

PRE-MEETING AGENDA

ADRIAN CITY COMMISSION
AGENDA
PRE-MEETING STUDY SESSION
FEBRUARY 18, 2008
5:30 P.M.

The City Commission will meet for a pre-meeting study session on Monday, February 18, 2008, at 5:30 p.m. in the 2nd floor Conference Room at City Hall to discuss the following:

- I. Closed session to discuss real estate acquisition
- I I. Other items as time permits

COMMISSION AGENDA

**AGENDA
ADRIAN CITY COMMISSION
FEBRUARY 18, 2008
7:00 P.M.**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- I I. ROLL CALL
- I I I. APPROVAL OF THE MINUTES OF THE FEBRUARY 4, 2008 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- I V. PRESENTATION OF ACCOUNTS
- V. COMMUNICATIONS
 - 1. C-1. Memo from Finance Director regarding Intergovernmental Cooperation with LISD
- V I. CONSENT AGENDA
 - A. RESOLUTIONS
 - 1. CR08-007. Resolution setting a public hearing date (March 3, 2008) to hear and consider comments to the establishment of an Industrial Facilities Development District for Adrian Steel, 906 James Street.
 - 2. CR08-008. Resolution to approve the purchase of a 2008 Ford pickup for the Public Works Department.
 - 3. CR08-009. Resolution to award bid for HVAC replacements at the south digester and east blower buildings at the Wastewater Plant.
 - 4. CR08-010. Resolution to award bid for door and frame replacements at the south digester building at the Wastewater Plant.
 - 5. CR08-011. Resolution to approve the appointment of Joseph Wagley to the Board of Review for a one (1) year term.
- V I I. PUBLIC COMMENT
- V I I I. REGULAR AGENDA
 - A. ORDINANCES
 - 1. Ord. 08-01. Introduction of an Ordinance to amend the Zoning/Development Regulations to allow shopping centers in the B-1 and B-2 Districts.

2. Ord. 08-02. Introduction of an Ordinance to amend Sections 2.71 and 25.14 of the Zoning/Development Regulations to allow beauty and barber shops as a home occupation in the R-2, R-3 and R-4 residential districts under certain conditions.
3. Ord. 08-03. Introduction of an Ordinance to amend Section XXX – Signs - of the Zoning/Development Regulations, in its entirety.
4. Ord. 08-04. Introduction of an Ordinance to delete Section 15.03 (4) of the Zoning/Development Regulation, which would remove work release facilities from the B-3 District.

B. RESOLUTIONS

1. R08-031. Resolution to adopt the FY2008-14 Capital Improvement Program and the FY2008-09 Capital Budget for incorporation into the FY2008-09 Operating Budget and General Appropriations Act.
2. R08-032. Resolution to approve the purchase of a 2008 Ford F-350 truck with a skid-mounted tank and pump to replace Fire Pumper #1.
3. R08-033. Resolution to approve purchase of a used sport utility vehicle for the Public Works Department.
4. R08-034. Resolution to approve a cost-sharing agreement to fund the proposed M-34 Road Improvement Project for the new Biofuel Industries Group, the appropriation of funds, approval of budget amendments, and authorizing the Mayor and City Clerk to execute Contract No. 07-5372 with MDOT.
5. R08-035. Resolution to approve hydrogeological services for the Maple Avenue well and that the bid process be waived.
6. R08-036. Resolution to approve drilling new observation and production wells to replace the existing Maple Ave. well, waiving of the bid process, and the resulting budget amendments.

I X. MISCELLANEOUS

1. D.A.R.T. Passenger Ridership Report
2. Adrian Planning Commission Minutes (2-5-08)
3. Community Development Work Program Report
4. Departmental Report

X. PUBLIC COMMENT

X I. COMMISSIONERS' COMMENTS

MINUTES

CITY COMMISSION

Official proceedings of the February 4, 2008 regular meeting of the City Commission, Adrian, Michigan.

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

PRESENT: Mayor McDowell, Commissioners Osborne, Valentine, Mitzel, Steele, Clegg and DuMars

Commissioner Mitzel moved to approve the minutes of the January 22, 2008, regular meeting of the Adrian City Commission, seconded by Commissioner Steele, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher #2755 through #2761	\$ 131,310.98
General Fund Vouchers #18522 through #18535	514,280.03
Clearing Account Vouchers amounting to	<u>\$ 706,379.84</u>
TOTAL EXPENDITURES	<u>\$1,351,970.85</u>

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

COMMUNICATIONS

1. C-1. Communication from Comcast regarding price increases on certain services
2. C-2. Finance Report on 2008-09 Preliminary Revenue Estimates
3. C-3. Finance Department Calendar - 2008

CONSENT AGENDA

RESOLUTIONS

RE: POLICE DEPT. – Traffic Control Order 07-15 – Install “No Parking” sign south of Donut Depot drive on S. Center Street

RESOLUTION CR08-004

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

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

Install a "NO PARKING" sign in front of the gas pit just south of the Donut Depot drive on South Center Street

RE: POLICE DEPT. – Traffic Control Order 07-16 – Post "No Parking" both sides of street between Michigan & Treat Streets

RESOLUTION CR08-005

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

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

TCO 07-16 – Post both sides of the street between Michigan Street and Treat Street as "NO PARKING" to maintain visibility to the railroad crossing

RE: UTILITIES DEPARTMENT – Waste Water System Flow Monitoring Equipment Purchase

RESOLUTION CR08-006

WHEREAS, the Adrian City Commission, by Resolution #R07-085 dated May 7, 2007, approved the FY2007-08 Budget and General Appropriations Act, which included \$35,000 (Acct. # 497-555.00-977.552) for flow monitoring equipment for the Waste Water System; and

WHEREAS, bids were solicited and three (3) bids were received on October 23, 2007 by the City of Adrian Purchasing Office for the purchase of three (3) flow monitoring devices for the Waste Water System, with the following results:

<u>Vendor</u>	<u>Amount</u>
Hesco, Warren, MI	\$15,579
Midwest Municipal Instrument	\$27,341
Marsh-McBirney, Frederick, MD	\$28,610; and

WHEREAS, the Utilities Director and City Administrator recommend that the low bidder, Hesco of Warren, MI, be awarded the bid, and that a fourth device be added to the purchase, for a total cost of \$19,356, which is well within the authorized budget appropriation.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acquisition of four (4) flow monitoring devices for the Waste Water System from Hesco of Warren, MI in the amount of \$19,356.

On motion by Commissioner Mitzel, seconded by Commissioner DuMars, Consent Resolutions CR08-004 through CR08-006 were adopted by a unanimous vote.

REGULAR AGENDA

RESOLUTIONS

RE: DEPARTMENT OF FINANCE –FY2007-08 SECOND QUARTER BUDGET AMENDMENTS

RESOLUTION R08-024

WHEREAS, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Units of Government, provides for adjustments to the adopted budget; and

WHEREAS, the Financial Forecast, prepared by the City of Adrian's Finance Department, has identified several variances between current projections and estimated revenues and appropriations included in the Adopted and Amended FY2007-08 Budget, and recommends appropriate budget amendments; and

WHEREAS, the recommended budget amendments comply with the Uniform Budgeting and Accounting Act requirement that no appropriations measure may be submitted to the City Commission that would allow total expenditures/expenses, including an accrued deficit, to exceed total estimated revenues, including an available surplus; and

WHEREAS, funding of the proposed budget amendments involves appropriations from Designated or Undesignated Fund Balance from the following Funds:

General Fund (101-000.00-393.004) Designated – Fire Dept.	
Motor Vehicle Pool – Working Capital	\$400,000
General Fund (101-000.00-393.014) Designated – Local Grant Match	\$ 3,920
Major Street Fund (202-000.00-390.000) Undesignated Fund Balance	\$375,000
Sewer Fund (590-000.00-390.000) Undesignated Fund Balance	\$751,896

WHEREAS, the City Administrator has reviewed the Financial Forecast and proposed budget amendments and recommends their adoption.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission authorizes the Department of Finance to amend the FY2007-08 Budget in accordance with the attached schedule entitled, "City of Adrian FY2007-08 Second Quarter Financial Forecast and Recommended Budget Amendments".

BE IT, FURTHER, RESOLVED that appropriations be authorized from Designated or Undesignated Fund Balance from the following Funds:

General Fund (101-000.00-393.004) Designated – Fire Dept.	
Motor Vehicle Pool – Working Capital	\$400,000
General Fund (101-000.00-393.014) Designated – Local Grant Match	\$ 3,920
Major Street Fund (202-000.00-390.000) Undesignated Fund Balance	\$375,000
Sewer Fund (590-000.00-390.000) Undesignated Fund Balance	\$751,896

BE IT, FURTHER, RESOLVED that the resulting Amended Budget shall comply with the Uniform Budgeting and Accounting Act (Public Act 621 of 1978) for Local Units of Government, which requires that no appropriations measure may be adopted in which total expenditures/expenses, including an accrued deficit, exceed total estimated revenues, including an available surplus.

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

RE: ADMINISTRATION – Farm Land Lease Agreement – Witt Farm

RESOLUTION R08-025

WHEREAS, the City of Adrian is the owner of approximately 80 acres of land adjacent to M-52 (Parcel #XAO-100-0318-01), formerly known as the Witt Farm; and

WHEREAS, a portion of the real estate is tillable (62 acres); and

WHEREAS, the City Administrator has negotiated a proposed Lease Agreement with the previous farmer of said property to rent the tillable portion of the property for \$75 per acre for a total of \$4,650, which terms have been reviewed by the City Commission and found to be in the best interests of the City to ratify; and

WHEREAS, the aforementioned revenue shall be recorded in the Engineering Department Rent Account (101-449.00-671.000).

NOW, THEREFORE, BE IT RESOLVED that the City Commission, by this resolution, hereby authorizes the Mayor to enter into a Farm Lease Agreement with Fred Feight to rent approximately 62 acres of tillable ground on the above mentioned parcel of real estate for Seventy-Five (\$75.00) Dollars per acre for a period ending December 15, 2008, and subject to other terms acceptable to the City Commission and Administration.

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

RE: DEPARTMENT OF PARKS & RECREATION – Burr Ponds Project - Authorization to Purchase and Install Second Fishing Pier

RESOLUTION R08-026

WHEREAS, the Adrian City Commission, by Resolution R08-008 dated January 7, 2008, authorized the purchase of a second fishing pier within the financial constraints of the original \$844,000 authorization for the Burr Ponds Renovation Project, contingent upon receipt of the anticipated \$7,000 contribution from the Adrian Kiwanis Club; and

WHEREAS, on January 16, 2008, the Adrian Kiwanis Club awarded a \$7,000 contribution to the City of Adrian for the purpose of acquiring a second fishing pier for the Burr Ponds Project; and

WHEREAS, the acquisition and installation of the aforementioned fishing pier is available from the same source, Devil's Lake Water Sports, Manitou Beach, MI, and with the same specifications and price (\$28,410) that the first fishing pier and bridges were acquired; and

WHEREAS, the Director of Parks & Recreation and City Administrator recommend 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, and that the City Commission select Devil's Lake Water Sports, Manitou Beach, MI as the vendor to provide and install the aforesaid fishing pier.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase and installation of a second fishing pier for the Burr Ponds Renovation Project from Devil's Lake Water Sports, Manitou Beach, MI at a cost not to exceed \$28,410.

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

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

RE: TREASURY DEPT. – Waiving of Late Penalty Fee on Property Taxes for Seniors, Totally & Permanently Disabled Individuals, and Certain Others

RESOLUTION R08-027

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

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

NOW, THEREFORE, BE IT RESOLVED, that the 3% late penalty fee, effective February 15, 2008, be waived under the terms, conditions and limitations of Public Act No. 166 of 1977.

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

RE: DEPARTMENT OF PARKS & RECREATION – Disposition of Showmobile

RESOLUTION R08-028

WHEREAS, the City Purchasing Officer solicited bids from ten (10) potential purchasers and, on Thursday, January 10, 2008, received two (2) bids on behalf of

the Department of Parks & Recreation to purchase the 1970 Wenger Showmobile, with the following results:

<u>Purchaser</u>	<u>Location</u>	<u>Amount</u>
Adrian Public Schools	Adrian, MI	\$2,005
Milan Fair Board	Milan, MI	\$2,008; and

WHEREAS, a review of the bid results reveals that the difference is inconsequential and that, due to the long-standing cooperative relationship between the City and local school district, that the best interests of the City would be served by awarding the purchase to Adrian Public Schools; and

WHEREAS, in addition, the Adrian Public Schools have agreed to work with the Milan Fair Board if they need to use the showmobile; and

WHEREAS, therefore, the Parks & Recreation Director and City Administrator recommend awarding the purchase to Adrian Public Schools, Adrian, MI at a price of \$2,005; and

WHEREAS, proceeds from the sale of the showmobile should be recorded in the Parks & Recreation "Sale of Property" account (101-691.00-683.000).

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of the Parks & Recreation Department's 1970 Wenger Showmobile to Adrian Public Schools at a price of \$2,005.

