and assigned the parcel identification number XAO-100-0010-01 beginning in 2010, having a street address of 1377 South Main St., thereby defining said parcel as an eligible property (Site #7); and

WHEREAS, the City of Adrian Brownfield Redevelopment Authority has submitted the Site #7 Brownfield Plan to the area taxing jurisdictions for review and comment and provided notice to the general public as required by Act 381; and

WHEREAS, the City of Adrian Brownfield Redevelopment Authority has now submitted the Site #7 Brownfield Plan for review and approval by the Adrian City Commission, and the Adrian City Commission has conducted a public hearing on the matter as required by Act 381.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission finds that the Site #7 Brownfield Plan constitutes a public purpose under the following considerations:

1. The Site #7 Brownfield Plan meets the requirements of Section 13 of Act 381;
2. The proposed method of financing found in the Site #7 Brownfield Plan is feasible;
3. The cost of eligible activities found in the Site #7 Brownfield Plan is reasonable and necessary to carry out the provisions of Act 381; and
4. The amount of captured taxable value estimated by the Site #7 Brownfield Plan is reasonable.

BE IT, FURTHER, RESOLVED that given the above findings, the Adrian City Commission hereby approves the Site #7 Brownfield Plan for implementation by the City of Adrian Brownfield Redevelopment Authority.

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

SO-2, R-2

September 8, 2009

SPECIAL ORDER

The Mayor called for the hearing and consideration of comments to approval of an application for an Industrial Facilities Exemption Certificate for Inteva Automotive Systems, LLC, District #29, for a period of 12 years.

Discussion

When the Mayor called for final objections \_\_\_\_\_

\_\_\_\_\_ and he declared the hearing closed.



## MEMO

100 E. Church St. Adrian, Michigan 49221-2773

---

**DATE:** September 1, 2009

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

**FROM:** Chris Atkin  
Director of Community Development

**SUBJECT:** IFT Exemption Certificate for Inteva Products, LLC.

---

Inteva Products, LLC, once Delphi, once Inland, is a major employer to the residents of the City of Adrian. In past years the city commission has issued three (3) Industrial Facilities Exemption Certificates, two (2) of which are still active and will not expire until December 31, 2013 and December 31, 2018, respectively.

We have received the Inteva Products, LLC application for an Industrial Facilities Exemption Certificate. Our examination of the project indicates that Inteva Products, LLC is eligible for twelve (12) year abatement under current guidelines. The following is a breakdown of the project as it applies to the term of the abatement:

- Two (2) existing jobs retained by the project;
- Two (2) new jobs to be created by the project;
- New personal property addition of \$917,000.

After careful review and consideration of Inteva Products, LLC longevity and commitment to and with the City of Adrian, it is my recommendation to the City of Adrian Commission that the above IFT Exemption Certificate be approved for a total of twelve (12) years, subject to execution of a City-Applicant IFT Letter of Understanding.

Chris Atkin  
Community Development Director

# Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Pat Baker</i>	Date received by Local Unit 8/11/09
STC Use Only	
Application Number	Date Received by STC

## APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Inteva Products		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3089	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1450 E. Beecher, Adrian, MI 49221		1d. City/Township/Village (indicate which) City of Adrian	1e. County Lenawee
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Adrian	3b. School Code 46010
		4. Amount of years requested for exemption (1-12 Years) 12	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

The project consists of the purchase of a CO2 Laser Cutting machine costing \$917,000. The company has 246 existing full time jobs and this project will add 4 new fulltime jobs.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$0.00 Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$917,000.00 Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$917,000.00 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	3/2/09	3/2/11	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	3/2/09	3/2/11	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption.  Yes  No

9. No. of existing jobs at this facility that will be retained as a result of this project. **246**      10. No. of new jobs at this facility expected to create within 2 years of completion. **4**

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
c. Total TV	_____

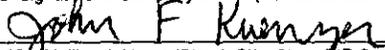
12a. Check the type of District the facility is located in:  
 Industrial Development District       Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)      12c. Is this application for a speculative building (Sec. 3(8))?  
 Yes       No

**APPLICANT CERTIFICATION - complete all boxes.**

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name <b>Timothy S. Robinson</b>	13b. Telephone Number <b>(517) 265-5141</b>	13c. Fax Number <b>(517) 263-6065</b>	13d. E-mail Address <b>timothy@onelenawee.org</b>
14a. Name of Contact Person <b>John Kuenzer</b>	14b. Telephone Number <b>(517) 265-4214</b>	14c. Fax Number <b>(517) 265-4371</b>	14d. E-mail Address <b>jkuenzer@intevaproducts.com</b>
▶ 15a. Name of Company Officer (No Authorized Agents) <b>John Kuenzer</b>			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number <b>(517) 265-4371</b>	15d. Date <b>07 AUGUST 09</b>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <b>1450 E. Beecher, Adrian, MI 49221</b>		15f. Telephone Number <b>(517) 265-4214</b>	15g. E-mail Address <b>jkuenzer@intevaproducts.com</b>

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission  
Michigan Department of Treasury  
P.O. Box 30471  
Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

CITY OF ADRIAN, MICHIGAN  
PUBLIC ACT 198 of 1974  
PLANT REHABILITATION AND INDUSTRIAL DEVELOPMENT DISTRICTS ACT

Name of Applicant: INTEVA PRODUCTS, LLC Date: July 29, 2009  
Applicant Address: 1450 East Beecher Street, Adrian, MI 49221

The following information is required to be submitted to the City of Adrian Clerk's Office in addition to the attached application form 1012 (State of Michigan Application for Industrial Facilities Tax Exemption Certificate). Please provide complete responses to each of the questions. Attach additional sheets if necessary.

1. Please provide the legal description of the real property on which the facility will be located. Please include the property identification number as well.

Property Identification Number: XAO-100-0152-00  
Property Legal Description: All that Pt of NW 1/4 of Section 12 T 75 R 3E LY/WH E of WABASH RR & Trent St N of Corp LN of City of Adrian County of Lenawee State of Michigan.

2. Please provide a detailed list of the proposed new real property improvements (attach additional sheets if necessary).

Description of Real Property Investment	Date of Expected Commencement of Work	Investment Costs

3. Please provide a list of new machinery, equipment, furniture and fixtures which will be utilized in the new facility (attach additional sheets if necessary).

Description of Personal Property Investment	Date of Installation	Equipment/Installation Costs
<u>CO2 LASER MACHINE</u>	<u>MARCH 2009</u>	<u>\$917,000.</u>

1/2

4. Please include a list of the jobs expected to be retained as a direct result of this project (attach additional sheets if necessary).

Position (please include brief description)	Average Annual Salary Package	Number of Positions Retained
ENGINEERS	\$ 85,000 -	Two (2)

5. Please include a list of the jobs expected to be created as a direct result of this project (attach additional sheets if necessary).

Position (please include brief description)	Average Annual Salary Package	Number of Positions Created
MANUFACTURING TECH	\$ 42,000	Two (2)

6. Please briefly describe the expected economic impact of this project on the City of Adrian. Please include information about the expected number of new jobs in relation to the company's existing employment pool (attach additional sheets if necessary).

THIS CO<sub>2</sub> Laser Machine IS required For the Lambda/1001 PROJECT. The Addition of this work will employ approximately 100 to 120 people.

7. Please provide a brief history of your company (attach additional sheets if necessary).

Inteva Products, LLC was created due to the sale of the Delphi - AH6 Plant in Adrian to a private investment Group. This Operation has manufactured automotive components under different owners since the 1970's.

8. Please briefly describe your company's efforts to be good stewards of the environment (i.e. LEED Certification, etc...). Please also provide information about your company's efforts to be new economy ready (i.e. diversification, workforce development, etc...) (attach additional sheets if necessary).

Inteva manufactures under Operating Permit number MI-ROP-B 6027-2007 and Storm Water General Permit number MIS 518187. We train all employees for two (2) weeks before working on their own, including ENVIRONMENTAL Policy training.



**IFT LETTER OF UNDERSTANDING**

Inteva Products, LLC

Company Name

1450 East Beecher Road

Adrian, Michigan 49221

**CITY OF ADRIAN**

**RE: Agreement with the City of Adrian**

Inteva Products, LLC (the Taxpayer) has submitted an application to you for the granting of an Industrial Facilities Exemption Certificate (IFT) pursuant to Michigan Public Acts of 1974, as amended.

To encourage the granting of the IFT and in recognition of investment the City of Adrian will be making toward the economic growth of the taxpayer and, thus, the economic growth of the municipality, I hereby agree, on behalf of the taxpayer, to the following:

- I. Administrative terms and Conditions. The City of Adrian and taxpayer acknowledge that the magnitude of the application for an Industrial Facilities Exemption Certificate is sufficiently large so as to warrant an agreement on certain administrative matters that develop and exist in the administration of the tax abatements. Therefore, the parties agree, as part of this agreement and the granting by the City of the applied for Industrial Facilities Exemption Certificate, to the following terms and conditions relative to the administration of the tax abatement:

A. Auditor and Audits:

- i. Taxpayer shall obtain for the benefit of itself and the City, at taxpayer's sole cost and expense, a mutually agreed upon and independent accounting firm to prepare and provide the industrial

facilities' tax filings and ad valorem personal property tax filings for the term of the construction and use of the properties covered by the application for the Industrial Facilities Exemption Certificate. The independent accounting firms shall report to the taxpayer and the City jointly and equally.