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

RE: DEPARTMENT OF PARKS & RECREATION – Parks & Forestry Division – Design Specifications for Parks & Forestry Building Renovation

RESOLUTION R08-029

WHEREAS, the Adrian City Commission, by Resolution R07-124 dated July 16, 2008, approved financing for the purchase and renovation of the new Parks & Forestry Facility, located at 381 Miles Drive, at a total cost not to exceed \$2,000,000; and

WHEREAS, the City Administrator has executed a purchase agreement to acquire the subject building in the amount of \$550,000, including taxes and closing expenses; and

WHEREAS, Dailey Engineering, Onsted, MI, has submitted a proposal to prepare the design specifications for the building renovation at a cost not to exceed \$4,000; and

WHEREAS, although the dollar amount of this proposal is within the \$5,000 limit for administrative approval, the intent is to have Dailey Engineering become the third party to the Installment Purchase Agreement, providing coordination and oversight services for the entire renovation project at a reduced cost of 6% of construction-renovation expenses rather than the customary 7% to 9% fee for this type of work; and

WHEREAS, it is the further intent that, once the design specifications have been prepared and construction proposals received with related costs, the City Commission will be asked for final approval for completion of the project, including project financing; and

WHEREAS the Parks & Recreation Director and City Administrator recommend the engagement of Daily Engineering, Onsted, MI in the City's Standard Professional Services Contract for the purpose of preparing design specifications for the Parks & Forestry Building renovation at a cost not to exceed \$4,000, and that the bid process be waived in accordance with the City's Purchasing Policy as specified in Chapter 12 of the City Charter and Section 2-304 of the Codified City Ordinances.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the engagement of Daily Engineering, Onsted, MI in the City's Standard Professional Services Contract for the purpose of preparing design specifications for the Parks & Forestry Building renovation at a cost not to exceed \$4,000.

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

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

RE: DIAL-A-RIDE – State Funding and Appointing Transportation Coordinator

RESOLUTION R08-030

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the City of Adrian (hereby known as THE APPLICANT), established under Act 94, to provide a local transportation program for the state fiscal year of 2009 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for THE APPLICANT to name an official representative for all public transportation matters who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year (State Operating Assistance Program only); and

WHEREAS, the performance indicators for the agency have been reviewed and approved by THE APPLICANT (State Operating Assistance Program only); and

WHEREAS, THE APPLICANT has reviewed and approved the proposed balanced (surplus) budget and funding sources of estimated federal funds of

\$67,445; estimated state funds of \$152,385; estimated local funds of \$110,700; estimated fare box funds of \$91,000; and estimated other funds of \$0.00, with total estimated expenses of \$421,530.

NOW, THEREFORE, BE IT RESOLVED that THE APPLICANT hereby makes its intention known to provide public transportation services and to apply for state financial assistance with this annual plan in accordance with Act 51; and

HEREBY appoints Marcia Bohannon as the Transportation Coordinator for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2009.

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

MISCELLANEOUS

1. Planning Commission Minutes
2. Zoning Board of Appeals

PUBLIC COMMENT

1. Howard Bales, 305 W. Maple Ave., commented on the alteration of the construction contract for the new transportation building (R08-023), rescinding Change Order #1 in favor of contracting directly with Brady Sand and Gravel for a reduced amount.

COMMISSIONERS' COMMENTS

1. Commissioner Clegg asked, referencing the Planning Commission Minutes above (M-1), why a site plan was needed for 922 E. Beecher Street. Administrator Nelson explained that it was necessary because this was a second use on one property.

At 8:10 p.m., Commissioner DuMars made a motion to go into closed session to discuss pending litigation, seconded by Commissioner Valentine, motion passed by a unanimous vote.

The next regular meeting of the Adrian City Commission will be held on Monday, February 18, 2008, at 7:00 p.m. in the Commission Chambers on the 2nd floor of Adrian City Hall, 100 E. Church Street, Adrian, MI 49221.

Gary E. McDowell
Mayor

Pat Baker
City Clerk

PRESENTATION OF
ACCOUNTS

February 18, 2008

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



Dane C. Nelson
City Administrator

DCN:bjw

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

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

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

February 18 2008

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
<u>Receiving</u>			
2762	City of Adrian: Payroll	Payroll for Feb 1	\$ 22,252.21
2763	Consumers Energy	Water Plant Electric	\$ 8,629.30
2764	Verizon North	Phone Bills	\$ 134.93
2765	City of Adrian: Clearing	Feb 4 Check Register	\$ 519,357.54
2766	City of Adrian: General	Feb Office Rent	\$ 650.00
2767	VOID		\$ -
2768	City of Adrian: Payroll	Payroll for Feb 8	\$ 44,040.82
2769	Verizon North	O&M Phone	\$ 110.16

Total \$ 595,174.96

LESS: CK# 2765 \$ 519,357.54

TOTAL \$ 75,817.42

18-Feb-08

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
18505	\$ (121.00)	Jennie Ramos	Void Check
18536	\$ 227.00	City of Adrian	Petty Cash
18537	\$ 18,021.46	City of Adrian: Payroll	Payroll for Feb 1
18538	\$ 3,670.39	Bank of Lenawee	Soc Security for Feb 1
18539	\$ 16,331.23	Consumers Energy	Various Electric Bills
18540	\$ 919.62	Verizon North	Various Phone Bills
18541	\$ 175,874.18	City of Adrian: Clearing	Feb 4 Check Register
18542	\$ 121.00	Jennie Ramos	Piotter Rental Refund
18543	\$ 6,039.19	Citizens Gas Fuel Co	Various Heat Bills
18544	\$ 1,051.39	US Postmaster	Recreation Postage
18545	\$ 4,383.42	Quick Service Transportation	Payroll W/E Feb 2
18546	\$ 1,142.92	City of Adrian: Utilities	Various Water Bills
18547	\$ 203,219.66	City of Adrian: Payroll	Payroll for Feb 8
18548	\$ 13,197.04	Bank of Lenawee	Soc Security for Feb 8
18549	\$ 25.00	State of Michigan	Assessor Tax Tribunal Fee
18550	\$ 42.00	Len County Reg of Deeds	P&T Recording Fees
18551	\$ 721.64	City of Adrian: Water	January Charges
18552	\$ 1,185.82	Verizon North	Various Phone Bills
	\$ 446,051.96		
	\$ (175,874.18)	Less: CK# 18541	
	\$ 270,177.78		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. 3-S CONSTRUCTION, INC.	11,581.44		
2. ADRIAN AREA CHAMBER OF COMME	10.00		
3. CITY OF ADRIAN	41.74		
4. ADRIAN LOCKSMITH & CYCLERY	53.70		
5. ADRIAN MECHANICAL SERVICES C	820.20		
6. ADRIAN WATER CONDITIONING IN	84.05		
7. ADVANCE AUTO PARTS COMMERCIA	40.32		
8. AIRGAS GREAT LAKES	104.65		
9. ALLIED WASTE SERVICES	50,642.84		
10. ALLIED WASTE SERVICES #259	4,315.32		
11. AMAZON CREDIT PLAN	2,088.94		
12. AMERICAN WATER WORKS ASSN	477.14		
13. AREA AGENCIES ON AGING	24.00		
14. ASTI ENVIRONMENTAL SERVICES	10,788.27		
15. BAKER & TAYLOR BOOKS	1,163.94		
16. THE BANK OF NEW YORK	97,960.00		
17. BASELINE CONSTRUCTORS, INC	49,635.14		
18. BATTERY WHOLESALE	34.35		
19. BEACON FORMS & LABELS INC.	471.02		
20. BECKETT & RAEDER	700.00		
21. GREG BELL CHEVROLET, INC	540.00		
22. ROBERT BISHOP	225.87		
23. BOOK OF THE MONTH CLUB	38.82		
24. BRAKES-N-MORE	339.18		
25. BUCK & KNOBBY EQUIP CO INC	496.81		
26. CALIFORNIA CONTRACTORS SUPPL	159.80		
27. CASLER HARDWARE INC	54.00		
28. CHOICEPOINT SERVICES	143.55		
29. CITIZENS GAS FUEL CO	3,000.00		
30. CIVICPLUS	1,004.25		
31. COMMUNICATION CONSULTANTS	110.50		
32. CONTINENTAL SERVICE	1,830.47		
33. CORRPRO WATERWORKS	1,200.00		
34. CRONATRON WELDING SYSTEMS IN	201.21		
35. CROSWELL OPERA HOUSE	500.00		
36. CUTLER DICKERSON CO	2,605.99		
37. D&P COMMUNICATIONS	694.92		
38. JAMES DAILEY	25.00		
39. THE DAILY TELEGRAM	2,106.49		
40. DAVID FENNER	342.90		
41. DAVIS, JOHN	25.00		
42. DETROIT ELEVATOR COMPANY	155.00		
43. DICK'S AMOCO INC	109.50		
44. DOAN CONSTRUCTION CO	393.00		
45. JACK DOHENY SUPPLIES	2,666.89		
46. DRILLCO NATIONAL GROUP	591.00		
47. DEVIL'S LAKE WATER SPORTS, I	27,950.00		
48. EAST JORDAN IRON WORKS INC	337.68		
49. STEVE EBERLE	20.00		
50. EDUCATIONAL RECORD CENTER	703.92		
51. ENGLEWOOD ELECTRICAL SUPPLY	460.32		
52. ENVIRONMENTAL RESOURCE ASSOC	243.73		
53. FASTENAL COMPANY	483.69		
54. FLOYD'S RIGGING & MACHINERY	490.00		
55. FRIENDS OF MICHIGAN LIBRARIE	35.00		
56. STEPHEN R GALBREATH	210.81		
57. GALE	3,517.65		
58. GALLANT & SON	39.99		
59. GERKEN MATERIALS INC.	1,835.87		
60. MARK GIGAX	20.00		
61. GOODWILL INDUSTRIES	318.00		
62. GRAINGER PARTS OPERATIONS	22.79		
63. DENISE GRITZMAKER	20.00		
64. HACH COMPANY	506.05		
65. HADDEN TIRE COMPANY	1,820.20		
66. HEALTH EDUCATION SERVICES	96.00		
67. HEIMAN FIRE EQUIPMENT INC	77.16		
68. HILL, CHRISTOPHER	25.94		
69. KYLE HOFFMAN	96.76		
70. SHANE HORN	20.00		
71. HUBBARDS AUTO CENTER	343.04		
72. HUDSON AREA AMBULANCE	100.00		
73. HURON LIME INC.	2,858.95		
74. HYDRO GATE	1,509.00		
75. HYDRODYNAMICS, INC.	5,765.00		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. I C M A VANTAGE POINT	6,057.44		
77. IAEI MICHIGAN CHAPTER	105.00		
78. ICMA RETIREMENT CORPORATION	198.78		
79. IDEARC MEDIA CORP.	21.50		
80. IMAGE GALLERY	100.00		
81. INDUSTRIAL MILL SUPPLY CORP	349.19		
82. INGRAM LIBRARY SERVICES	381.57		
83. INTERNATIONAL MUNICIPAL	164.00		
84. JACKSON TRUCK SERVICE INC.	132.01		
85. KAPNICK INSURANCE GROUP	4,290.39		
86. KEMIRA WATER SOLUTIONS INC	4,533.90		
87. KETTREN & ASSOCIATES INC	2,100.89		
88. DAVE KNAPP FORD	100.00		
89. LANDS' END BUSINESS OUTFITTE	763.45		
90. LANSING SANITARY SUPPLY INC	886.82		
91. LEGACY PRINTING	189.60		
92. LENAWEE COUNTY HEALTH DEPT	200.00		
93. LENAWEE COUNTY REGISTER OF D	34.00		
94. LENAWEE TIRE & SUPPLY CO	2,499.33		
95. AM LEONARD INC	1,255.85		
96. LEWIS AUTO TRIM	225.00		
97. LINCOLN NATIONAL LIFE INSURA	493.00		
98. LISCOMB DISTRIBUTING	272.60		
99. JAMES LOFFING	77.23		
100. LOWE'S CREDIT SERVICES	18.94		
101. E.T. MACKENZIE CO	442,108.39		
102. MACOMB COMMUNITY COLLEGE	390.00		
103. MANPOWER OF LANSING MI INC.	979.20		
104. GARY MCDOWELL	159.76		
105. MCMASTER CARR SUPPLY CO.	375.06		
106. BEN MEADOWS COMPANY	81.30		
107. MEIJER, INC	187.27		
108. MGFOA	90.00		
109. MICHIGAN ECONOMIC DEVELOPERS	300.00		
110. MICHIGAN GREEN INDUSTRY	250.00		
111. MICHIGAN MUNICIPAL WORKER'S	46,508.00		
112. MICHIGAN REC & PARK ASSOC	560.00		
113. MICHIGAN SECTION IMSA	370.00		
114. MICHIGAN SECTION-AWWA	600.00		
115. STATE OF MICHIGAN	1,688.25		
116. MICHIGAN STATE POLICE	960.00		
117. MICROMARKETING LLC	435.91		
118. MICROSOFT TECH ED 2007	1,795.00		
119. MIDWEST ARBORIST SUPPLIES	150.00		
120. MIDWEST TAPE	512.92		
121. MILLIPORE CORPORATION	403.95		
122. MONROE PLUMBING & HEATING	12,060.00		
123. MORTON INTERNATIONAL	18,525.03		
124. MUGS N' MORE IMAGING	775.00		
125. MUNICIPAL EMPLOYEES' RETIRE	274,918.00		
126. NAPA AUTO & TRUCK PARTS	1,530.70		
127. NELSON TRANE	384.75		
128. OFFICEMAX CONTRACT INC.	78.01		
129. OLIVER OF ADRIAN, INC.	1,515.00		
130. OSBURN ASSOCIATES INC	672.00		
131. PALMER ENVELOPE CO.	1,143.50		
132. PARACLETE PRESS INC	19.98		
133. PARAGON LABORATORIES INC	1,295.00		
134. PAYBACK FOR EDUCATION	125.00		
135. PEERLESS SUPPLY INC	631.82		
136. PETE'S RADIATOR SERVICE INC	150.00		
137. THE PHARM	82.11		
138. GLENN PRESTON	20.00		
139. PRINTCOMM	2,840.50		
140. PVS TECHNOLOGIES INC	5,532.88		
141. QUICK SERVICE TRANSPORTATION	4,779.03		
142. QUILL CORPORATION	734.11		
143. C.S. RAYMER CO INC	5,115.00		
144. RECORDED BOOKS LLC.	280.20		
145. TIM RITCHIE	20.00		
146. S.L.C. METER SERVICE INC	4,036.29		
147. SERVICE ELECTRIC CO OF ADRIA	3,647.00		
148. SHIP TO SHORE COMPUTING INC	1,147.50		
149. ED SOTO	20.00		
150. CAROL SOUCHOCK	132.31		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. STADIUM TROPHY	106.00		
152. STAPLES	83.27		
153. STATEWIDE EMERGENCY PRODUCTS	2,766.00		
154. STEVENSON LUMBER, INC.	459.51		
155. STITCH WIZARD EMBROIDERY INC	378.00		
156. STRATOS MICROSYSTEMS LLC	140.00		
157. SUPER LAUNDROMAT &	155.30		
158. TC3NET	14.95		
159. TDS SECURITY	409.50		
160. TETRA TECH MPS	4,219.24		
161. THOMSON WEST	93.00		
162. TRUCK & TRAILER SPECIALITIES	379.07		
163. TTB CLEANING LLC	350.00		
164. U S POSTMASTER	2,210.00		
165. UNITED PARCEL SERVICE	242.27		
166. VAN BRUNT TRANSPORT INC	2,525.73		
167. VAN ERT'S LAWN SERVICE	290.00		
168. LAURENCE VANALSTINE	34.09		
169. W L E N RADIO	319.00		
170. PAULA WEST	44.84		
171. ROCKY WINTERS	25.00		
***TOTAL ALL CLAIMS**	1,182,335.75		