- ii. The City and taxpayer shall accept as accurate the calculations and cost estimated used by the City to levy taxpayer's personal property assessments, including the assessed, state equalized and taxable values, for the current year and subsequent years, as reported by the independent accounting firm.
- iii. Taxpayer or the City may request to meet, discuss and bargain in good faith a modification of the terms specified in paragraph I.A (i) and (ii). The City and taxpayer may mutually agree to modify these terms.

**B. Reporting:**

(1) No later than the 1<sup>st</sup> day of February immediately following the second year after the issuance date of the IFT, the taxpayer shall submit a letter to the City of Adrian stating:

- i. The number of new jobs promised in the IFT application within a two year period and the actual number of new jobs created.
- ii. If the IFT was granted on the basis of job retention, the number of employees at the time of the application and the current number of employees.
- iii. If projection for creation or retention of jobs was not reached, give detailed explanation.
- iv. The estimated project cost given in the application and the actual project cost.
- v. If actual project costs differ substantially from project cost, give explanation.

(2) The taxpayer further agrees to submit a report regarding status of employment every two years, beginning two years after submission of the letter required in item I.B(1), on or before December 31<sup>st</sup>. If employment has not remained or exceeded the number given in the application, a detailed explanation for this shall be included. This report shall be submitted beginning with the fourth year after the issuance date of the IFT.

The taxpayer understands that if employment has not been retained or reached as stated in the application or the construction and/or expansion project has not been completed or expenditures made, as described in the application, the City has the right to, review the status reports and may petition by resolution, the State Tax Commission, for revocation of the IFT.

(3) The taxpayer agrees to remain within the City of Adrian for the period of the IFT in order to retain the benefits of the IFT unless permission for relocation is granted by the City of Adrian. The taxpayer further understands that if it chooses

to leave the City of Adrian without permission for relocation prior to the end of the term of the IFT, the City of Adrian has the right to recapture from the taxpayer, up to and including the total amount of the taxes abated by the IFT. The City of Adrian shall issue a denial of the City's consent for granting of an IFT in a governmental unit to which the taxpayer has relocated or transferred employment to, from the City of Adrian. The taxpayer may present to the City of Adrian Commission compelling circumstances, which would allow the City Commission, in its sole discretion, to approve such transfer.

- C. Appeal of Local Assessment; Costs: In the event that taxpayer appeals the City of Adrian's real and/or personal property assessment levied against its real and/or personal property to the Michigan Tax Tribunal, or beyond, taxpayer shall pay to the City, the City's reasonable costs of such appeal, including but not limited to attorney fees and appraisal costs. At such time the taxpayer appeals either real or personal property assessment(s) to the Michigan Tax Tribunal, the City of Adrian Commission, by resolution, will request revocation of real and/or personal IFT certificate(s) to the State Tax Commission.

II. Mutual Representation.

A. Taxpayer Representation: Taxpayer represents to the City that the persons executing this agreement has full power and authority to do so, and that they have obtained any and all necessary corporate resolutions to empower them to bind taxpayer to the terms hereof.

B. City Representation: The City represents to taxpayer that the person signing this agreement has the full power to do so and to bind the City of Adrian to the terms hereof, the same having acted upon and approved by the City Commission for the City of Adrian at the Commission's regular session of the **8th day of September 2009** upon motion duly made, seconded and carried.

Witness

\_\_\_\_\_  
\_\_\_\_\_

Taxpayer Name: Inteva Products, LLC

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

City of Adrian, Michigan

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**New Machinery and Equipment**

<b>Description</b>	<b>Amount</b>	<b>Date Purchased</b>
CO2 Laser Cutting Machine	\$ 917,000.00	Mar-09
	\$ 917,000.00	

**INDUSTRIAL FACILITIES EXEMPTION APPLICATION  
AFFIDAVIT OF FEES**

In accordance with State Tax Commission Bulletin No. 3 dated January 1998, the **Local Unit** and **Applicant** for Industrial Facilities Exemption Certificate do hereby swear and affirm that no payment of any kind, whether they be referred to as "fees," "payments in lieu of taxes," "donations," or by other like terms, such payments are contrary to the legislative intent of Act 198 that exemption certificates have the effect of abating all ad valorem property taxes levied by taxing units with the unit of local government with approves the certificate.

We do swear and affirm by our signatures below that "no payment of any kind in excess of the fee allowed, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application."

**City of Adrian, Michigan**

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

**Applicant**

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Dated:** \_\_\_\_\_

Grantor	Grantee	Sale Price	Sale Date	Inst Type	Terms of Sale	Liber & Page	Verified by	Prct Trans
DELPHI AUTOMOTIVE SYSTEMS	INTEVA PRODUCTS, LLC		02/28/2008	QC	QUIT CLAIM DEED	2360:935	DEED	100.0
GENERAL MOTORS CORPORATION	DELPHI AUTOMOTIVE SYSTEMS L	1	12/10/1998	QC	QUIT CLAIM DEED	1613:540	RPS	0.0

Property Address 1450 E BEECHER ST		Class: INDUSTRIAL, 301		Zoning: I-2		Building Permit(s)		Date	Number	Status		
Owner's Name/Address INTEVA PRODUCTS, LLC 1401 CROOKS RD TROY MI 48098		School: ADRIAN SCHOOLS 46010		MECHANICAL COM		03/23/2009		PM09-063				
		P.R.E. 0%		B- COM ADD/ALTER/REPAIR		03/16/2009		PE09-044				
		MAP #:		MECHANICAL COM		03/11/2009		PM09-052				
		2010 Est TCV Tentative		ELECTRICAL COM		02/26/2009		PE09-050				
Description ALL THAT PT OF THE NW 1/4 OF SEC 12 T7S R3E LYING E OF WABASH RR & TREAT ST N OF CORP LN OF CITY OF ADRIAN COUNTY OF LENAWEE STATE OF MICHIGAN		X	Improved		Vacant	Land Value Estimates for Land Table IND01.INDUSTRIAL * Factors *						
		Public Improvements			Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value
					50K 1ST ACRE			33.830 Acres	10000	100		338,300
					33.83 Total Acres			Total Est. Land Value =				338,300
Comments/Influences		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.			Land Improvement Cost Estimates < Description Rate CountyMult. Size %Good Cash Value D/W/P: Asphalt Paving 1.51 1.32 239500 48 229,138 Residential Local Cost Land Improvements Description Rate CountyMult. Size %Good Cash Value 0.00 1.00 1.0 95 0.00 1.00 1.0 95 Total Estimated Land Improvements True Cash Value = 229,138 >							
		Topography of Site										
		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value	
					2010	Tentative	Tentative	Tentative			Tentative	
					2009	169,200	3,040,500	3,209,700			3,209,700S	
The Equalizer. Copyright (c) 1999 - 2000. Licensed to: City of Adrian, Lenawee County		Who	When	What	2008	169,200	3,042,800	3,212,000			3,212,000S	
		MDM	/ /	INSPECTE	2007	3,190,500		3,190,500			3,190,500S	

\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

Desc. of Bldg/Section: DELPHI AUTOMOTIVE Calculator Occupancy: Industrial, Heavy Manufacturing		<<<<< Calculator Cost Computations >>>>> Class: C Quality: Good Percent Adj: +0		
Class: C Floor Area: 512,408 Stories Above Grd: 1 Average Sty Hght : 30 Bsmnt Wall Hght :	Construction Cost High Above Ave. Ave. X Low		Base Rate for Upper Floors = 106.50  Adjusted Square Foot Cost for Upper Floors = 106.50	
Depr. Table : 1.75% Effective Age : 67 Physical %Good: 42 Func. %Good : 36 Economic %Good: 80	** ** Calculator Cost Data ** ** Quality: Good Adj: %+0 \$/SqFt:0.00 Heat#1: Zoned A.C. Warm & Cooled Air 0% Heat#2: Zoned A.C. Warm & Cooled Air 0% Ave. SqFt/Story: 512408 Ave. Perimeter: Has Elevators:		1 Stories Number of Stories Multiplier: 1.000 Average Height per Story: 30 Height per Story Multiplier: 1.380 Ave. Floor Area: 512,408 Perimeter: 0 Perim. Multiplier: 1.000 Refined Square Foot Cost for Upper Floors: 146.97  County Multiplier: 1.32, Final Square Foot Cost for Upper Floors = 194.000  Total Floor Area: 512,408 Base Cost New of Upper Floors = 99,407,357  Reproduction/Replacement Cost = 99,407,357 Eff. Age: 67 Phy. %Good/Abnr. Phy. /Func. /Econ. /Overall %Good: 42 /50 /36 /80 /6.0 Total Depreciated Cost = 6,012,157	
Year Built Remodeled	*** Basement Info *** Area: Perimeter: Type: Heat: Hot Water, Radiant Floor		Unit in Place Items Rate Quantity Cnty Arch %Good Depr. Cost /CI16/YARI/RAIS/SWITX41441A 23500.00 6 1.32 1.00 40 74,448	
Overall Bldg Height	* Mezzanine Info * Area #1: Type #1: Area #2: Type #2:  * Sprinkler Info * Area: Type:		ECF (INDUSTRIAL) 1.000 => TCV of Bldg: 1 = 6,086,605 Replacement Cost/Floor Area= 194.36 Est. TCV/Floor Area= 11.88	
Comments:				

(1) Excavation/Site Prep:	(7) Interior:	(11) Electric and Lighting:	(39) Miscellaneous:
(2) Foundation:	(8) Plumbing:	Outlets:	(40) Exterior Wall:
<input checked="" type="checkbox"/> Poured Conc. <input type="checkbox"/> Brick/Stone <input type="checkbox"/> Block	Many Above Ave. <input type="checkbox"/> Average Typical <input type="checkbox"/> Few None	Fixtures: Few Average Many Unfinished Typical	
(3) Frame:	Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets	Incandescent Fluorescent Mercury Sodium Vapor Transformer	
(4) Floor Structure:	Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners	Flex Conduit Rigid Conduit Armored Cable Non-Metallic Bus Duct	
(5) Floor Cover:	(9) Sprinklers:	(13) Roof Structure: Slope=0	Thickness <input type="checkbox"/> Bsmnt Insul.
(6) Ceiling:	(10) Heating and Cooling:	(14) Roof Cover:	
	Gas Oil <input type="checkbox"/> Coal Stoker <input type="checkbox"/> Hand Fired Boiler		

\*\*\*Information herein deemed reliable but not guaranteed\*\*\*

**RE: INTEVA AUTOMOTIVE SYSTEMS, LLC – ACT 198 INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE APPLICATION**

**RESOLUTION**

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551 et. Seq., after a duly noticed Public Hearing held on the 15<sup>th</sup> day of March, 1993 this Commission, by resolution, established Adrian Industrial Development District No. 29; and

WHEREAS, an application has been filed by Inteva Automotive Systems, LLC for an Industrial Facilities Exemption Certificate for the facility located in the Adrian Industrial Development District No. 29 and was received by the Adrian City Clerk on the 11<sup>th</sup> day of August, 2009; and

WHEREAS, the Adrian City Clerk, pursuant to 1974 PA 198, Section 5 (2), did notify the Adrian City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on the property located within said Adrian Industrial Development District #29 that the application for an Industrial Facilities Exemption Certificate by Inteva Automotive Systems, LLC would be considered at a meeting of the Adrian City Commission on Tuesday, September 8, 2009 and that an opportunity to be heard would be provided to the Assessor and to a representative of each of the bodies so notified.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Adrian City Commission finds:
  - (a) That the construction of the facility had not begun earlier than twelve (12) months before August 11, 2009, the date of acceptance of the application of the Industrial Facilities Exemption Certificate;
  - (b) That the application relates to a purchase and equipment installation program which, when completed, will constitute a new facility within the meaning of 1974 PA 198 and will be situated within Adrian Industrial Development District #29, established March 15, 1993 by resolution of the Adrian City Commission.
  - (c) That completion of the equipment installation is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment in the City of Adrian.
  - (d) That the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Adrian, after granting this certificate, will not exceed five (5) percent of an amount equal to the sum of SEV of the City plus the SEV of personal real property thus exempted. The Adrian City Commission specifically finds that the granting of the exemption applied for

will not substantially impede the operation of or impair the financial soundness of any local government.

- (2) That the application of Inteva Automotive Systems, LLC for an Industrial Facilities Exemption Certificate with regard to the facility located in Adrian Industrial Development District No. 29 be and is hereby approved for a period of twelve (12) years.

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

R-3

# MEMO

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DATE: August 20, 2009  
TO: Honorable Mayor and City Commissioners  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Lark-Waters Special Assessments

I have been contacted by Nate Smith of United Bank and Trust to assist with some financial issues affecting the property owners of 1136-1140 Country Club Road in regard to repayment of water and sanitary sewer special assessments. It appears that the Gary Gray Physical Therapy organization moved out of this property, leaving a large rental space unoccupied. The bank has renegotiated a portion of its loan repayment with the property owner and has requested the City to do similarly by accepting interest only payments through February of 2010 and for a possible six (6) month period thereafter in the event the rental property has not been filled by that time.

Since the special assessments are a lien on the property and since these are difficult economic times, it is agreeable to me to modify the payment terms provided the City receives its interest payments on a timely basis. In the event the rental property is filled, payment of principal and interest would once again commence. As such, I would support the passage of the attached resolution to allow for the modification of the repayment terms for these two specific special assessments.

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

DCN:bjw

**R09-149**

September 8, 2009

**RE: TEMPORARY REPAYMENT TERMS – SAD #98 (Water) and SAD #209 (Sewer)  
FOR LARK-WATERS DEVELOPMENT, LLC, 1136-1140 COUNTRY CLUB ROAD**

**RESOLUTION**

WHEREAS, two special assessment districts were created for water and sanitary sewer systems to be constructed to serve a development located at the intersection of N. Scott and Country Club Road; and

WHEREAS, the owner of said property, Lark-Waters Development, LLC, and its mortgage lender, United Bank and Trust, have been collaborating to address a shortfall in revenue to the owner due to the loss of a significant tenant in said development; and

WHEREAS, the owner and bank have requested a modification of payment structure for both of said special assessment districts to assist the parties in these difficult economic times.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Administrator is authorized to restructure repayment terms for payments beginning in October of 2009 for Lark-Waters Development, LLC for SAD #98 (water) and SAD #209 (sewer) to allow for payments of interest only for a period not to exceed six (6) months and for one renewable term of an additional six (6) month period in the event the rental space has not been filled.

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



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**MEMO**

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Date: August 25, 2009

To: Hon. Gary McDowell, Mayor  
City Commission

From: Jeffrey C. Pardee, Finance Director

**Re: COMMUNITY DEVELOPMENT DEPARTMENT – Partial  
Forgiveness of Local Development Finance Authority (LDFA) Fund  
Long-Term Advance to the Community Development Fund**

The Adrian City Commission, by Resolution #R08-1123 dated September 2, 2008, approved a recommended budget restructuring of the Community Development Department and further authorized a \$120,000 long-term advance from the Local Development Finance Authority (LDFA) Fund (282) to the Community Development Fund (275) at an interest rate of 6.00% per annum, to provide bridge financing in anticipation of additional housing grant resources.

Although staffing was reduced and expenses were trimmed by over \$69,000 from FY2007-08 to FY2008-09, anticipated grant funding has not materialized, causing a deficit condition of \$31,000 in the Community development Fund at the close of FY2008-09. When a deficit occurs in any given fund, that condition must be reported by the City's auditor to the Michigan Department of Treasury which, in turn, requires the local unit of government to submit a financial plan correcting the deficit condition in the ensuing fiscal year.

To avoid the aforementioned audit finding, the Finance Director and City Administrator recommend that \$31,000 of the \$120,000 Long-Term Advance from the LDFA Fund (282), including related interest charges, be forgiven, thereby eliminating the deficit condition in the Community Development Fund (275). The attached resolution has been prepared for City Commission consideration at the regularly scheduled September 8, 2009 Commission Meeting.

In addition, due to the changing role of the Community Development Department and diminished availability of grant resources to fund housing programs, the recent resignation of the Downtown Development Coordinator, and the need to enhance the City's economic development capacity, the City Administration intends to perform an in-depth evaluation of all financial resources available to the Community Development Department and formulate a recommendation for the future direction of that department. If you have any questions or need for further information, please contact my department.

**RE: COMMUNITY DEVELOPMENT DEPARTMENT – Partial Forgiveness of Local Development Finance Authority (LDFA) Fund Long-Term Advance to the Community Development Fund**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution #R08-1123 dated September 2, 2008, approved a recommended budget restructuring of the Community Development Department and further authorized a \$120,000 long-term advance from the Local Development Finance Authority (LDFA) Fund (282) to the Community Development Fund (275) at an interest rate of 6.00% per annum, to provide bridge financing in anticipation of additional housing grant resources; and

WHEREAS, although staffing was reduced and expenses were trimmed by over \$69,000 from FY2007-08 to FY2008-09, anticipated grant funding has not materialized, causing a deficit condition of \$31,000 in the Community Development Fund at the close of FY2008-09; and

WHEREAS, when a deficit occurs in any given fund, that condition must be reported by the City’s auditor to the Michigan Department of Treasury which, in turn, requires the local unit of government to submit a financial plan correcting the deficit condition in the ensuing fiscal year; and

WHEREAS, to avoid the aforementioned audit finding, the Finance Director and City Administrator recommend that \$31,000 of the \$120,000 long-term advance from the LDFA Fund (282), including related interest charges, be forgiven, thereby eliminating the deficit condition in the Community Development Fund (275); and

WHEREAS, due to the changing role of the Community Development Department and diminished availability of grant resources to fund housing programs, the recent resignation of the Downtown Development Coordinator, and the need to enhance the City’s economic development capacity, the City Administration intends to perform an in-depth evaluation of all financial resources available to the Community Development Department and formulate a recommendation for the future direction of that department.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the forgiveness of \$31,000 of the \$120,000 long-term advance from the LDFA Fund (282), including related interest charges, thereby eliminating the deficit condition in the Community Development Fund (275).