COMMUNICATIONS

C-1



MEMO

Date: February 7, 2008

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

From: Jeffrey C. Pardee, Finance Director

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

Re: **Intergovernmental Cooperation with Lenawee Intermediate School District**

Last September the Michigan Legislature passes the Consolidation of Services Act (Public Act 63 of 2007), requiring each Michigan Intermediate School District to conduct a study of the possibility of sharing certain non-instructional services identified in the act and submit a report of that study to the Michigan Department of Education by March 19, 2008. The Act requires the report to encompass not only school districts within the jurisdiction of the intermediate school districts, but local units of government as well.

On January 31, 2008, Fire Chief Paul Trinka, Purchasing Officer Cindy Prue, and I met with LISD Executive Director of Finance/Administrative Services to discuss opportunities for collaboration, including those areas specified in the legislation:

- Transportation Services
- Technology Support Services
- Legal Services
- Accounting and other Financial Services
- Production Printing and Graphics
- Shipping and Receiving Services
- Human Resources Administration
- Professional Development
- Food and Child Nutritional Services
- Event Management
- Procurement of Commodities and Services

Although the discussion was exploratory only, we learned that the School Superintendents from all school districts throughout Lenawee County will be meeting monthly to facilitate the collaboration process. As a representative of the City of Adrian, I have been invited to attend and participate in these ongoing meetings.

As future events unfold, I will keep you apprised. If you have any questions, or need for further information, please contact my office.

CONSENT AGENDA

CR-1



City Commission Memorandum

To: Dane C. Nelson
City Administrator

From: James Tischler, AICP, PCP
Director of Community Development

Date: February 12, 2008

Subject: Adrian Steel Company – Act 198 Industrial Development District Request

On February 8, 2008, the City Clerk received an Act 198 Industrial Development District application from Adrian Steel Company. A copy of the application is attached to this cover, which requests the establishment of said district for the parcels comprising their property at 906 James Street. Preliminary discussions with the company indicate that a certificate exemption application, having approximately \$6 million in value, shall be forthcoming, pending action on this request.

Pursuant to Public Act 198 of 1974, as amended, the governing body of a local unit must provide notice to the general public and conduct a public hearing prior to considering action on this request. The attached resolution will schedule Monday, March 3, 2008 as the public hearing date and directs appropriate notice to be made.

Community Development respectfully requests the City Commission to adopt the attached resolution. I will be pleased to answer any questions either prior to or during your meeting.



100 E. Church Street - Adrian, Michigan 49221

Application for Establishment of Industrial Facilities District

Date: 2-8-2008

Industrial Development: X
Plant Rehabilitation: _____

Legal Name of Applicant: Adrian Steel Co.

Contact Person (title): Carol McMillan VP of Finance

Telephone: 517-266-5172 Fax: 517-264-2603

E-Mail: cmcmillan@adriansteel.com

Complete Address: 906 James St. Adrian MI 49221

Project Address: 906 James St. Adrian MI 49221

PROPERTY INFORMATION

(Please attach any additional sheets as necessary)

Legal description(s) of the real property involved:

See Attached:

Permanent Tax Parcel Number(s):

See Attached:

Name and address of all property owners within the proposed district:

Adrian Steel Co.
906 James St.
Adrian MI 49221

The undersigned respectfully requests consideration for creation of an industrial facilities district as specified above pursuant to Act 198, Public Acts of Michigan, 1974, as amended.

Authorized Representative

Permanent Tax Parcel Number(s): Legal description(s) of the real property involved:

XA0-260-0024-00	LOT 24 ASSESSORS PLAT NO. 12
XA0-260-0025-01	LOTS 25 & 26 W 163 FT LOTS 27 & 28 ASSESSORS PLAT NO. 12
XA0-260-0031-00	LOT 31 ASSESSORS PLAT NO. 12
XA0-260-0034-00	LOT 34 ASSESSORS PLAT NO. 12
XA0-260-0035-00	W 37 FT OF LOT 35 ASSESSORS PLAT NO. 12
XA0-260-0036-00	LOT 36 & E 1 1/2 FT LOT 35 ASSESSORS PLAT NO. 12
XA0-260-0037-01	LOTS 37 & 38 & E 31 FT LOTS 27 & 28 ASSESSORS PLAT NO. 12
XA0-260-0039-00	LOT 39 ASSESSORS PLAT NO. 12
XA0-260-0040-00	LOT 40 ASSESSORS PLAT NO. 12

CR08-007

February 18, 2008

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

RESOLUTION

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

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

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

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

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

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

CR-2

DATE: February 12, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Purchase – 2008 Pickup for DPW

I concur with the recommendation of the Public Works Foreman to purchase a 2008 Ford F150 pickup truck from Varsity Ford of Ann Arbor, MI, in the amount of \$15,985.00. This truck will replace a similar vehicle that was totaled in a traffic accident.

Four firms responded to the offer to bid. Funds are available in the General Fund Motor Vehicle Pool budget due to recovery from the accident claim. I urge your favorable consideration authorizing the purchase of the aforementioned vehicle from Varsity Ford in the amount of \$15,985.00.



Dane C. Nelson
City Administrator

DCN:bjw

Memo

To: Dane C. Nelson, City Administrator
From: Mark Bishop, Public Works Foreman
Date: 2/11/2008
Re: Bid Recommendation – One (1) 2008 Pickup Truck for DPW

Sealed bids were received and opened on Thursday, February 7, 2008 for 1 Pickup Truck for the Departments of Public Works. See Attached sheet for bidders.

After review with staff, it is my recommendation that the bid be awarded to Varsity Ford of Ann Arbor Mi. The price for this vehicle is \$15985.00. This truck is replacing a truck due to an auto accident were the vehicle was totaled out by the insurance company.

Mark Bishop
Public Works Foreman

CITY OF ADRIAN, MICHIGAN
 PICKUP TRUCK
 DUE DATE: FEBRUARY 7, 2008

BIDDER	AMOUNT	DELIVERY
Varsity Ford Ann Arbor, MI	\$ 15,985.00 2008 Ford F150 4X2	80-90 days
Dave Knapp Ford Adrian, MI	\$ 17,309.95 w/o manual \$ 17,559.95 w/manual 2008 Ford F-150	45 days
Ed Schmidt Perrysburg, OH	\$ 18,550.00 Chev Silverado 1500	45-60 days
Adrian Dodge Adrian, MI	\$ 18,801.00 Dodge Ram1500	90 days

CR08-008

February 18, 2008

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

RESOLUTION

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

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

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

and

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

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

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

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

MEMORANDUM – UTILITIES DEPARTMENT

DATE: February 12, 2008
TO: Dane C. Nelson, City Administrator
FROM: Shane A. Horn, Utilities Director
SUBJECT: HVAC Replacement – Wastewater Plant

I concur with the recommendation of the Utilities Director to award the bid for replacement of the HVAC systems in the south digester and east blower buildings at the Wastewater Plant to Fry Mechanical at a cost of \$48,264.00. The amount budgeted for this project was \$40,000; however, sufficient funds are available in the Sewer Fund Capital Budget.

Four firms responded to the offer to bid. I recommend that Fry Mechanical be retained for the acquisition and installation of the HVAC systems at a cost of \$48,264.



Dane C. Nelson
City Administrator

On February 7, 2008, the City of Adrian received sealed bids for HVAC replacements in our South digester and East blower building at the wastewater plant. Fry Mechanical of Adrian was the lowest bidder at \$49,214.00 with a \$950.00 deduct for allowing them to install both units at the same time, bringing the total project cost down to \$48,264.00. We have budgeted \$40,000.00 in our current wastewater capital improvement budget for this work. I respectfully recommend that we proceed with awarding this bid to Fry Mechanical of Adrian for \$48,264.00. We will continue to monitor our wastewater plant capital budget and make deletions as necessary to stay under budget.

cc: Jeff Pardee, Finance Director
Ken Wesley, WWTP Superintendent

DEPARTMENTAL CORRESPONDENCE

Date: 2/12/2008

Subject: WWTP HVAC Bid

To: Shane Horn

Dept.: Utilities

From: Kenneth P. Wesley

Dept.: Wastewater Plant

After reviewing the four bids received for the WWTP HVAC project, I recommend that the bid be awarded to Fry Mechanical as they were the low bidder for this work. In addition, Fry Mechanical offered a \$950.00 deduct if both units could be replaced at the same time and we plan to coordinate the work as such. Fry Mechanical bid \$23,464.00 for the South Digester Building HVAC, and \$25,750.00 for the East Blower HVAC less the \$950.00 deduct with a bid total of \$48,264.00.

Kenneth P. Wesley


WWTP Superintendent

CITY OF ADRIAN, MICHIGAN
 ROOFTOP HVAC
 SOUTH DIGESTOR BLDG & EAST BLOWER BLDG
 DUE DATE: FEBRUARY 7, 2008

BIDDER	South Digester Building	East Blower Building	Time Frame
Fry Mechanical Adrian, MI	\$ 23,464.00	\$ 25,750.00	\$950 deduct for both units Begin: 105 days Complete: 14 days
Noron Inc Toledo, OH	\$ 25,000.00	\$ 25,621.00	Begin: 100 days Complete: 14 days
Hi-Tech Mechanical Temperance, MI	\$ 30,561.00	\$ 31,731.00	Begin: Delivery with 14-16 weeks Complete: 30 days
Helm & Associates Maumee, OH	\$ 32,000.00	\$ 34,000.00	Begin: 10 days Compete: 90 days

CR08-009

February 18, 2008

RE: UTILITIES DEPARTMENT – Wastewater Treatment Plant – HVAC Replacement

RESOLUTION

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

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

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

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

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

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

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

CR-4



MEMORANDUM – UTILITIES DEPARTMENT

DATE: February 12, 2008

TO: Dane C. Nelson, City Administrator

FROM: Shane A. Horn, Utilities Director

SUBJECT: Door Replacement South Digester Building – Wastewater Plant

I concur with the recommendation of the Utilities Director to award the bid for door replacements at the Wastewater Treatment Plant south digester building to ACP of Lenawee, Inc. of Clayton, MI, in the amount of \$25,750. The amount budgeted for this project was \$20,000; however, sufficient funds are available in the Sewer Fund Capital Budget for this expense. The non-metallic doors will replace steel doors and frames that are corroded.

Two firms responded to the offer to bid. I recommend that ACP of Lenawee, Inc. be retained for the acquisition and installation of these doors at a cost of \$25,750.



Dane C. Nelson
City Administrator

On February 7, 2008, the City of Adrian received sealed bids for door and frame replacements in our South digester building at the wastewater plant. This has been an ongoing plant improvement process of replacing corroded steel doors and frames with nonmetallic components. The lowest bidder, ACP of Lenawee, has submitted a bid of \$25,750.00 to complete this work. We have budgeted \$20,000.00 in our current wastewater capital improvement budget for this work. I respectfully recommend that we proceed with awarding this bid to ACP of Lenawee for \$25,750.00. We will continue to monitor our wastewater plant capital budget and make deletions as necessary to stay under budget.

cc: Jeff Pardee, Finance Director
Ken Wesley, WWTP Superintendent

DEPARTMENTAL CORRESPONDENCE

Date: 2/12/2008

Subject: WWTP S. Digester Door Replacement Bid

To: Shane Horn

Dept.: Utilities

From: Kenneth P. Wesley

Dept.: Wastewater Plant

After reviewing the two bids received, I recommend that the bid be awarded to ACP of Lenawee Inc. as they were the low bidder for the amount of \$25,750.00.

Kenneth P. Wesley



WWTP Superintendent

CR08-010

February 18, 2008

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

RESOLUTION

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

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

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

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

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

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

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

CR-5

CR08-011

February 18, 2008

RESOLUTION

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

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

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

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

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

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

REGULAR AGENDA

0-1

February 13, 2008

Honorable Mayor
and City Commission:

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

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

Denise Cook, Secretary



Memorandum

TO: Adrian City Planning Commission

FROM: Denise Cook, Secretary

DATE: November 1, 2007

SUBJECT: Text Amendment to the B-2 Community Business District

During review of a site plan for a new shopping center known as North Towne Commons, staff discovered the B-2 District did not contain language that would allow an integrated group of businesses with a shared parking lot. This proposed location is the former Spielman's site at 1325 North Main Street. It was felt that a text amendment to the principal uses permitted in the B-2 District would be more appropriate than rezoning the property to B-4 Shopping Center District.

An investigation was made on existing businesses in the B-2 District. There were several locations that had multiple tenants, some of which were newly constructed buildings. Site plans for these newer buildings were approved for multiple tenant spaces (1060, 1025 and 995 South Main). Here is a listing of buildings with multiple tenants and their zoning district.

Address	Number of Units	Current Businesses	Zoning
1060 South Main	3	Wireless Authority Global Finance Platinum Nails & Hair	B-2
1059-1069 South Main	7 +	ATA Black Belt Enterprises Rent-A-Car Allstate Insurance Brakes-N-More Poe's Towing Fast Lane Signs Carpet One	B-2
1030-1032 South Main	2	Act i Hair Burnett Painting	B-2
1025 South Main	2	Cash Land Auto Care	B-2
995 South Main	3	International Diamond LA Insurance Open lease unit	B-2
921-927 South Main	3	Hacker Jewelers Marco's Pizza Closet Overflow	B-2

913 South Main	5 (2 Bldgs)	Holistic Health Care Stratos Safety Systems Hair Factory Qual-A-rent	B-2
738 South Main	2	Muldary PHC PC Parkside Family Counseling	B-2
604 North Main	3	Adrian Psychotherapy Madhu Raj LLC	B-2
905 North Main	4 +	Fasco Temp Services Lenco Painting Medicine Shoppe Superior Paint Center Sal's Restaurant	B-2
1019 North Main	2	Home Instead Senior Care Nextell Communications	B-2
1251 North Main	3	Fabricare Laundry Carwash Beaner's Fabulous Tanning	B-2
1324 North Main	3	Bayview Finance Goedert Real Estate	B-2
421 West Maumee	2	Goodrich Construction Valley Industries	B-2
1525-1535 W Maumee	4+	Carter Rehabilitation Abraham Realty Acco Hardware Country Market	B-1
1548 W. Maumee	5	Carl Marion, Inc. Gary Blaesing & Associates Inan Haddad MD Andrew Smith PC Michigan Heart	B-1
1549 W Maumee	4	American General Financial Tip Top Tanning Next Generation Evans Enterprises Leasing	B-1
1551 W Maumee	2	Coin Laundry West Pointe Party Shoppe	B-1
1557-1567 W Maumee	6	China Garden D Printer Hungry Howie's Pizza Udder Most Ice Cream Le Nails	B-2
1893 W Maumee	2	Coleby Medical Alternatives Distinctive Health Concepts	B-1

As you can see, some of these properties are zoned B-1.

Staff is asking for consideration of a text amendment to the B-2 District, and possibly the B-1 District as well, that would allow buildings with multiple commercial tenants that share a parking lot.

ddc

Community Development Department

TO: Planning Commission

FROM: Leslie E. Kettren, AICP, PCP
City Planner

DATE: January 29, 2008

SUBJECT: Case No. 07-068
Shopping Center Text Amendments

1. Article II, Definitions, Section 2.99.20, for Shopping Center and Shopping Mall
2. Article IV, General Provisions, Section 4.37 (H) (3) (q), parking standards
3. Article XIII, B-1 Local Business District
4. Article XIV, B-2 Community Business District

Handwritten signature and date: 1-29-08

Background

In October 2007, staff received a site plan request to build N. Towne Commons, a proposed shopping center at 1325 N. Main Street. In reviewing the plan, staff determined that shopping centers are not permitted in the B-1 and B-2 Districts. At the November 6, 2007 meeting, the Planning Commission directed staff to draft language for both the B-1 Local Business and B-2 Community Business Districts to permit shopping centers (*see attached memo dated Nov. 1, 2007*).

At the December 4 meeting, the Planning Commission reviewed staff's proposed amendments. Since approximately 20 shopping centers already existed in the B-1 and B-2 Districts, Commissioners tabled the request. Commissioners were not convinced by staff's analysis and requested further evaluation.

At the January 8 meeting, staff presented a PowerPoint presentation showing an analysis, step by step, of how staff reached the conclusion that shopping centers are not permitted in the B-1 and B-2 Districts (*see attachment*). The Planning Commission then scheduled a public hearing to hear and consider text amendments that would permit shopping centers in the B-1 and B-2 Districts, as well as address other inconsistent text in the Zoning/Development Regulations.

Recommendation

Community Development recommends the Planning Commission adopt the following resolution:

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

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

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

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

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

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

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

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

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

Language that is in **bold** is added to this section. Deleted language shows a line through it.

1. Amend Article II, Definitions as follows:

Section 2.99.20 Shopping Center

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

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

Section 2.99.20A Shopping Mall

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

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

(H) Parking Requirements

(3) Business and Commercial

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

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

ARTICLE XIII

B-1 LOCAL BUSINESS DISTRICT

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

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

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

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

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

ARTICLE XIV

B- 2 COMMUNITY BUSINESS DISTRICT

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

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

1. Any principal permitted use in the B-1 Local Business District.
2. Post offices.
3. Photographic reproduction, blueprinting and print shop.
4. Sit down restaurants and taverns.
5. (reserved for future use)

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

On motion by Planning Commission member _____,
 seconded by Planning Commission member _____, this
 resolution was adopted by a _____ vote.

Shopping Centers

Permitted in B-1 and B-2
Business Districts ?

Technical Review Process

- Proposed shopping Center at 1325 N. Main Street (N. Towne Commons)
- 13,801 sq. ft.
- Zoned B-2, Community Business
- Standards reviewed
 - Section 14.01, Intent
 - Section 14.02 & 14.03, Permitted Uses (principal & zoning exceptions)
 - Section 15.02 (7), B-3, Mixed Uses
 - Section 16.02, Principal uses (B-4 Planned Shopping Center)
 - Section 2.12, Accessory Use
 - Section 4.37 (C), Off-Street Parking, Mixed Occupancies...

B-2, Section 14.01

- Intent
B-2 is designed to provide sites for diversified business types and is often located so as to serve passerby traffic. These uses are generally characterized by generating large volumes of vehicular traffic...and so on
- Proposal meets the intent of District

B-2, Sections 14.02 & 14.03

- Principal Permitted Uses and Uses subject to Zoning Exception
A long listing of business uses are reviewed (final approval of uses occurs during site plan review process and/or by building official before CFO is issued)
- Staff began to question whether a shopping center, with many types of different uses, is permitted.....
- Researched other Sections regarding shopping centers – in what zoning districts are they permitted?

B-3, Central Business District Section 15.02 (7)

- Reviewed long list of permitted uses...
 - Item 7 - Refers to permitted "Mixed uses i.e. commercial and residential uses combined in one structure, subject to Section 12.03.5" (regulates residential dwellings)
- Hmmm... B-3 regulates individual permitted uses as well as a mixed-use building. B-1 and B-2 do not mention regulation of mixed uses
- Conclusion – shopping center (a mixed use building) is not permitted in B-1 and B-2

B-4, Planned Shopping Center Section 16.02

- Reviewed entire section – discusses types of uses permitted to conduct business completely within a permanent and enclosed building
- B-1 and B-2 do not contain language that supports regulation of various types of businesses that conduct business completely within a permanent and enclosed building (i.e. a shopping center or mall)
- Hmmm!
Further support for staff conclusion – B-1 and B-2 do not permit a mix of uses within a permanent and enclosed building. B-1 and B-2 sections are silent regarding regulation of mixed uses or shopping centers.
When Ordinance is silent, it is not permitted – especially if mentioned somewhere else in the Ordinance

*This is Power Point
presentation given @
1/8/08 PC Pub Mtg.*

Section 2.12, Accessory Use

- Defined as:
A use which is clearly incidental to the permitted use to which it is located.
- Reviewed this section to determine whether many different business uses on one parcel could somehow qualify as an accessory use.
Answer is NO

Section 4.37, Off Street Parking

- Reviewed how the parking could be regulated
Find no support of regulating mixed use parking standards in the B-1 and B-2 Districts...just general standards for when there are mixed uses
 - * Item c – refers to mixed occupancies
= sum of various uses computed separately
 - * Item q – refers to Shopping Center or Clustered Commercial
= 1 space for each 300' of gross floor area

Bottom line...

B-1 and B-2 Zoning Districts do not permit shopping centers or buildings with mixed uses

Proposed amendments

- Section 2.99.20 (definitions)
 - Shopping Center
 - Shopping Mall
- Section 4.37 (H) (3) (q) (parking standards)
 - * Shopping Center or Clustered Commercial
- Section 13.2 (B-1 permitted principal uses)
- Section 14.02 (B-2 permitted principal uses)

Proposed amendments

- Section 2.99.20
Shopping Center (amend definition)
A retail commercial establishment or a group of fewer than 10 retail establishments which is planned, developed, owned and managed as a unit, with 20,000 sq. ft. or less in gross floor area, with off-street parking provided on the property and related in its location, size and type of shops to the trade area.

Proposed amendments

- Section 2.99.20A
Shopping Mall (add new definition)
A retail commercial establishment or a group of 10 or more retail establishments which is planned, developed, owned and managed as a unit, with more than 20,000 sq. ft. in gross floor area, with off-street parking provided on the property and related in its location, size, and type of shops to the trade area.

Proposed amendment

- Section 4.37 Off-Street Parking and Loading
 - * (H) Parking Requirements
 - (3) Business and Commercial
 - * (q) Shopping Center or Shopping Mall (*delete the words "or Clustered Commercial"*)
One (1) for each three hundred (300) sq. ft. of gross floor area
- Clustered Commercial is not defined in the Ordinance

Proposed Amendment

- * Section 13.2 Principal Uses Permitted (B-1 Local Business District)
 - * Add item:
Integrated or cluster of principal permitted uses, i.e. a shopping center, sharing a parking area, but is less than 20,000 sq. ft. of gross floor area. Uses are limited to the permitted uses as listed in Section 13.2 above

Proposed Amendment

- Section 14.02 Principal Uses Permitted (B-2 Community Business District)
 - * Add item:
Integrated or cluster of principal permitted uses, i.e. a shopping center, sharing a parking area, but is less than 80,000 sq. ft. of gross floor area. Uses are limited to the permitted uses as listed in Section 14.02 above

Public Hearing

Request the Planning Commission set a Public Hearing to hear and consider text amendments to
Sections 2.99.20; 2.99.20 A;
4.37 (H) (3) (q); 13.2; and, 14.02
addressing Shopping Centers and Shopping Malls

ORDINANCE 08-01

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

The City of Adrian Ordains:

*Language that is in **bold** is added to this section. Deleted language shows a line through it.*

- 1. Amend Article II, Definitions as follows:

Section 2.99.20 Shopping Center

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

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

Section 2.99.20A Shopping Mall

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

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

(H) Parking Requirements

(3) Business and Commercial

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

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

ARTICLE XIII

B-1 LOCAL BUSINESS DISTRICT

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

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

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

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

9. Standard restaurants and taverns, carryout restaurants, excluding drive-in fast food restaurants.
 10. Child care centers.
 11. Insurance, real estate and similar uses with a low volume of customer contact.
 - ~~12. Accessory uses customarily incidental to any of the above permitted uses.~~
- Page 3

12. **Local Shopping Center, operating as an integrated or cluster of principal permitted uses, sharing a parking area, with 20,000 square feet or less of gross floor area. Uses are limited to the permitted uses as listed in Section 13.2 above.**
13. **Accessory uses customarily incidental to any of the above permitted uses.**

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

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

ARTICLE XIV

B- 2 COMMUNITY BUSINESS DISTRICT

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

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

1. Any principal permitted use in the B-1 Local Business District.
2. Post offices.
3. Photographic reproduction, blueprinting and print shop.
4. Sit down restaurants and taverns.
5. (reserved for future use)
6. Establishments of electricians, plumbers, heating contractors, bakers, painters, or similar trades in conjunction with a retail sales operation.
7. Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings.
8. Open-air retail sales of plant materials and sales of lawn furniture, playground equipment and garden supplies provided that:
 - a. The open-air sales area is enclosed with a fence.
 - b. That such sales area is in conjunction with indoor sales of the same general type.
 - c. That the square footage of the open sales area is no greater than the indoor sales area.
9. Hotels and motels.
10. Business schools and colleges or private schools operated for a profit.
- ~~11. Accessory buildings or uses customarily incidental to any of the above permitted uses which are of the character of a personal or administrative service or a retail facility for a product on a "cash and carry" basis.~~
- 11. Local Shopping Center, operating as an integrated or cluster of principal permitted uses, sharing a parking area, with 80,000 square feet or less of gross floor area. Uses are limited to the permitted uses as listed in Section 14.02 above.**
- 12. Accessory buildings or uses customarily incidental to any of the above permitted uses which are of the character of a personal or administrative service or a retail facility for a product on a "cash and carry" basis.**

INTRODUCTION..... February 18, 2008
SUMMARY PUBLISHED.....
ADOPTION.....
COMPLETED PUBLICATION.....
EFFECTIVE DATE.....