BE IT, FURTHER, RESOLVED that \$31,000 be appropriated from the LDFA Fund – Undesignated Fund Balance (282-000.00-390.000) for this purpose and that the FY2009-10 Budget be amended as follows:

**LDFA Fund (282)**

Revenue:	<u>Amount</u>
(282-000.00-697.000) Prior Years’ Revenue	\$31,000

Expenditures:  
(282-965.00-969.275) Contribution to Community Development Fund 31,000  
Total \$ -0-

**Community Development Fund (275)**

Revenue:  
(275-000.00-676.282) Contribution from LDFA Fund \$31,000

Expenditures:  
(275-990.00-990.000) Contingency Account 31,000  
Total \$ -0-

BE IT, FURTHER, RESOLVED that, upon completion of the Administration's Comprehensive Financial Review of the Community Development Department, recommended changes be forwarded to the City Commission for review and approval.

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

R-5

**R09-151**

September 8, 2009

**RESOLUTION**

**WHEREAS**, the City of Adrian desires to continue provision of Dial-A-Ride service, and,

**WHEREAS**, a project authorization has been proposed which grants \$52,162 for (1) less than 30 foot bus, and be it,

**RESOLVED**, that the City Commission of the City of Adrian does hereby approve Agreement 2007-0156, Authorization #Z6 in the amount of \$52,162 from the FY 2009 Section 5311 Capital/ ARRA Nonurbanized Area Formula, and be it,

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

**HEREBY**, authorizes the Mayor, Gary E McDowell and City Clerk, Pat Baker, to execute the project authorization #Z6 for and on behalf of the City of Adrian.

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

Date: July 28, 2009  
Agreement No.: 2007-0156  
Authorization No.: Z6  
Project No.: 107281  
Agenda: SAB



**PROJECT AUTHORIZATION  
CITY OF ADRIAN  
FY 2009 SECTION 5311 CAPITAL  
ARRA NONURBANIZED AREA FORMULA**

This information is required by the Michigan Department of Transportation (MDOT) in order to record agreement of utilization of funds provided by the Federal Transit Administration, United States Department of Transportation and MDOT. The funds provided shall be used by the AGENCY in accordance with the above referenced Master Agreement.

Authorization Effective Date:

Authorization Expiration Date: Three years from the effective date of the authorization.

Fiscal Year of Effective Contract Clauses: 2009

The Federal Grant associated with the PROJECT AUTHORIZATION is MI-86-X001.

Grant Year: 2009

Federal Item Number: WK0048

Project is not R&D.

The Catalog of Federal Domestic Assistance Number for the Federal Transit Administration Formula Grants for Other Than Urbanized Areas Program is 20.509.

The Special Section 5333(b) Warranty for Section 5311 can be found at:  
[www.dol.gov/dol/esa/public/regs/compliance/olms/13factsheet.htm](http://www.dol.gov/dol/esa/public/regs/compliance/olms/13factsheet.htm).

The AGENCY agrees to prepare and furnish to the DEPARTMENT an Annual Milestone Report for Section 5311 (see attached samples). Reports are due 20 days after the end of the fiscal year.

**Special American Recovery and Reinvestment Act (ARRA) Provisions**

**Reporting**

To ensure that the DEPARTMENT meets the requirements of the American Recovery and Reinvestment Act (ARRA) of 2009 each AGENCY is required to submit financial, milestone and employment information quarterly. Failure to comply with the reporting requirements under ARRA will jeopardize the DEPARTMENT'S continued receipt of ARRA funding. Accordingly, if

an AGENCY fails to comply with ARRA reporting requirements, the DEPARTMENT may withhold payments until compliance is achieved. If the DEPARTMENT is compelled to incur costs because of such a breach, the amount of those costs may be deducted from payments otherwise to be made under this project authorization.

**Segregation of Costs**

The AGENCY shall segregate obligations and expenditures of ARRA funds from other funding. No part of funds made available under ARRA may be commingled with any other funds or used for a purpose other than that of making payments for costs allowable under the ARRA.

**Timely Expenditure of Funds**

The timely delivery of ARRA projects is critical. The expectation is that all funds will be obligated within a year. If funds are not obligated within two years, the DEPARTMENT may deobligate the funds. The DEPARTMENT will not approve an extension of the project authorization if funds are not obligated within two years.

**Publication**

The AGENCY shall include the recovery logo on all signage or other publications in connection with the activities funded by ARRA. Guidance will be provided by the DEPARTMENT.

**Buy Michigan Preference**

A preference shall be given to products manufactured or services offered by Michigan-based firms if all other things are equal and if consistent with federal statute.

**Prohibition on Use of Funds**

None of the funds made available under this contract may be used for any casino or other gambling establishment, aquarium, zoo, golf course, swimming pools or similar projects.

**Funding of Programs**

Programs supported with temporary federal funds made available by ARRA will not be continued with state financed appropriations once the temporary federal funds are expended.

**Conflicting Requirements**

Where ARRA requirements conflict with existing state requirements, ARRA requirements control.

**Job Opportunity Posting Requirements**

The AGENCY shall post notice of job opportunities created in connection with activities funded in whole or in part with ARRA funds in the Michigan Talent Bank, [www.michworks.org/mtb](http://www.michworks.org/mtb).

**Whistle Blower Protection for Recipients of Funds**

The AGENCY shall not discharge, demote or otherwise discriminate against an employee for disclosures by the employee that the employee reasonably believes are evidence of: (1) gross mismanagement of a contract or grant relating to Covered Funds; (2) a gross waste of Covered Funds; (3) a substantial and specific danger to public health or safety related to the implementation or use of Covered Funds; an abuse of authority related to implementation or use of Covered Funds; or (4) a violation of law, rule, or regulation related to an AGENCY contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to Covered Funds. In this Subsection, "Covered Funds" shall have the same meaning as set forth in Section 1553(g)(2) of Division A, Title XV of the ARRA.

- a. The AGENCY must post notice of the rights and remedies available to employees under Section 1553 of Division A, Title XV of the ARRA. A poster can be found at: <http://www.recovery.gov/sites/default/files/Whistleblower+Poster.pdf>
- b. The AGENCY shall include the substance of this clause including this paragraph (b) in all subcontracts.

**Inspection of Records**

The AGENCY shall permit the United States Comptroller General or his representative or the appropriate inspector general appointed under Section 3 or 8G of the Inspector General Act of 1998 or his representative (1) to examine any records that directly pertain to, and involve transactions relating to, this contract; and (2) to interview any officer or employee of the AGENCY or any of its subcontractors/subgrantees regarding the activities funded with funds appropriated or otherwise made available by the ARRA.

**Integrity**

The AGENCY agrees that all data it submits to the DEPARTMENT in compliance with ARRA will be accurate, objective, and of the highest integrity.

**Subrecipient Requirements**

The AGENCY shall include these terms, including this requirement, and applicable Contract Clauses in any of its subcontracts or subgrants in connection with projects funded in whole or part with funds available under ARRA.

**Further Requirements**

The AGENCY agrees to comply with applicable future Federal requirements that may be imposed on the use of ARRA funds.

<u>Item</u>	<u>Federal</u>	<u>Total</u>
<u>Revenue vehicles:</u>		
Up to one <30 ft bus (819)	\$52,162	\$52,162

City of Adrian  
Agreement No.: 2007-0156  
Authorization No.: Z6  
Project No.: 107281  
Page: 4 of 5

**Funding source:**  
2009/75099 \$52,162 (F)

Checklist: 2009-329

**CITY OF ADRIAN**



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

**MICHIGAN DEPARTMENT OF TRANSPORTATION**

\_\_\_\_\_  
Title: Bureau Director  
Bureau of Passenger Transportation

Contract Number: 2007-0156/Z6  
 Project Number: 107281  
 Federal Grant Number: MI-86-X001

**MILESTONES FOR VEHICLES**

Agency Name - City of Adrian  
 Federal Section - FY 2009 Section 5311 Capital

Include a complete narrative for activities that took place in each reporting period. Show expenditures billed against this contract if any (if none, so indicate). Look at the project milestone schedule below and make changes if necessary and explain why the project is not on schedule.

Project Milestone Schedule

		Original Estimated Completion Date	Revised Estimated Completion Date	Actual Completion Date	Comments
1	RFP/IFB Out for Bids				
2	Contract Awarded				
3	First Bus Delivered				
4	All Buses Delivered				
5	Contract Complete				
Name of bus manufacturer (if contract has been recommended or awarded):					

Narrative for the Period:

R-6

DATE: September 2, 2009

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Lighting at Heritage Park

The parking area near the softball diamonds at Heritage Park is poorly lit and creates a safety concern. Consumers Energy has agreed to install two lights with connection to the electrical service at a cost of \$200.00. The monthly billing for the lights would be approximately \$19.08 a month.