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

0-2

February 13, 2008

Honorable Mayor
and City Commission

At their February 5, 2008, regular meeting, the Adrian City Planning Commission voted unanimously to recommend to the City Commission the approval of amending Sections 2.71 and 25.14 of the Zoning/Development Regulations.

This language would allow beauty and barber shops as a home occupation. The Planning Commission had received a request to allow an owner-operated beauty salon as a home occupation. The Commission determined that a one-chair salon would not have any adverse affect on surrounding residential properties.

Respectfully submitted,

Denise Cook, Secretary

February 13, 2008

Honorable Mayor
and City Commission

At their February 5, 2008, regular meeting, the Adrian City Planning Commission voted unanimously to adopt the following resolution to recommend to the City Commission the approval of amending Sections 2.71 and 25.14 of the Zoning/Development Regulations.

**RESOLUTION TO ADOPT
ARTICLE II DEFINITIONS, SECTION 2.71, HOME OCCUPATION
ARTICLE XXV CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING
EXCEPTION PERMIT, SECTION 25.14, HOME OCCUPATIONS**

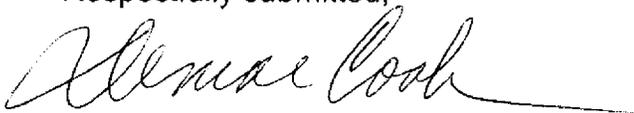
WHEREAS, the Adrian City Planning Commission received a request to permit beauty salons as a home occupation; and

WHEREAS, the Adrian City Planning Commission determined that a one chair salon would not have any adverse affect on surrounding residential properties; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the text amendments as submitted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Section 2.71, Home Occupation and Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit, Section 25.14, Home Occupations to be in compliance with the City Code of Ordinances and requests that Case No. 07-076 be forwarded to the City Commission for final approval.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Denise Cook", written in black ink.

Denise Cook, Secretary



Memorandum

TO: Planning Commission

FROM: Leslie E. Kettren, AICP, PCP
City Planner, Community Development Department

DATE: January 10, 2008

SUBJECT: Case 07-076
Text Amendments for Home Occupations

Lele
J. 1-23-08

At the January Planning Commission meeting, the Commission set a public hearing to hear and consider text amendments to permit beauty and barber shops in residential districts as home occupations.

RECOMMENDATION: Based on discussion at the January 8 meeting, Community Development recommends the Planning Commission adopt the following resolution:

**RESOLUTION TO ADOPT
ARTICLE II DEFINITIONS, SECTION 2.71, HOME OCCUPATION
ARTICLE XXV CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING
EXCEPTION PERMIT, SECTION 25.14, HOME OCCUPATIONS**

WHEREAS, the Adrian City Planning Commission received a request to permit beauty salons as a home occupation; and

WHEREAS, the Adrian City Planning Commission determined that a one chair salon would not have any adverse affect on surrounding residential properties; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the text amendments as submitted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Section 2.71, Home Occupation and Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit, Section 25.14, Home Occupations to be in compliance with the

City Code of Ordinances and requests that Case No. 07-076 be forwarded to the City Commission for final approval.

(New text is shown in bold, strikeout denotes omitted language)

Proposed amendment of Article II – Definitions

SECTION 2.71 Home Occupation

A home occupation is any occupation or profession carried on by one or more members of a family residing on the premises; provided that no commodity other than those customarily associated with the business is sold upon the premises; provided, further, that no mechanical equipment is installed except such as is normally used for purely domestic or household purposes; provided, further, that not over twenty-five (25) percent of the total actual floor area of any story is used for home occupation or professional purposes. ~~Beauty parlors, barber shops,~~ Doctor's offices, animal hospitals, and nursery schools are examples of uses not considered a home occupation. (Home occupations are not permitted in the R-1 Single Family Residential District.)

Proposed amendments of Article XXV - Conditions for Specified Uses Subject to a Zoning Exception Permit

SECTION 25.14 HOME OCCUPATIONS:

1. Intent. A home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhoods involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings.
2. Conditions. Home occupations are permitted in all **the R-2, R-3 and R-4** residential districts provided all of the following conditions are observed.
 - a. A home occupation must be conducted in its entirety within a dwelling unit that is the bona fide residence of the practitioner of the occupation.
 - b. Home occupations shall be conducted solely by persons residing at the residence.
 - c. All business activity and storage must take place within the interior of the dwelling. No exterior view of the product of the home occupation is allowable.

- d. No alteration to the exterior of the residential dwelling, accessory building or yard that alters the residential character of the premises is permissible.
 - e. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
 - f. Only off-street parking facilities which are normal for residential use and are located on the premises may be used.
 - g. No vehicles exceeding 5 tons GVW used in the conduct of the occupation may be parked or otherwise kept at the premises, other than as are normal for use for domestic or household purposes, unless housed in a fully enclosed structure.
 - h. One (1) non-illuminated nameplate no larger than two (2) square feet is permitted to identify the home occupation. The nameplate shall be attached to the building. No other identification is permitted.
 - i. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
 - j. No highly explosive or combustible material shall be used or stored on the premises. No activity shall be allowed that interferes with radio or television transmission. Nor shall there be any offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
 - k. Not more than twenty (20) percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.
 - l. The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.
3. Examples of Home Occupations. This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.
- a. Dressmaking
 - b. Handicrafts
 - c. Typing, secretarial services

- d. Tutoring, limited to six (6) students
- e. Office facility of a sales representative provided that no transactions are made in person on the premises
- f. Technical service and/or consulting
- g. Upholstering and refinishing services subject to Section 25.14 (2,j) above
- h. Home office
- i. **Beauty Shops and Barber Shops, limited to one (1) chair, subject to all the conditions in Section 25.14 with no other signage or logo permitted, such as barber poles**

On motion by Planning Commission member _____,
seconded by Planning Commission member _____, this
resolution was adopted by a _____ vote.

ORDINANCE 08-02

AN ORDINANCE TO AMEND SECTION 2.71 OF ARTICLE II - DEFINITIONS AND SECTION 25.14 OF ARTICLE XXV – CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING EXCEPTION PERMIT OF THE ZONING/DEVELOPMENT REGULATIONS

The City of Adrian Ordains:

Amend Section 2.71 – Home Occupation of Article II – Definitions as follows:

(New text is shown in bold, ~~strikeout~~ denotes omitted language)

SECTION 2.71 Home Occupation

A home occupation is any occupation or profession carried on by one or more members of a family residing on the premises; provided that no commodity other than those customarily associated with the business is sold upon the premises; provided, further, that no mechanical equipment is installed except such as is normally used for purely domestic or household purposes; provided, further, that not over twenty-five (25) percent of the total actual floor area of any story is used for home occupation or professional purposes. ~~Beauty parlors, barber shops,~~ Doctor's offices, animal hospitals, and nursery schools are examples of uses not considered a home occupation. (Home occupations are not permitted in the R-1 Single Family Residential District.)

Amend Section 25.14 of Article XXV – Conditions for Specified Uses Subject to a Zoning Exception Permit

SECTION 25.14 HOME OCCUPATIONS:

1. Intent. A home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhoods involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings.
2. Conditions. Home occupations are permitted in ~~all the R-2, R-3 and R-4~~ residential districts provided all of the following conditions are observed.
 - a. A home occupation must be conducted in its entirety within a dwelling unit that is the bona fide residence of the practitioner of the occupation.

- b. Home occupations shall be conducted solely by persons residing at the residence.
- c. All business activity and storage must take place within the interior of the dwelling. No exterior view of the product of the home occupation is allowable.
- d. No alteration to the exterior of the residential dwelling, accessory building or yard that alters the residential character of the premises is permissible.
- e. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- f. Only off-street parking facilities which are normal for residential use and are located on the premises may be used.
- g. No vehicles exceeding 5 tons GVW used in the conduct of the occupation may be parked or otherwise kept at the premises, other than as are normal for use for domestic or household purposes, unless housed in a fully enclosed structure.
- h. One (1) non-illuminated nameplate no larger than two (2) square feet is permitted to identify the home occupation. The nameplate shall be attached to the building. No other identification is permitted.
- i. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
- j. No highly explosive or combustible material shall be used or stored on the premises. No activity shall be allowed that interferes with radio or television transmission. Nor shall there be any offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
- k. Not more than twenty (20) percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.
- l. The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.

3. Examples of Home Occupations. This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.
 - a. Dressmaking
 - b. Handicrafts
 - c. Typing, secretarial services
 - d. Tutoring, limited to six (6) students
 - e. Office facility of a sales representative provided that no transactions are made in person on the premises
 - f. Technical service and/or consulting
 - g. Upholstering and refinishing services subject to Section 25.14 (2,j) above
 - h. Home office
 - i. **Beauty Shops and Barber Shops, limited to one (1) chair, subject to all the conditions in Section 25.14. No other signage or logo permitted, such as barber poles, except as noted in Section 30.13(2)(a).**

INTRODUCTION February 18, 2008

SUMMARY PUBLISHED

ADOPTION.....

COMPLETED PUBLICATION

EFFECTIVE DATE

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

0-3

February 13, 2008

Honorable Mayor
and City Commission

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

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

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

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

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

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

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

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

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

Respectfully submitted,



Denise Cook, Secretary



Memorandum

Community Development Department

TO: Planning Commission

FROM: Leslie E. Kettren, AICP, PCP
City Planner

DATE: January 30, 2008

SUBJECT: Case 07-047
Text Amendments to Article XXX, Signs

Background

Last September, Community Development submitted a request to the Planning Commission to open a case file to amend the Sign Ordinance. The Departments of Inspections, Community Development and the City Attorney had documented problems and difficulties with the sign ordinance for quite some time. The problem of permitting, interpretation and enforcement has been an ongoing problem. In addition, the problematic language regarding political signage needed to be deleted as a result of a City lawsuit.

The Community Development Department began to make suggested revisions to the Sign Ordinance. It soon became apparent that to complete this task, while not making substantial changes to substance, it required substantial changes to formatting. Therefore, at the November 6, 2007 Planning Commission meeting, Community Development requested that the Commission establish an Ad-Hoc Committee to review staff's recommended changes. The Ad-Hoc Committee consisted of Michael Jacobitz, Khamis Al-Omari, Chad Johnson and Leslie Kettren.

The Sign Ordinance Ad-Hoc Committee reviewed and discussed the many proposed text amendments that staff suggested and now present the revised Sign Ordinance to the Planning Commission for approval.

Resolution

Community Development recommends the Planning Commission adopt the following resolution:

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

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

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

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

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

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

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

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

ORDINANCE 08-03

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

The City of Adrian Ordains:

Amend Section XXX – Signs as follows:

ARTICLE XXX

SIGNS

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

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

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

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

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

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

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

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

SECTION 30.03 PERMITS:

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

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

SECTION 30.04 PROHIBITIONS:

1. General Prohibitions
 - a. No sign shall be erected or maintained in any manner which, by reason of its size, location, context, coloring, or manner of illumination, shall constitute a traffic hazard or which shall interfere with the visibility of any traffic control device.
 - b. No sign, other than a time and temperature sign shall have any visible moving parts or visible mechanical movement or any other apparent visible movement achieved by electrical, electronic, kinetic means, intermittent electrical pulsations, or wind currents. The image or message of electronic reader boards must remain static on the sign for at least five (5) minutes.
 - c. No sign shall be placed so as to obstruct any fire escape, required exit way, window, or door opening used as a means of passage from one part of a building to another (including the roof) or as access thereto for fire fighting purposes.
2. Prohibited Signs: The following signs are prohibited within the City of Adrian:
 - a. Any sign not permanently installed or not considered temporary according to the provisions of this ordinance. (Magnetic signs shall be considered a permanently installed sign).
 - b. Signs utilizing any moving or flashing lights or parts other than electronic messages, Section 30.04(2), approved for street clocks

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

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

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

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

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

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

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

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

SECTION 30.08. Reserved for future use.

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

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

**TEMPORARY SIGN
SCHEDULE OF REGULATIONS
Section 30.09**

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

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

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

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

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

SECTION 30.10 NUMBER OF ON-PREMISE SIGNS PERMITTED:

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

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

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

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

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

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

SECTION 30.14 (Reserved for future use)

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

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

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

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

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

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

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

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

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

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

SECTION 30.19 OTHER SIGNS PERMITTED:

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

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

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

Design Criteria

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

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

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

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

- 4. Allowable Signage. Only “flat facade signs”, “projecting signs”, “awning or marquee signs”, “window lettering”, “detached sidewalk signs” and “monument signs” will be permitted based on criteria for dimension, location and design as follows:

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

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

- e. Sidewalk Signs, otherwise known as “sandwich boards”, shall be no more than 10 square feet in area. All sidewalk signs are temporary by nature and will not be considered as “existing signage” under this ordinance. A permit may be issued after approval by Community Development. No fee will be charged for this permit. They may be placed in front of the entrance area to the store, front, rear or side, during regular business hours and must be removed to the store’s interior at the end of each business day. These shall not create a hazard to pedestrians or reduce the visibility to motorists.
- f. Monument Signs
 1. Each parcel shall be limited to one monument sign, the total area of which shall not exceed sixteen (16) square feet.
 2. Shall not exceed four (4) feet in height, measured from surrounding ground level.
 3. Shall not extend beyond any property line.
5. Location and Number of Signs. Signs will be permitted on the front, rear, and side facades of buildings. The total number of signs permitted will be determined by the Community Development Department.
6. Sign Illumination. Any illumination of a sign within the B-3 Central Business District either at time of erection or after shall be considered part of such a sign. The sign owner must receive the written approval of both the Building Department and Community Development prior to use of such illumination. All illumination of all signs shall be from a direct, non-intermittent source, and shall be so arranged and designed that the source of illumination cannot be seen from any residential area.
7. Maintenance of Signs. The owner of any sign shall be required to maintain any sign in a good and safe condition. Any sign which is virtually deteriorated due to peeling paint, rust or disintegration of materials shall be considered as unsafe and unlawful by the Building Department.
8. Appeals and Waivers. Decisions relating to dimensional regulations of this Section (30.16) may be appealed to the Board of Zoning Appeals for the City of Adrian. Requirements of this section may be waived by the Board of Zoning Appeals if the sign is shown to be an historic resource or if the sign is a proposed reproduction of an historic source.