I recommend that Consumers Energy be authorized to perform this work and that the Authorization for Change in Standard Streetlighting Contract be approved.

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

DCN:bjw

R-6

# Memo

**To:** Dane C. Nelson, City Administrator

**From:** Mark K. Gasche, Parks and Recreation Director

**Date:** September 1, 2009

**Subj:** Consumers Energy Street Lighting Authorization for Heritage Park parking lot lights

The area where most of the softball players park at Heritage Park is not well lit, which causes a safety concern after the night games – particularly during the spring and fall portions of the season when it gets dark much earlier. In order to address this problem, we contacted Consumers Energy to get a quote for installing two lights in the Heritage Park parking lot; the quote is attached. For installation of two luminaries and one wood pole plus connection to the electrical service the cost will be \$200. This quote is significantly less than it would be to purchase two luminaries and a pole and have them installed with electrical service.

The monthly charge for the lights is estimated to be \$19.08, which we would have to pay whether we had Consumers Energy install the lights or if we had another contractor install them.

In order to have Consumers Energy proceed with this installation we need to complete and submit an Authorization for Change in the Standard Street Lighting Contract (attached) and a Resolution supporting that Authorization. By including these lights on the City's Street Lighting Contract, Consumers Energy will assume responsibility for maintenance of the lights as well.

Funds for this installation, as well as the monthly charge for the lights, will be taken from the Heritage Park operating budget.



**Adrian Customer Service Center**

2613 E Maumee St. Adrian, MI 49221 • (517) 264-4231 • Facsimile (517) 264-4234

July 13, 2009

Notification Nbr: 1004008159

City of Adrian  
Robert Gentry  
100 E Church St  
Adrian, MI 49221

Rate Schedule: GUL - General Utility Lighting

**STREETLIGHTING AUTHORIZATION:**

Location(s)
Heritage Park Entrance Parking

Enclosed for approval and completion are two copies of the Resolution and Authorization for Change covering the replacement and/or installation of streetlights. In conjunction with this work, a non-refundable payment of \$200.00 is required.

The monthly energy charge associated with this lighting installation for 2 Luminaire(s) is approximately \$9.54 per Luminaire. This charge is subject to change based on current rates. After the installation is complete, you will begin receiving a separate monthly bill for the above energy charge.

<u>Quantity</u>	<u>Description</u>	<u>Unit Cost</u>	<u>Unit Total</u>
2	Installation Charge per Luminaire	\$100.00 Each	\$200.00
1	Wood Poles - Various Heights 35 ft	\$0.00 Each	\$0.00
Total Contribution:			\$200.00

Please sign and return one completed copy of the Resolution and Authorization for Change to my attention. Payment in full is required before the installation can be scheduled for construction. You will receive an estimated bill in a separate mailing.

If you have any questions, please contact me at (517)264-4231.

Alan Morgenthaler  
Customer Energy Specialist  
(517)264-4231  
Adrian Service Center



LENAWEE CO  
 RAISIN TWP  
 T56 R54 SEC.30

PARKING LOT

INSTALL ST LT AT  
 25' ABOVE GROUND

35'6  
 SET 7' DEEP

6' BRKT  
 S 8.5

S 8.5  
 6' BRKT

SAG=5'

6DX  
 130'

6DX  
 47'

INST SEC DE

40' (1)

25  
 2302  
 120/240  
 X

#3221

INST SEC DE (2)

SAG=1'

TO N ADRIAN HWY

HERITAGE PARK

HERITAGE PARK  
 DRIVE ENTRANCE

N ADRIAN HWY  
 N ADRIAN DR

ORDER NUMBER

**Consumers Energy**

A CMS Energy Company **ELECTRIC**

DESIGNED BY  
**AGMORGEN**      DATE  
 07/13/09

APPROVED BY      DATE

Heritage Park

For: CITY OF ADRIAN  
 Heritage park st lts

SHEET OF      SCALE

**-CONSTRUCTION CERTIFICATION-**

Work was constructed as Engineered or Changed as Indicated.  
 All Salvageable Material Was Returned to Stores.

Signed \_\_\_\_\_ in Direct Charge of Work

Dates: Started \_\_\_\_\_ Completed \_\_\_\_\_

MISS DIG NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

TLM NUMBER

5654302302

SUBSTATION

HUNT ROAD

CIRCUIT

MOORE ROAD

# OF  
 RODS

WD NO.

CKT NO.

03

OHMS

1125

LCP NO.

0122

CONSTRUCTION MEASURE NUMBER

10000548387

ORDER TYPE	MAINTENANCE ACTIVITY TYPE	DESIGN NUMBER
------------	------------------------------	---------------

ECNC	STL	10090177
------	-----	----------

STAKED  YES  NO

TREES  YES  NO

**AUTHORIZATION FOR CHANGE IN STANDARD STREETLIGHTING CONTRACT**

Consumers Energy Company is hereby authorized as of the \_\_\_\_\_ day of \_\_\_\_\_, 2009, by the City of Adrian, to make changes, as listed below, in the streetlighting system(s) covered by the existing Standard Streetlighting Contract between the Company and the City of Adrian, dated March 1, 1981.

- Energy-Only Streetlighting Rate L-1
- Customer-Owned Streetlight System Rate L-2
- Company-Owned Streetlight System Rate L-3

<u>Number of Luminaires</u>	<u>Nominal Lumen Rating</u>	<u>Light Source</u>	<u>Installation or Removal</u>	<u>Voltage Service</u>	<u>Point of Attachment With Company's Dist System</u>	<u>Location</u>
2	8500	HPS	Install			Heritage Park Entrance Parking Lot

Notification Number 1004008159

Construction Work Order Number 12241959

Except for the changes in the streetlighting system(s) as herein authorized, all provisions of the aforesaid Standard Streetlighting Contract dated March 1, 1981, shall remain in full force and effect.

\_\_\_\_\_

By: \_\_\_\_\_

Its \_\_\_\_\_

\_\_\_\_\_

**RESOLUTION**

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the streetlighting service as provided in the Standard Streetlighting Contract between the Company and the  City  Village  Township of March 1, dated 1981, in accordance with the Authorization for Change in Standard Streetlighting Contract dated as of \_\_\_\_\_, 2009, heretofore submitted to and considered by this  Commission  Council  Board; and

RESOLVED, further, that the \_\_\_\_\_ and City Clerk be and are authorized to execute such authorization for change on behalf of the  City  Village  Township.

STATE OF MICHIGAN                    )  
  ) ss  
COUNTY OF Lenawee                )

I, \_\_\_\_\_, Clerk of the  City  Village  Township of Adrian do hereby certify that the foregoing resolution was duly adopted by the  Commission  Council  Board of said municipality, at the meeting held therein on the \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
 City       Village       Township Clerk

Dated:

\_\_\_\_\_

**R09-152**

September 8, 2009

**RE: DEPARTMENT OF PARKS & RECREATION – Authorization to Change Consumers Energy Company Standard Street-lighting Contract to Provide Two (2) Parking Lot Lights at Heritage Park**

**RESOLUTION**

WHEREAS, the Parks and Recreation Director recommends installation of two (2) street lights at Heritage Park parking lot to accommodate the safety of softball players and spectators when the field lights are extinguished; and

WHEREAS, implementation of the aforementioned recommendation requires authorization for a change in the Consumers Energy Company Standard Street-lighting Contract dated March 1, 1981; and

WHEREAS, costs associated with the additional street lights amount to \$200 for installation and \$9.54 each per month for maintenance for a first year cost of \$429; and

WHEREAS, funding for this expense is available in the FY2009-10 Heritage Park Operating Budget, Electrical Account (101-698.00-921.000); and

WHEREAS, the Parks & Recreation Director and City Administrator recommend approval of this resolution authorizing the City Administrator to sign the proposed revision to the Consumers Energy Company Standard Streetlighting Contract.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the City Administrator to sign the proposed revision to the Consumers Energy Company Standard Streetlighting Contract that would provide for the installation of two (2) street lights at Heritage Park parking lot to accommodate the safety of softball players and spectators when the field lights are extinguished.

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

R. 7

DATE: September 2, 2009  
TO: Honorable Mayor and City Commission  
FROM: Dane C. Nelson, City Administrator  
SUBJECT: Consumers Energy - Forestry Services Agreement

The Parks and Recreation Director has negotiated a Forestry Services Agreement with Consumers Energy to provide emergency and/or additional forestry services to the City of Adrian on an "as needed" basis. The scope of work would include tree trimming and removal, including tree clearing in response to storm damage. The cost for regular time would be \$45.00 per man-hour or \$65.00 per man-hour for premium time. Response time would be within 90 minutes of being notified. The agreement would be for a one-year period with renewal optional.