Section 30.21 Footnotes:

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

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

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

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

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

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

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

- b. Traffic or other municipal signs as installed or approved by the City Commission or City Administrator. This may include legal notices, vehicle or pedestrian traffic signs, emergency signs, or other signs as sanctioned by the city such as for community events.
 - e. Flags bearing the official design of the United States, State of Michigan, a public educational institution, or other organization as approved by the City Commission or City Administrator.
 - f. Exceptions as defined under Section 30.06 of this ordinance.
 - e. Political signs not exceeding six (6) square feet, which are ground mounted and adhere to the following:
 - 1. Signs shall be removed within seven (7) days after the election for which they are placed.
 - 2. Signs shall be located no closer than three (3) feet from the sidewalk and shall in no way create a traffic hazard due to reduced vision of motorists or pedestrians.
22. Signs Permitted for Uses Subject by Special Exception, or Requiring Site Plan Review, Including Permitted Uses in the Office, Commercial, Industrial or Parking Districts. The specific provisions for signs within the non-residential uses or those requiring site plan review are defined by the category of signs outlined in Sections 30.15 through 30.18. Adherence to sign regulations shall be a condition of the approval of the site plan, special exception use permit, and the building permit for such use. (Section 30.13)
- a. Signs shall be placed on private property. If not placed on private property, they will be subject to removal by the City of Adrian.
23. Street Clocks/Temperature Signs. These signs are restricted to the B-4 commercial districts. The signs may not exceed fifty-four (54) square feet in area and the lettering or numbering shall not exceed eight (8) inches in height. The signs shall be at least twelve (12) feet above ground level or sidewalk and must not overlay the public right-of-way, except with written approval from the City Commission. (Section 30.19)

Section 30.21 – Sign Schedule of Regulations

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

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

SECTION 30.22 APPEALS:

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

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

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

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

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

INTRODUCTION February 18, 2008

SUMMARY PUBLISHED

ADOPTION

COMPLETE PUBLICATION

EFFECTIVE DATE

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

0-6

February 13, 2008

Honorable Mayor
and City Commission:

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

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

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

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

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

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

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

Against Motion: Dye.

Respectfully submitted,



Denise Cook, Secretary
Adrian City Planning Commission

ORDINANCE 08-04

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

The City of Adrian Ordains:

*Language that is in **bold** is added to this section. Deleted language shows a line through it.*

ARTICLE XV

B-3 CENTRAL BUSINESS DISTRICT

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

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

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

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

SECTION 15.03 USES SUBJECT TO A ZONING EXCEPTION PERMIT:

1. Sidewalk Cafes: In the interest of promoting business by increasing activity and improving the general business climate in business districts, the City Administrator may issue revocable permits to businesses who apply for a permit to operate a sidewalk café, as an extension of a compatible existing business, on a portion of a City sidewalk, alley, or other outside property adjacent to the

existing business. The use of the café shall be limited to activities carried on by the existing business.

- a. Sidewalk café occupancy permits shall be issued if the Superintendent of Public Works, the City Engineer and the Chief of Police determine the occupancy will not:
 1. Reduce any sidewalk, alley or passageway width to less than 6 feet.
 2. Unreasonable interfere with the view of, access to or use of property adjacent to said sidewalk or area;
 3. Cause damage to the sidewalk or alley or to trees, benches, landscaping or other objects lawfully located therein;
 4. Cause violation of any state or local laws;
 5. Be attached to or reduce the effectiveness of or access to any utility pole, sign, other traffic control device or street lighting;
 6. Interfere with street cleaning or snow removal activities.
 7. Be in or adjacent to property zoned exclusively for residential purposes.
 8. Be principally used for off premise advertising.
 9. Cause increase risk of theft or vandalism.
 - b. All businesses selling food or beverages to be consumed in a public sidewalk area adjacent to the business shall enclose the area with a temporary structure approved by the Engineering Department. Prior to approval, written plans shall be submitted to the Engineering Department. All construction shall conform with existing building codes and regulations of the city and shall not be permanent. Such plans shall also include the location of adequate trash receptacles.
 - c. The City Commission may waive the foregoing spacing requirements if it finds the following conditions exist:
 1. The proposed use will not be contrary to the public interests or injurious to nearby properties in the proposed location and the spirit and intent of the purpose of the spacing regulations will still be observed;
 2. The proposed use will not enhance or promote a deleterious effect upon adjacent areas through causing or encouraging blight, a chilling effect upon other businesses and occupants and a disruption in neighborhood development.
2. Group family homes, subject to 2.52 (C) and Section 25.15
 3. Government and administrative buildings including courthouses, jails, fire stations and city hall, subject to the following standards and conditions:

- a. Off-street parking sufficient to meet the needs of employees and visitors shall be provided in accordance with standards contained in Section 4.37 of this ordinance.
- b. Parking shall be designed and located to encourage use by employees and visitors.
- c. A vehicular and pedestrian plan shall be prepared. The plan shall provide safe and adequate internal circulation and access to streets in the downtown area. The plan shall include a component for pedestrian circulation and safety, which affords both internal circulation and access to the downtown area.
- d. Buildings shall be designed and located to enhance the aesthetic appeal of the downtown area to include the skyline, view shed to and from the building, building shape and building materials.
- e. Jails shall be located and designed to reduce negative impacts on surrounding land uses:
 - i. Jail recreation areas shall be screened from the view of adjacent non-governmental properties.
 - ii. The design shall negate the possibility of communication between inmates and the public by visual, verbal or other means from adjacent properties.
 - iii. Security lighting shall be designed and installed to avoid glare upon adjoining properties.
 - iv. Prisoner transport shall be designed so loading and unloading of prisoners takes place within an enclosed building.

~~4. Work-release facility (subject to the following conditions):~~

- ~~a. No work-release facility shall be located within three hundred (300) feet of any residential district, park or school.~~
- ~~b. No work-release facility shall be located within 1500 feet of another work-release facility.~~
- ~~c. The work-release facility shall be designed, constructed, and maintained so that such use will not change the general character of the area or any adjacent, or nearby residential areas.~~
- ~~d. The facility shall be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal, water and sewer; or if such facilities and services are not provided, documentation that persons or agencies responsible for the establishment of the work-release facility shall be able to provide adequately any such facilities and services.~~

- e. ~~The work-release facility shall submit plans which provide a description of programs and procedures which are operational at the facility to assure security and safety for the residents of the facility and the surrounding neighborhood and to assure the success of the program in terms in rehabilitation counseling, training, job placement, and resident access to essential services and facilities, including recreation and transportation. Said plans shall be approved by the planning commission.~~

- f. ~~A license, or evidence of ability to obtain a license, if such is required, from the appropriate governmental unit. Prior to the issuance of a final certificate of occupancy, the operator or agency shall provide evidence that a valid license has been issued or is obtainable for the proposed work-release facility on the property. Should licensing not be required, an affidavit from the applicant stating that licensing is not required, shall be provided.~~

- g. ~~Every room occupied for sleeping purposes within the structure shall contain a minimum of eighty (80) square feet of habitable room area for one (1) occupant, and when occupied by more than one (1) person, shall contain at least sixty (60) square feet of habitable room area for each occupant.~~

- h. ~~Indoor and outdoor recreational space shall be provided for the clientele served, based upon standards specified by the licensing authority. If no such standards exist then the following minimum standards shall apply:~~
 - 1. ~~A common indoor area shall be provided which shall consist of at least twenty five (25) square feet per individual.~~

 - 2. ~~A common outdoor area shall be provided which shall consist of at least sixty (60) square feet per individual.~~

 - 3. ~~Any exterior alteration of the structure shall be compatible with the surrounding area.~~

 - 4. ~~Exterior security lighting shall be provided. All exterior lighting shall be suitably directed and shaded to prevent any glare upon adjoining, or nearby, residential properties.~~

 - 5. ~~One (1) parking space shall be provided for each three persons residing in the work-release facility, except for facilities which prohibit the ownership or operation of automobiles by occupants. Parking shall be provided on-site in an amount determined to be appropriate to accommodate guests, and employees as deemed necessary by the planning commission following a review of the proposed work-release facility, and its operation.~~

- i. ~~The facility shall be limited to forty (40) clients.~~

~~j. Signage shall be limited to one identification sign affixed flat against the front wall of the facility of size not to exceed eight (8) square feet.~~

~~k. The work release facility shall not be located on the ground floor level within an area bounded by Front Street on the North, Broad Street on the East, Church Street on the South, and Winter Street on the West.~~

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

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

INTRODUCTIONFebruary 18, 2008

SUMMARY PUBLISHED.....

ADOPTION.....

COMPLETED PUBLICATION.....

EFFECTIVE DATE.....

On motion by Commissioner _____

Supported by Commissioner _____

This ordinance was adopted by a _____ vote.

R-1



MEMO

Date: February 6, 2008

To: Hon. Gary McDowell, Mayor
City Commission

From: Dane C. Nelson, City Administrator

Re: FY2008-14 Capital Improvement Program (CIP) and FY2008-09 Capital Budget Recommendation

The City of Adrian has initiated a formal process of compilation, review and recommendation of a Multi-Year Capital Improvement Program (CIP) and FY2008-09 Capital Budget. Annually, the City of Adrian devotes a significant portion of the operating budget to the acquisition of capital assets (Defined as a new or rehabilitated physical asset that is nonrecurring, has a useful life of more than three years, and is expensive to purchase, i.e. >\$5,000). Ongoing service delivery can be assured only if adequate consideration is given to capital needs. If the City fails to maintain its capital assets, facilities and infrastructure will deteriorate until costly emergency repairs are required, services are threatened, and community growth stagnates or even declines. A capital improvement program is a tool that can help ensure that decisions on capital projects and funding are made wisely and are well-planned.

This CIP is a six-year plan, which identifies capital projects to be funded during the planning period. The CIP will identify each proposed capital project to be undertaken, the year in which it will be started or acquired, the amount expected to be expended on the project each year, and the proposed method of financing these expenditures. Individual requests will be summarized by the Finance Department for review by the Capital Improvement Program Advisory Committee, established and chaired by the City Administrator and consisting of the following Department Directors:

- | | |
|------------------------|--|
| Finance Director | City Engineer/Public Works Director |
| Utilities Director | Director of Parks & Recreation |
| Fire Chief/IT Director | Director of Community & Economic Development |
| Police Chief | |

Using the following criteria, as well as input from the City Commission, priorities have been established, funding sources identified, and a formal recommendation prepared for consideration and adoption by the City Commission. Within the broad categories of planning, efficient utilization of public resources, economic development, neighborhood support, and safety, the Capital Improvement Program Advisory Committee used the following criteria to evaluate the relative merit of each capital project:

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

Priority highlights include:

FY2008-09

- Paving and Seal Coating Cemetery Roads
- Fire Department Thermal Imaging Camera and Fitness Equipment
- Motor Vehicle Pool – Replace Gas & Diesel Pumps
- Replace Roof on Salt Dome
- Replace Pick-Up, Dump and Salt Trucks
- Replace Exterior Doors at Piotter Center
- Renovate newly acquired Parks & Forestry Facility
- Replace Island Park Bridge
- Construct West Maumee Trailhead

- Resurface Maple Avenue – E. Maumee to W. Maumee
- Resurface Treat Street – Beecher to City Limits
- Two-Way Street Circulation Downtown
- Continue Local Street Improvement Program
- Downtown – Reconstruct Church Street Parking Lot
- Downtown Farmers’ Market Structure
- Lake Adrian Bank Stabilization
- Water Fund – Replace Backhoe
- Wastewater Plant – Digester Lid Replacement
- Wastewater Plant – Grit Washer and Dump Truck Replacement

FY2009-10

- Police Department – Vehicle Replacement Program
- Police Department – Mobile Video System
- Police Department – Replace Radios and Investigation Equipment
- Fire Department – Fire Safety House
- DPW Building – Replace Siding & Windows and Construct new Cold Storage Building
- Replace Pick-Up, Dump and Salt Trucks
- Renovate/Replace Bohn Pool
- Construct Heritage Park Restroom
- Island Park – Maple Shelter Parking
- Construct Riverview Trail Bridge into Riverside Park
- Trestle Park – Decking/Wall Replacement
- Resurface Tecumseh – Michigan to Toledo
- Resurface McKenzie – Burr to Loveland
- Resurface Burr – McKenzie to Scott
- Downtown – Maiden Lane Abandonment/Enhancement
- Water Treatment Plant – Lime Dust Collection System
- Water Treatment Plant – Service Drive Asphalt Paving
- Wastewater System – Broad Street Conveyor Compactor and Replace Vactor
- Continuation of Local Street Improvement Program

Consistent with the Municipal Planning Act (PA285 of 1931, as amended – MCL125.39), the City Administration submitted the recommended FY2008-14 Capital Improvement Program and FY2008-09 Capital Budget to the Planning Commission for review and consideration before submitting it to the City Commission for final approval. At a regularly scheduled meeting on February 5, 2008, the Planning Commission approved a resolution commending the City Administrator’s Recommended FY2008-14 Capital Improvement Program to the City Commission, with the following additional recommended enhancements:

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

Even though adopted, the CIP is only a formal plan for financing capital projects and not authorization to spend. The CIP should not be confused with the Capital Budget, which represents the first year of the multi-year capital improvement program. The Capital Budget is a component of the City's Annual Operating and Capital Budget, which is legally adopted by the City Commission, appropriating funds and represents the spending authority necessary to execute the budget. Financing sources listed in the CIP for years other than Year 1 (commonly called the "out years") are not authorized until the annual budget for those years is legally adopted. The out years serve only as a guide for future planning and are subject to further review and modification in subsequent years.

Attached please find a proposed resolution for City Commission consideration at the February 18 meeting. If you have any questions or need for further information, please contact my office.

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE</u> <u>REFERENCE</u>
172.00	ADMINISTRATION							
	CAPITAL EQUIPMENT - CONVENIENCE COPIER	\$10,000	\$0	\$0	\$0	\$0	\$10,000	1
	PURCHASE 250 W. CHURCH STREET-DEBT SERVICE	13,000	13,000	98,000	0	0	0	
	MARVIN FARM - DEBT SERVICE	145,000	145,000	145,000	145,000	145,000	0	
	TOTAL ADMINISTRATION	\$168,000	\$158,000	\$243,000	\$145,000	\$145,000	\$10,000	
276.00	CEMETERY							
	REQUEST							
	FACILITY IMPROVEMENTS:							
	PAVING	\$42,500	\$24,000	\$0	\$0	\$0	\$0	2 - 13
	SEAL COATING	6,000	6,500	6,500	6,500	6,500	0	
	COLUMBARIUM	<u>0</u>	<u>0</u>	<u>0</u>	<u>18,000</u>	<u>0</u>	<u>0</u>	
	TOTAL FACILITY IMPROVEMENTS	\$48,500	\$30,500	\$6,500	\$24,500	\$6,500	\$0	
	CAPITAL EQUIPMENT:							
	LARGE MOWER WITH TRADE	\$0	\$7,000	\$7,200	\$7,200	\$7,200	\$7,200	
	TOTAL CAPITAL EQUIPMENT	\$0	\$7,000	\$7,200	\$7,200	\$7,200	\$7,200	
	TOTAL CEMETERY	\$48,500	\$37,500	\$13,700	\$31,700	\$13,700	\$7,200	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
301.00	POLICE DEPARTMENT REQUEST							84 - 94
	FACILITY IMPROVEMENTS:							
	CALEA CERTIFICATION	\$0	\$0	\$0	\$0	\$0	\$20,000	
	TOTAL FACILITY IMPROVEMENTS	\$0	\$0	\$0	\$0	\$0	\$20,000	
	CAPITAL EQUIPMENT:							
	MARKED POLICE VEHICLES	\$0	\$57,000	\$57,000	\$57,000	\$57,000	\$57,000	
	BODY ARMOR - 50% GRANT FUNDED	5,000	5,000	6,000	6,000	7,000	7,000	
	UNMARKED POLICE VEHICLE	0	14,500	15,000	15,500	16,000	16,000	
	OFFICE EQUIP. - DESKS, CHAIRS, FILE CANINETS	0	0	0	5,000	0	0	
	MOTOR CYCLE LEASE - 80% PRIVATE DONATION	5,000	5,000	5,500	5,500	6,000	0	
	INVESTIGATION EQUIPMENT - 30% GRANT FUNDED	0	19,500	0	0	0	0	
	MOBILE VIDEO SYSTEM - 25% NON-DRUG FORFEITURE	0	39,000	0	0	0	40,000	
	RADIO REPLACEMENT - 911 PHONE SURCHARGE	0	60,000	0	0	0	0	
	EVIDENCE PROCESSING EQUIPMENT-20% GRANT FUNDED	0	0	20,000	0	0	10,000	
	WEAPONS REPLACEMENT-10% MSP GRANT/10% TRADE IN	0	0	0	0	0	0	
	FORENSIC COMPUTER EQUIPMENT - 30% GRANT FUNDED	0	0	15,000	0	0	15,000	
	TASER REPLACEMENT	0	0	0	15,000	0	0	
	POLICE VAN	0	0	0	0	35,000	0	
	TACTICAL EQUIPMENT	0	0	10,000	0	5,000	0	
	TOTAL CAPITAL EQUIPMENT	\$10,000	\$200,000	\$128,500	\$104,000	\$126,000	\$145,000	
	TOTAL POLICE DEPARTMENT	\$10,000	\$200,000	\$128,500	\$104,000	\$126,000	\$165,000	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
336.00	FIRE DEPARTMENT							95 - 104
	FACILITY IMPROVEMENTS:							
	REPLACE HVAC SYSTEM	\$0	\$0	\$0	\$0	\$0	\$70,000	
	TOTAL FACILITY IMPROVEMENTS	\$0	\$0	\$0	\$0	\$0	\$70,000	
	CAPITAL EQUIPMENT:							
	THERMAL IMAGING CAMERA	\$11,000	\$0	\$0	\$0	\$0	\$0	
	FIREFIGHTERS TURNOUT GEAR	6,000	6,000	6,000	6,000	6,000	6,000	
	REPAIR ENGINE #2	6,000	0	0	0	0	0	
	FITNESS EQUIPMENT - 90% GRANT FUNDED	22,000	0	0	0	0	0	
	FIRE SAFETY HOUSE	0	40,000	0	0	0	0	
	AUTOMATIC EXTERNAL DEFIBRILLATOR (12) LEAD DEFIBRILLATORS	0	0	8,500	0	0	0	
		0	0	0	25,000	0	0	
	TOTAL CAPITAL EQUIPMENT	\$45,000	\$46,000	\$14,500	\$31,000	\$6,000	\$6,000	
	TOTAL FIRE DEPARTMENT	\$45,000	\$46,000	\$14,500	\$31,000	\$6,000	\$76,000	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
443.00	MOTOR VEHICLE POOL							51 - 59
	FACILITY IMPROVEMENTS:							
	REPLACE GAS & DIESEL PUMPS	\$25,000	\$0	\$0	\$0	\$0	\$0	
	REPLACE ROOF ON SALT DOME	40,000	0	0	0	0	0	
	DPW BUILDING - SIDING & WINDOWS	0	100,000	0	0	0	0	
	NEW COLD STORAGE BUILDING	<u>0</u>	<u>150,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
	TOTAL FACILITY IMPROVEMENTS	\$65,000	\$250,000	\$0	\$0	\$0	\$0	
	 CAPITAL EQUIPMENT:							
	PICK-UP TRUCK	\$20,000	\$40,000	\$0	\$50,000	\$75,000	\$75,000	
	ONE-TON DUMP TRUCK	72,000	70,000	0	35,000	0	0	
	LOADER	0	0	200,000	0	0	0	
	SALT TRUCK - COMPLETE	95,000	95,000	0	0	100,000	80,000	
	BACKHOE	0	0	0	0	180,000	150,000	
	HIGH RANGER	0	0	145,000	0	0	0	
	FARM TRACTOR	0	0	0	40,000	0	0	
	AERIAL TRUCK	0	0	145,000	80,000	0	0	
	LARGE DUMP TRUCK	<u>0</u>	<u>0</u>	<u>95,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	
	TOTAL CAPITAL EQUIPMENT	\$187,000	\$205,000	\$585,000	\$205,000	\$355,000	\$305,000	
	TOTAL MOTOR VEHICLE POOL	\$252,000	\$455,000	\$585,000	\$205,000	\$355,000	\$305,000	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
691.00	RECREATION DEPARTMENT							
	REQUEST							
	FACILITY IMPROVEMENTS:							
	BOHN POOL RENOVATION/REPLACEMENT	\$0	\$2,200,000	\$0	\$0	\$0	\$0	31 - 39
	BOHN POOL - SHADE STRUCTURE 19X25	0	0	7,000	0	0	0	
	BOHN POOL - REPLACE CURBING IN CUL-DE-SAC	0	0	0	5,000	0	0	
	BOHN POOL - RELOCATE PARKING LOT LIGHT, SEAL LOT	0	0	0	5,000	0	0	
	PIOTTER - THREE EXTERIOR DOORS	7,500	0	0	0	0	0	
	PIOTTER - REPLACE RAIL / BRACKETS ON GYM DIVIDER	0	4,000	0	0	0	0	
	PIOTTER - REPLACE CARPETS IN ROOMS 3 AND 4	0	0	6,000	0	0	0	
	PIOTTER - REPLACE TILE FLOOR IN ROOMS 1 AND 2	0	0	5,500	0	0	0	
	PIOTTER - REPLACE ALUMINUM AND WOOD FACIA	0	0	0	6,000	0	0	
	PIOTTER - REPLACE BOILER BURNERS	0	0	0	5,000	0	0	
	PIOTTER - REPLACE TILE FLOOR CAFETERIA/MAIN HALL	0	0	0	0	20,000	0	
	PIOTTER - GYM EXHAUST FAN	0	0	0	0	0	12,000	
	PIOTTER PARKING LOT - STRIPE (W/CHURCH)	0	0	0	0	0	5,000	
	BASEBALL MAINTENANCE / IMPROVEMENTS	6,000	6,000	6,000	6,000	6,000	6,000	
	6' SIDELINE FENCING HERITAGE FIELD #1	0	0	6,000	0	0	0	
	6' SIDELINE FENCING HERITAGE FIELD #3	0	0	0	6,500	0	0	
	6' SIDELINE FENCING HERITAGE FIELD #4	0	0	0	0	6,500	0	
	PARKS & RECREATION 5-YEAR MASTER PLAN	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>30,000</u>	<u>0</u>	
	TOTAL FACILITY IMPROVEMENTS	\$13,500	\$2,210,000	\$30,500	\$33,500	\$62,500	\$23,000	
	CAPITAL EQUIPMENT:							
	VAN W/TRADE	\$0	\$24,000	\$0	\$0	\$26,000	\$0	14 - 21
	MISC. RECREATION/POOL MAINTENANCE/EQUIPMENT	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>	
	TOTAL CAPITAL EQUIPMENT	\$7,000	\$31,000	\$7,000	\$7,000	\$33,000	\$7,000	
	TOTAL PARKS & RECREATION	\$20,500	\$2,241,000	\$37,500	\$40,500	\$95,500	\$30,000	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