I urge your favorable consideration to approve the Forestry Services Agreement with Consumers Energy. Funds are available in the Fee Estate and/or Parks General accounts for this service.

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

DCN:bjw

R-1

# Memo

**To:** Dane C. Nelson, City Administrator  
**From:** Mark K. Gasche, Parks and Recreation Director  
**Date:** September 2, 2009  
**Subj:** Forestry Services Agreement Consumers Energy

In order to prepare for the possible need for emergency and/or additional forestry services we would like to enter into a Forestry Services Agreement with Consumers Energy. By having this agreement Consumers Energy would be on call to provide forestry services to us if needed in the case of a storm emergency or at other times when additional help is needed. This agreement is not binding in that we must use Consumers for forestry operations, only that they will be available to assist us if we call upon them. This agreement would not impact our plans to contract with an outside company to provide forestry services on a regular basis beginning January 1, 2010. It is however a good indication of what those services will cost when we bid out that work. The length of the agreement is for one year and can be renewed after that.

The proposed fees for this agreement (see attached) include all labor, equipment, and small tools necessary to perform the services requested. The fees for regular time (\$45.00 per man-hour worked) are less than the cost of our in-house wages, overhead, and equipment rental for comparable work. The same is true for the premium time rate of \$65.00 per man hour. The agreement calls for Consumers to provide a crew(s) within ninety (90) minutes of being notified by the City of the need for emergency service.

After review with staff it is my recommendation that we enter into this Forestry Services Agreement with Consumers Energy with all stipulations and fees stated in the attached agreement. Funds for these services, if needed, would be taken from contractual services in the Fee Estate and/or Parks General accounts.

# FORESTRY SERVICES AGREEMENT

## PART I

Contract Date: August 24, 2009:

AGREEMENT between CONSUMERS ENERGY COMPANY (CONSUMERS), a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201, and CITY OF ADRIAN, 112 West Cass Street, Adrian, Michigan 49224 (CLIENT).

### 1. SCOPE OF SERVICES

CONSUMERS will perform forestry services for CLIENT as identified in Exhibit A, attached to and made a part of this AGREEMENT.

### 2. EFFECTIVE DATE AND TERM OF AGREEMENT

This AGREEMENT shall become effective upon its execution and shall continue in effect for an initial term of one year and from year to year thereafter until terminated by mutual consent or by either party giving the other at least sixty (60) days' prior written notice of its desire to terminate the AGREEMENT at the expiration of the initial term or any subsequent renewal term.

### 3. TERMS AND CONDITIONS

PART II, TERMS AND CONDITIONS OF FORESTRY SERVICES, attached hereto, is incorporated herein and made a part hereof.

### 4. ACKNOWLEDGEMENT

**CLIENT acknowledges that it has received and read all attachments and other documents included in this AGREEMENT.**

By execution of this AGREEMENT, the parties agree to be bound by the terms hereof.

CONSUMERS ENERGY COMPANY

BY: \_\_\_\_\_



Raymond A. Klavon

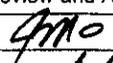
Title: Manager of Forestry Operations

CITY OF ADRIAN

BY: \_\_\_\_\_

(Typed or Printed Name)

Title: \_\_\_\_\_

Review and Approval		
Forestry		8-24-09
Legal		8-21-09

**FORESTRY SERVICES AGREEMENT  
PART II  
TERMS AND CONDITIONS OF FORESTRY SERVICES**

**1. GENERAL**

CONSUMERS shall perform forestry services as identified in Exhibit A.

**2. PRICE**

CLIENT shall pay CONSUMERS and CONSUMERS shall accept as payment for said services the rates and charges set forth in Exhibit B, attached hereto and made a part of this AGREEMENT. Payment of such costs and expenses shall be made in accordance with Section 3 hereof.

**3. PAYMENT**

CONSUMERS will submit itemized invoices to CLIENT monthly as costs are incurred. Such invoices shall be paid by CLIENT so that CONSUMERS will receive the funds by the 30<sup>th</sup> day following the date of such invoice, or the first business day thereafter if the payment date falls on other than a business day. All payments shall be made payable to Consumers Energy Company and shall be sent to Consumers Energy Company, Attention: Kathleen Graham, 4000 Clay Avenue SW, Grand Rapids, Michigan 49548, or by wire transfer to a bank designated by CONSUMERS. Any payment not made on or before the due date shall be assessed a late payment charge for each 30-day period such payment remains late, beginning on the date the payment becomes past due and ending on the date when all past due amounts are paid in full. The late payment charge shall be \$15.00 for each such 30-day period or 2% of the unpaid balance, whichever is greater.

**4. ACCESS**

CONSUMERS, its agents, employees and subcontractors, shall have full right and authority of ingress and egress at all reasonable times on and across the premises of the CLIENT for the purpose of performing the services identified in Exhibit A.

**5. INDEMNITY**

CLIENT shall indemnify and hold CONSUMERS, its officers, agents and employees harmless from and against, and shall at CONSUMERS' option undertake the defense of, any and all claims, losses, liability and damage, including reasonable attorney fees, which CONSUMERS might sustain or incur or which might be asserted by any third party against CONSUMERS as a result of the services provided under this AGREEMENT, whether based on warranty, contract, tort (including negligence), strict liability or otherwise, unless caused solely by the negligence of CONSUMERS, its agents, vendors, contractors or employees.

**6. WARRANTY**

CONSUMERS warrants that any forestry services performed under this AGREEMENT will be performed by properly skilled personnel in accordance with generally accepted standards for the services being performed. The sole liability of CONSUMERS for defective services under this warranty or otherwise, shall be limited to reperforming any such services on the same conditions as the original services. The foregoing is the CLIENT'S exclusive remedy and EXCEPT AS EXPRESSLY STATED HEREIN, THERE ARE NO OTHER WARRANTIES, EXPRESS, IMPLIED OR STATUTORY, INCLUDING THE WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. In no event shall CONSUMERS be liable for any loss or damage whatsoever by reason of its failure to discover, report or modify latent defect or defects inherent in the subject matter of the services. CLIENT shall notify CONSUMERS in writing of any breach of warranty with respect to the services performed by

CONSUMERS within thirty (30) days after completion of the services that the CLIENT claims are defective.

## **7. LIMITATION OF LIABILITY**

The total liability of CONSUMERS, its agents, employees, vendors and contractors with respect to any and all claims arising out of this AGREEMENT including the performance of obligations in connection with the services provided hereunder, whether based on contract, warranty, tort (including negligence), strict liability or otherwise, shall not exceed in the aggregate the price paid by the CLIENT for the services provided by CONSUMERS during the calendar year preceding the claim and shall in no event include incidental or consequential damages of any nature including, but not limited to, loss of revenue or its use; loss by reason of facility or equipment shutdown or inability to operate equipment, materials, supplies or services outside of CONSUMERS' scope of supply; costs of replacement power or capital; claims of the CLIENT'S customers; or inventory or use charges.

This LIMITATION OF LIABILITY section shall prevail over any conflicting or inconsistent provision contained herein or in any other applicable document and shall be in effect even if the remedy or remedies set forth herein fail in their essential purpose.

## **8. FORCE MAJEURE**

CONSUMERS shall not be in breach of contract as a result of any delay in performing its obligations if such delay is due to strikes or other labor troubles; inability to obtain labor, materials, components, supplies, for any reason, including default of suppliers or subcontractors; acts of God; fire; flood; storm; earthquake or other natural calamities; war; insurrection; riot; embargoes; curtailment, order, regulations or restrictions imposed by governmental authorities; breakage or accident to machinery or equipment or any other cause which is beyond the reasonable control of CONSUMERS, whether of a similar or dissimilar nature and whether or not existing for foreseeable at the time scheduled for the performance of services. CONSUMERS shall have no obligation to settle any strike or other labor difficulty in a manner not completely satisfactory to it. Should any such delay occur, the time for the performance of CONSUMERS' obligations shall be extended by a period of time equal to the length of the delay plus such additional time as is reasonably necessary to enable CONSUMERS to resume performance of its obligations.

## **9. INDEPENDENT CONTRACTOR RELATIONSHIP**

In the performance of services hereunder, CONSUMERS shall be an independent contractor with the sole authority to control and direct the performance of the details of the services.

## **10. ASSIGNMENT AND SUBCONTRACTING**

This AGREEMENT shall inure to the benefit of and be binding upon the successors and assigns of the respective parties hereto. This AGREEMENT shall not be assigned, transferred or otherwise alienated without the other party's prior written consent, which consent shall not unreasonably be withheld, and any such attempted assignment, transfer or alienation without such written consent shall be void. CONSUMERS may subcontract any services hereunder.

## **11. INSURANCE**

AGREEMENT, Michigan Statutory workers' Compensation, Excess Liability (including contractual liability) with minimum limits of One Million Dollars (\$1,000,000.00) per occurrence, and Michigan No-Fault Automobile Liability Insurance. Such coverages are subject to large deductibles or self-insured retentions in accordance with CONSUMERS' risk management practices. The risk management practice of maintaining large deductibles or self-insured retentions is considered prudent and consistent with other companies of similar size and operation as CONSUMERS. Certificates evidencing that CONSUMERS either maintains the above-mentioned insurance coverage or is an approved self-insurer shall be furnished to the CLIENT if requested.

## **12. GOVERNING LAW**

This AGREEMENT shall be deemed to be a Michigan contract and shall be construed in accordance with and governed by the laws of the State of Michigan, exclusive of its conflict of laws principles.

## **13. THIRD PARTIES, ENTIRE AGREEMENT AND AMENDMENTS**

This AGREEMENT is intended for the benefit of the parties hereto and does not grant any rights to any third parties unless otherwise specifically stated herein. With respect to the subject matter hereof, this AGREEMENT supersedes all previous representations, understandings, negotiations and agreements either written or oral between the parties or their representatives and constitutes the entire agreement between the parties hereto. No amendment or changes to this AGREEMENT shall be binding unless made in writing and duly executed by both parties.

## **14. PERMITS AND LAWS**

With respect to the performance of services hereunder, CONSUMERS shall comply with all applicable ordinances, laws, orders, rules and regulations made by any governmental authority or public regulatory body. CLIENT is responsible for obtaining and maintaining all ongoing permits, rights-of-way, easements, fees, etc. required for the performance of the services covered by this AGREEMENT.

## **15. NOTICE TO PARTIES**

Notices under this AGREEMENT shall be in writing sent by certified or registered U. S. mail, postage prepaid, or courier service to the addresses set forth in Part I hereof (or to such other addresses as the parties notify each other in writing) and shall be effective when received.

## **16. SECTION HEADINGS**

The various headings set forth in the AGREEMENT are for the convenience of reference only and shall in no way affect the construction or interpretation of the AGREEMENT.

## **17. COUNTERPARTS AND ELECTRONIC DOCUMENTS**

This AGREEMENT may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this AGREEMENT, including this AGREEMENT, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

## EXHIBIT A – SCOPE OF SERVICES

CONSUMERS shall perform forestry services as follows:

CONSUMERS shall perform tree trimming and removal services in support of CLIENT's Forestry Operations including emergency response for tree clearing service in response to storm damage where directed by CLIENT. CONSUMERS shall in good faith attempt to provide a minimum of two (2) crews for emergency response within ninety (90) minutes of being notified by CLIENT of the need for emergency response and up to 12 crews within six (6) hours of notification.

Unless otherwise provided in this AGREEMENT, CONSUMERS shall furnish everything necessary to complete the work including, but not limited to, all supervision, labor, tools, materials, supplies, services, facilities, equipment and transportation. CONSUMERS shall perform all of the work in a good, substantial and workmanlike manner. All work shall conform to ANSI A300 Standards or to specifications provided by the CLIENT for the work to be performed hereunder.

No later than Wednesday first following the week worked, CONSUMERS shall submit a copy of its Weekly Summary Crew Report to the CLIENT's authorized representative for work performed the previous week .

Unless otherwise requested by CLIENT and agreed to by CONSUMERS, a crew will consist of a crew foreman and trimmer or crew foreman and ground man, aerial lift truck with a minimum fifty (50) foot aerial lift and self contained wood chip dump box, brush chipper, and necessary small tools and equipment.



**RE: DEPARTMENT OF PARKS & RECREATION – Parks & Forestry Division –  
Approval of Forestry Services Agreement with Consumers Energy  
Company**

**RESOLUTION**

WHEREAS, in order to prepare for the possible need for emergency and/or additional forestry services, the Parks and Recreation Department recommends entering into a one-year non-exclusive renewable agreement with Consumers Energy Company to provide such services in the case of a storm emergency or at other times when additional help is needed; and

WHEREAS, the proposed fees for this agreement include all labor, equipment and small tools necessary to perform the services required; and

WHEREAS, costs associated with the agreement are contingent upon time and material specifically requested at the following hourly rates: \$45.00 per man-hour for straight time and \$65.00 per man-hour for premium time – both of which are less than the City’s in-house wages, overhead and equipment rental costs for comparable work; and

WHEREAS, the Finance Director indicates that funding for this expense is available in the FY2009-10 Parks & Recreation Department Budget (Fund 101), as well as the Fee Estate Budget (Fund 205) in the Contractual Services Accounts; and

WHEREAS, the Parks & Recreation Director and City Administrator recommend approval of this resolution authorizing the City Administrator to sign the proposed agreement with the Consumers Energy Company to provide emergency and/or additional forestry services as needed and requested.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the City Administrator to sign the proposed agreement with the Consumers Energy Company to provide emergency and/or additional forestry services as needed and requested by the Parks & Forestry Superintendent at a cost not to exceed \$45.00 per man-hour for straight time and \$65.00 per man-hour for premium time.

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

R-8



**MEMO**

Date: September 2, 2009

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

From: Jeffrey C. Pardee, Finance Director

**Re: DOWNTOWN DEVELOPMENT AUTHORITY – VIBRANT SMALL CITIES INITIATIVE – Façade Enhancement Program – Revised Contract Amount**

The Adrian City Commission, by resolution #R09-128 dated July 20, 2009, authorized selection of the low bidder, Campbell-Doroucher of Erie, MI, and engagement in the City’s Standard Professional Services Contract to perform construction services related to the façade enhancement in downtown Adrian. Contract negotiations have resulted in revision of the original estimates as detailed below:

<u>Project</u>	<u>Original Amount</u>	<u>Revised Amount</u>	<u>Increase/ (Decrease)</u>
H&R Block – 149 S. Main	\$ 37,800.00	\$ 40,190.00	\$ 2,390.00
Robert Jewelers – 116-120 S. Main	58,350.00	66,270.00	7,920.00
The Barley House Tavern-113 E. Maumee	22,800.00	18,940.00	(3,860.00)
Jo Ann Steel Insurance – 130 N. Main	58,500.00	60,925.00	2,425.00
Copeland Furniture – 136-140 N. Main	<u>33,900.00</u>	<u>38,595.00</u>	<u>4,695.00</u>
Total	<u>\$211,350.00</u>	<u>\$224,920.00</u>	<u>\$13,570.00</u>

Although the total cost increased by \$13,570, the total revised amount of \$224,920 is still \$375,780 less than the next lowest bidder and well within the \$534,820 provided for in the FY2009-10 Façade Improvements Grant Budget. Sufficient funds are available in Fund 283 – Vibrant Small Cities Grant Fund for this purpose through grant funds (283-481.00-801.003) and matching owner escrow account (283-481.00-801.005).

I respectfully recommend approval of the attached resolution and revision of the negotiated amounts in the final contract with the low bidder, Campbell-Doroucher of Erie, MI, to perform construction services related to the aforementioned façade enhancements. The attached resolution has been prepared for consideration by the City Commission at its regularly scheduled meeting of September 8, 2009. If you have any questions or need for further information, please contact my office.

**RE: DOWNTOWN DEVELOPMENT AUTHORITY – VIBRANT SMALL CITIES INITIATIVE – Façade Enhancement Program – Revised Contract Amount**

**RESOLUTION**

WHEREAS, the Adrian City Commission, by Resolution R09-128 dated July 20, 2009, authorized selection of the low bidder, Campbell-Doroucher of Erie, MI, and engagement in the City’s Standard Professional Services Contract to perform construction services related to the façade enhancement in downtown Adrian; and

WHEREAS, contract negotiations have resulted in revision of the original estimates detailed below:

<u>PROJECT</u>	<u>ORIGINAL AMOUNT</u>	<u>REVISED AMOUNT</u>	<u>INCREASE/ (DECREASE)</u>
H & R Block – 149 S. Main	\$37,800.00	\$40,190.00	\$2,390.00
Robert Jewelers – 116-120 S. Main	58,350.00	66,270.00	7,920.00
Barley House Tavern – 113 E. Maumee	22,800.00	18,940.00	(3,860.00)
Joe Ann Steele Ins. – 130 N. Main	58,500.00	60,925.00	2,425.00
Copeland Furniture – 136-140 N. Main	<u>33,900.00</u>	<u>38,595.00</u>	<u>4,695.00</u>
Total	\$211,350.00	\$224,920.00	\$13,570.00

WHEREAS, although the total cost increased by \$13,570, the total revised amount of \$224,920 is still \$375,780 less than the next lowest bidder and well within the \$534,820 provided for in the FY2009-10 Façade Improvements Grant Budget; and

WHEREAS, the City’s Finance Director indicates that sufficient funds are available in Fund 283 – Vibrant Small Cities Grant Fund for this purpose through grant funds (283-481.00-801-03) and matching owner escrow account (283-481.00-801.005).

WHEREAS, the City Administrator recommends approval of this resolution and revision of the negotiated amounts in the final contract with the low bidder, Campbell-Doroucher of Erie, MI to perform construction services related to the aforementioned enhancements.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, authorizes revision of the negotiated amounts in the final contract with the low bidder, Campbell-Doroucher of Erie, MI, to perform construction services related to the aforementioned façade enhancements at a total cost not to exceed \$224,920.00.

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

R-9

DATE: September 2, 2009

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Street Maintenance – Asphalt Crack Fill

I concur with the recommendation of the Project Manager to award the bid for asphalt crack fill to Wenn Seal Coat of Adrian, MI at a cost of \$7,740.00. A portion of the following streets will be crack filled: Broad St. (Front to Island Park); Winter St. (from US-223 to Main St.) and Maumee St. (Broad to eastern city limits).

Six firms responded to the offer to bid. There are sufficient funds in the Local Street Fund account for this work.

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

DCN:bjw

R-9

September 2, 2009

**MEMORANDUM**

TO: Dane Nelson, City Administrator

FROM: Todd Brown, Project Manager

SUBJECT: Crack Fill



We solicited and received bids for approximately 16,250 LF of street to be crack filled as proactive mean of maintenance. Streets included in the bid are; Broad St.-from Front St. to Island Park; Winter St.- from US-223 to Main St.; and Maumee St.- from Broad St. to Eastern City Limits.

Below is the breakdown of the bids received.

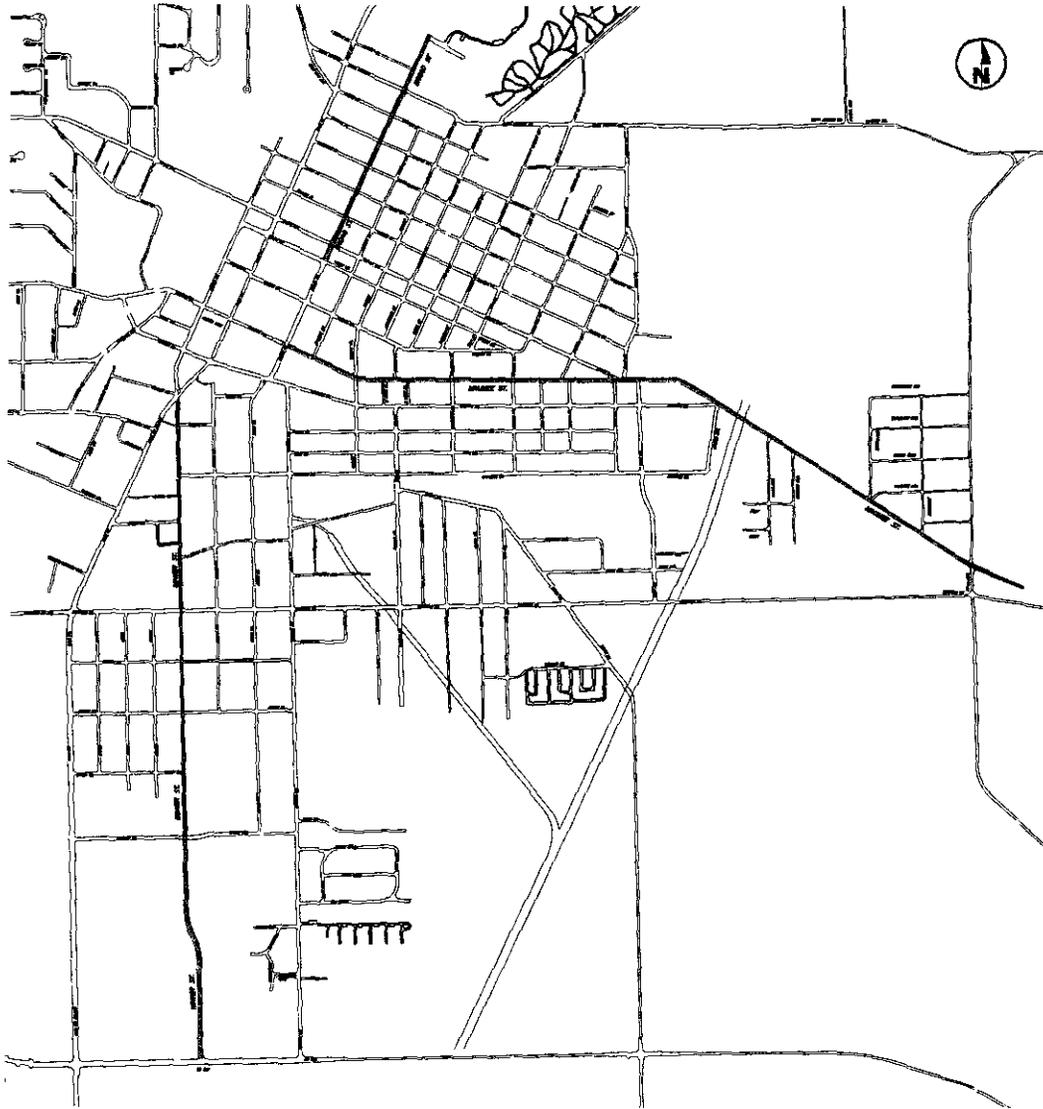
STREET	Wenn Seal Coat Adrian MI	Quality Seal & Stripe Britton, MI	K & B Asphalt Adrian, MI	Scodeller Construction Wixom, MI	D.G. Slurry Seal Holland OH	Slusarski Adrian, MI
Broad-Front to Island Park	\$ 1,505.00 \$.35 LF 4,300 lf	\$1,426.00 \$.23 LF 6,200 lf	\$2,159.00	\$2,533.00	\$4,251.50	\$7,140.00
Winter-Main to Beecher	\$1,085.00 \$.35 LF 3,100 lf	\$ 3,519.00 \$.23 LF 15,300 lf	\$2,047.82	\$3,129.00	\$3,487.00	\$6,018.00
Winter-Beecher to Metcalf	\$1,015.00 \$.35 LF 2,900 lf	Included	\$2,406.86	\$3,427.00	\$4,138.20	\$6,086.00
Winter-Metcalf to US223	\$ 945.00 \$.35 LF 2,700 lf	Included	\$2,922.98	\$3,427.00	\$4,848.80	\$4,488.00
Maumee-Broad to East Limits	\$2,940.00 \$.35 LF 8,400 lf	\$3,266.00 \$.23 LF 14,200 lf	\$4,474.40	\$6,556.00	\$6,908.00	\$13,572.00
Traffic Control	\$ 250.00		Included	Included	\$2,500.00	\$1,800.00
<b>PROJECT TOTAL</b>	<b>\$ 7,740.00</b>	<b>\$ 8,211.00</b>	<b>\$14,011.06</b>	<b>\$ 19,072.00</b>	<b>\$26,133.50</b>	<b>\$39,104.00</b>

I recommend Wenn Seal Coating and Striping Inc. be awarded this bid at \$7,740.

Funds are available for this work in the Local Street Fund – 202-463.00-801.104

# 2009 CRACK FILLING PROJECT

Vicinity Key Map



ENGINEERING DEPARTMENT  
CITY HALL  
100 E. CHURCH STREET  
ADRIAN, MI 49221  
(517) 264-4829

Gary McDowell - Mayor

Members of Commission

Mike Clegg	Michael Osborne, Jr.
Greg Dumars	Dusty Steele
Christopher Miller	



Kristin L. Bauer, P.E., City Engineer  
Dane C. Nelson, City Administrator

**R09-155**

September 8, 2009

**RE: ENGINEERING DEPT. – Asphalt Crack Fill on Portions of Broad, Winter and Maumee Streets**

**RESOLUTION**

WHEREAS, sealed bids were received on September 1, 2009 for crack fill on portions of Broad, Winter and Maumee Streets; and

WHEREAS, said bids have been tabulated and recommendations made by the Project Engineer and the City Administrator; and

WHEREAS, the Finance Director has determined that there are sufficient funds in the Local Street Fund (202-463.00-801.104) for this expense; and

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

NOW, THEREFORE, BE IT RESOLVED, that the bid for crack fill be awarded to Wenn Seal Coat of Adrian, MI, in the amount of \$7,740.00 under the terms and conditions as specified and as proposed in their sealed bid dated September 1, 2009.

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

R-10

R09-156

September 8, 2009

**RESOLUTION**

WHEREAS, the Adrian City Commission has previously authorized the creation of a Municipal Complex on E. Maumee Street in the City of Adrian and for renovations to the recently purchased Parks & Forestry building located on Miles Drive in the City of Adrian; and

WHEREAS, a portion of the expenditures for these projects have and will occur after February 17, 2009 and are, therefore, eligible to be financed through the issuance of Recovery Zone bonds; and

WHEREAS, the grouping of these projects in one bond issuance and as one project has been approved by City bond legal counsel.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The City Administrator has been authorized to request an allocation of Recovery Zone bonds from the Lenawee County Commission in the amount of \$5,740,000 for this project.
2. That the City Commission confirmed that it has authorized construction of a new police facility and renovations to the following buildings, which have all commenced:
  - Former First Federal Bank for future use as City Hall;
  - Adrian Public Library renovations;
  - The original Adrian Post Office;
  - Parks & Forestry Building on Miles Drive
3. That the City confirms that it has retained the firm of Stauder Barch as its bond advisor; Miller Canfield as its bond legal counsel; and Stifel Nicolaus as its bond underwriter and confirms that the above projects will qualify for Recovery Zone bonds.

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