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697.00	PARKS AND FORESTRY DEPARTMENT REQUEST							22 - 29
	FACILITY IMPROVEMENTS:							
	CONCRETE WORK - VARIOUS PARKS	\$16,000	\$0	\$0	\$0	\$0	\$0	
	KIWANIS TRAIL - MAINTENANCE	0	72,000	23,000	101,000	0	0	
	HERITAGE PARK-MAINT. OF PARKING LOTS & RDS	0	0	0	79,500	52,300	82,700	
	HERITAGE PARK- SOFTBALL IRRIGATION	0	0	0	0	45,675	34,800	
	HERITAGE PARK-RESTROOM	0	60,000	0	0	0	0	
	RIVERSIDE PARK-MAINT. OF PARKING LOTS & RDS	0	0	0	71,300	0	0	
	RIVERSIDE PARK-RESTROOM	0	0	75,000	0	0	0	
	ISLAND PARK-BRIDGE REPLACEMENT	75,000	0	0	0	0	0	
	ISLAND PARK-MAPLE SHELTER PARKING	0	42,000	0	0	0	0	
	ISLAND PARK-MAPLE SHELTER REPLACEMENT	0	0	71,000	0	0	0	
	UTILITY REPLACEMENTS	0	0	0	0	100,000	150,000	
	ACQUIRE 461 MILES DRIVE-DEBT SERVICE	52,388	548,225	0	0	0	0	
	RENOVATE 461 MILES DRIVE-DEBT SERVICE	<u>137,480</u>	<u>137,480</u>	<u>137,480</u>	<u>1,267,414</u>	<u>0</u>	<u>0</u>	
	TOTAL FACILITY IMPROVEMENTS	<u>\$280,868</u>	<u>\$859,705</u>	<u>\$306,480</u>	<u>\$1,519,214</u>	<u>\$197,975</u>	<u>\$267,500</u>	
	CAPITAL EQUIPMENT:							
	MOWER REPLACEMENT W/TRADE	\$0	\$10,500	\$0	\$11,000	\$0	\$0	
	ISLAND PARK-MAINTENANCE CART	0	8,000	0	0	0	0	
	SITE FURNISHINGS-T-CANS, BENCHES, GRILLS, ETC	8,000	0	0	0	8,000	0	
	ERIE PARK-PLAYGROUND EQUIPMENT	0	0	45,000	0	0	0	
	PLAYGROUND RESURFACING	5,000	0	0	7,000	7,000	0	
	RIVERSIDE PARK - PLAYGROUND EQUIPMENT	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$50,000</u>	
	TOTAL CAPITAL EQUIPMENT	<u>\$13,000</u>	<u>\$18,500</u>	<u>\$45,000</u>	<u>\$18,000</u>	<u>\$15,000</u>	<u>\$50,000</u>	
	TOTAL PARKS & FORESTRY DEPARTMENT	<u>\$293,868</u>	<u>\$878,205</u>	<u>\$351,480</u>	<u>\$1,537,214</u>	<u>\$212,975</u>	<u>\$317,500</u>	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
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699.00	FEE ESTATE REQUEST							30
	FACILITY IMPROVEMENTS:							
	IRRIGATION IMPROVEMENTS	\$0	\$15,000	\$0	\$0	\$0	\$25,000	
	HOLIDAY DECORATIONS/LIGHTS	15,000	0	0	0	0	20,000	
	CONCRETE WORK - VARIOUS PARKS	0	0	15,000	0	0	20,000	
	COMSTOCK WALL REPLACEMENT	0	0	20,000	205,000	0	0	
	RIVERVIEW TRAIL BRIDGE INTO RIVERSIDE	0	150,500	0	0	0	0	
	RIVERSIDE PARK RIVERWALK	0	0	0	0	0	66,000	
	ISLAND PARK-BRIDGE REPLACEMENT	75,000	0	0	0	0	0	
	ISLAND PARK-PERIMETER TRAIL 4000LF	0	0	76,400	0	0	0	
	ISLAND PARK-LIGHTING	0	0	0	0	60,000	0	
	TRESTLE PARK/TRAIL-DECKING/TIE WALL REPLCMENT	0	20,400	6,000	0	0	0	
	TRESTLE PARK/TRAIL-BENT OAK/NORTH SHELTR PAVING	23,200	0	0	0	0	0	
	TRESTLE PARK/TRAIL-GRANT/RODGER CT PAVING	0	0	0	0	8,000	0	
	KIWANIS TRAIL-HUNT/MAPLE PAVING	0	0	0	0	7,000	0	
	KIWANIS TRAIL-MAPLE/RACE PAVING - BRIDGE WORK	0	0	0	0	25,000	0	
	PARKING LOT FLORAL DISPLAY ENHANCEMENTS	0	0	0	0	38,000	0	
	WEST MAUMEE TRAILHEAD	250,000	0	0	0	0	0	
	WEST PARK DESIGN & RENOVATION	<u>0</u>	<u>0</u>	<u>175,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	
	TOTAL FACILITY IMPROVEMENTS	<u>\$363,200</u>	<u>\$185,900</u>	<u>\$292,400</u>	<u>\$205,000</u>	<u>\$138,000</u>	<u>\$131,000</u>	
	CAPITAL EQUIPMENT:							
	MOWER REPLACEMENT W/TRADE	\$0	\$10,000	\$13,500	\$0	\$14,000	\$0	
	LANDSCAPE TRAILERS - 4 (3-12' AND 1-14')	12,700	0	0	0	0	0	
	SITE FURNISHINGS-T-CANS, BENCHES, GRILLS, ETC	5,000	5,000	0	10,000	0	0	
	MAINTENANCE CART	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>14,000</u>	
	TOTAL CAPITAL EQUIPMENT	<u>\$17,700</u>	<u>\$15,000</u>	<u>\$13,500</u>	<u>\$10,000</u>	<u>\$14,000</u>	<u>\$14,000</u>	
	TOTAL FEE ESTATE	<u>\$380,900</u>	<u>\$200,900</u>	<u>\$305,900</u>	<u>\$215,000</u>	<u>\$152,000</u>	<u>\$145,000</u>	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
738.00	ADRIAN PUBLIC LIBRARY							40 - 50
	REQUEST							
	FACILITY IMPROVEMENTS:							
	CAULK EFS ON NORTH & WEST ELEVATIONS	\$0	\$6,400	\$14,600	\$0	\$0	\$0	
	REPAIR NORTH INTERIOR WALL	0	0	0	0	0	0	
	ELEVATOR UPGRADE	0	0	0	0	0	0	
	SECURITY GATES - THREE	12,000	0	0	0	0	0	
	REPLACE LIGHT FIXTURES (Grant - 50%?)	0	0	0	0	0	0	
	HVAC IMPROVEMENTS	0	0	0	34,000	0	0	
	VINYL FLOORING IN STAFF WORKROOM	0	16,600	0	0	0	0	
	VINYL FLOORING IN STORAGE ROOM #2	0	0	0	0	10,800	0	
	REPAIR INTERIOR STORAGE ROOM #2	0	0	0	0	5,800	0	
	VINYL FLOORING IN STORAGE ROOM #3	0	0	0	0	0	20,000	
	LOWER LEVEL HALLWAY ROOM	0	0	0	0	0	0	
	TOTAL FACILITY IMPROVEMENTS	\$12,000	\$23,000	\$14,600	\$34,000	\$16,600	\$20,000	
	CAPITAL EQUIPMENT:							
	FURNITURE - STAFF	\$0	\$0	\$0	\$0	\$0	\$4,000	
	COPIER - PUBLIC	0	10,000	0	0	0	0	
	FURNITURE - PUBLIC	0	10,000	0	0	0	0	
	DEHUMIDIFIER - ARCHIVES/HISTORY ROOM	0	0	9,000	0	0	0	
	DRINKING FOUNTAIN - YOUTH FLOOR	0	0	0	0	0	5,000	
	COPIER - STAFF	0	0	0	15,000	0	0	
	TOTAL CAPITAL EQUIPMENT	\$0	\$20,000	\$9,000	\$15,000	\$0	\$9,000	
	TOTAL ADRIAN PUBLIC LIBRARY	\$12,000	\$43,000	\$23,600	\$49,000	\$16,600	\$29,000	
101	TOTAL GENERAL FUND	\$1,230,768	\$4,259,605	\$1,703,180	\$2,358,414	\$1,122,775	\$1,084,700	

CITY OF ADRIAN, MICHIGAN
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SOURCES OF FUNDS:								
	GENERAL PROPERTY TAX (ONE MILL) (3.5%/YR)	\$465,750	\$482,051	\$498,923	\$516,385	\$534,459	\$440,000	
	FEE ESTATE (3.0 %) LESS: OPERATING (5.0%/YR)	387,632	127,709	117,787	107,865	97,942	97,942	
	DDA-TIF	0	0	0	0	0	0	
	GRANTS	22,300	39,000	0	0	0	0	
	911 TELEPHONE SURCHARGE	0	0	0	0	0	0	
	DRUG-FORFEITURE FUNDS	0	0	0	0	0	0	
	NON-DRUG FORFEITURE FUNDS	0	9,750	0	0	0	0	
	PURCHASE INSTALLMENT CONTRACT	0	0	0	0	0	0	
	MILLAGE REQUEST	0	0	0	0	0	0	
	PRIVATE DONATIONS	4,000	0	0	0	0	0	
	SALE OF ASSETS	3,218	0	0	0	0	0	
	PRIOR YEAR SURPLUS	0	0	0	0	0	0	
	OPERATING BUDGET DEBT SERVICE APPROPRIATION	347,868	843,705	380,480	1,412,414	145,000	0	
	ALTERNATIVE FUNDING SOURCES	0	2,757,389	705,990	321,750	345,374	546,758	
	TOTAL SOURCES OF FUNDS	\$1,230,768	\$4,259,605	\$1,703,180	\$2,358,414	\$1,122,775	\$1,084,700	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
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202	MAJOR STREET FUND							60 - 74
	MAPLE - E. MAUMEE TO W. MAUMEE	\$766,624	\$0	\$0	\$0	\$0	\$0	
	TREAT STREET - BEECHER TO CITY LIMITS	108,560	0	0	0	0	0	
	TECUMSEH - MICHIGAN TO TOLEDO	0	218,919	0	0	0	0	
	MCKENZIE - BURR TO LOVELAND	0	550,516	0	0	0	0	
	BURR - MCKENZIE TO SCOTT	0	75,935	0	0	0	0	
	RIVERSIDE AVE. - SCOTT TO BUDLONG	0	0	139,789	0	0	0	
	RIVERSIDE AVE. - BUDLONG TO BENT OAK	0	0	395,040	0	0	0	
	SIENA HEIGHTS - MAIN TO HOWELL	0	0	466,251	0	0	0	
	BENT OAK - RIVERSIDE TO CITY LIMITS	0	0	0	310,862	0	0	
	DIVISION STREET - US-223 TO CHURCH	0	0	0	655,141	0	0	
	TWO-WAY STREET CIRCULATION	1,500,000	0	0	0	0	0	
	GENERAL STREET PRESERVATION	0	0	0	0	900,000	900,000	
	CONTRIBUTION TO LOCAL STREET FUND	100,000	100,000	100,000	100,000	100,000	100,000	
	TOTAL MAJOR STREET FUND	\$2,475,184	\$945,370	\$1,101,080	\$1,066,003	\$1,000,000	\$1,000,000	
	SOURCES OF FUNDS:							
	ACT 51 FUNDING	\$1,493,934	\$882,620	\$1,046,818	\$1,059,253	\$1,000,000	\$1,000,000	
	SPECIAL ASSESSMENTS	0	63,750	54,262	6,750	0	0	
	COMMUNITY DEVELOPMENT FUND (CDBG GRANT)	0	0	0	0	0	0	
	MDOT TRANSPORTATION ENHANCEMENT GRANT	0	0	0	0	0	0	
	DDA-TWO MILL FUND	50,000	0	0	0	0	0	
	DDA-TIF FUND	150,000	0	0	0	0	0	
	FEE ESTATE	0	0	0	0	0	0	
	NON-MOTORIZED TRANSPORTATION REVENUE	0	0	0	0	0	0	
	GRANTS	781,250	0	0	0	0	0	
	TOTAL MAJOR STREET FUND	\$2,475,184	\$946,370	\$1,101,080	\$1,066,003	\$1,000,000	\$1,000,000	

CITY OF ADRIAN, MICHIGAN
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 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

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203	LOCAL STREET FUND							60 - 74
	W. SUMMIT STREET - MAIN TO WINTER	\$251,014	\$0	\$0	\$0	\$0	\$0	
	HUNT STREET - TRESTLE PARK TO MAIN	68,950	0	0	0	0	0	
	N.WINTER STREET - MAPLE TO DEAD-END	132,227	0	0	0	0	0	
	CLINTON STREET - MAUMEE TO MAPLE	62,215	0	0	0	0	0	
	TOLEDO STREET - TECUMSEH TO MAPLE	50,382	0	0	0	0	0	
	JAMES - BEECHER TO TREAT	61,801	0	0	0	0	0	
	COLLEGE PARK SUBDIVISION	227,125	0	0	0	0	0	
	VINE STREET - COLLEGE PARK TO MADISON	35,270	0	0	0	0	0	
	MULBERRY - ORMSBY TO ELM	0	61,661	0	0	0	0	
	SUMMER - MAPLE TO RIVER	0	66,531	0	0	0	0	
	CHERRY - MAPLE TO RIVER	0	80,146	0	0	0	0	
	E. SUMMIT - WINTER TO DIVISION	0	230,728	0	0	0	0	
	FRENCH - BEECHER TO TREAT	0	61,794	0	0	0	0	
	TABOR - BEECHER TO TREAT	0	61,794	0	0	0	0	
	FRANK - DIVISION TO DEAN	0	184,403	0	0	0	0	
	ERIE - DIVISION TO DEAN	0	184,403	0	0	0	0	
	N. CENTER - TOLEDO TO E. MAUMEE	0	23,138	0	0	0	0	
	BALLNGER - EXTENTS	0	0	140,568	0	0	0	
	BRADISH - BEECHER TO CITY LIMITS	0	0	328,217	0	0	0	
	HAAN - BEECHER TO MULZER	0	0	68,794	0	0	0	
	MULZER - HAAN TO DIVISION	0	0	31,624	0	0	0	
	MCVICAR - MICHIGAN TO MAUMEE	0	0	56,050	0	0	0	
	CROSS STREET - MAIN TO WINTER	0	0	40,297	0	0	0	

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	SARAH - MAUMEE TO ERIE	0	0	0	144,443	0	0	
	CLAY - STATE TO DIVISION	0	0	0	53,336	0	0	
	SEELEY - LOCUST TO COMSTOCK	0	0	0	64,629	0	0	
	SCOTT STREET - RIVERSIDE TO BEECHER	0	0	0	417,531	0	0	
	HUNT ST - MAIN TO BROAD	0	0	0	39,553	0	0	
	CHESTNUT ST - MAIN TO BROAD	0	0	0	39,553	0	0	
	BRISTOL - MAIN TO BROAD	0	0	0	39,553	0	0	
	SEELEY ST - MAIN TO BROAD	0	0	0	39,553	0	0	
	DEAN - MAUMEE TO MICHIGAN	0	0	0	0	224,873	0	
	DALLAS - MAIN TO WINTER	0	0	0	0	46,846	0	
	GEORGE - MICHIGAN TO COLLEGE	0	0	0	0	143,282	0	
	BUTLER - BROAD TO DEAN	0	0	0	0	176,764	0	
	PARK STREET - MICHIGAN TO MAUMEE	0	0	0	0	72,310	0	
	RIVER STREET - MAPLE TO RACE	0	0	0	0	84,193	0	
	VINE STREET - MADISON TO MCKENZIE	0	0	0	0	161,188	0	
	ALLEY REHABILITATION	75,000	75,000	75,000	75,000	75,000	75,000	
	GENERAL STREET PRESERVATION	0	0	300,000	0	0	900,000	
	TOTAL LOCAL STREET FUND	\$963,984	\$1,029,598	\$1,040,550	\$913,151	\$984,456	\$975,000	
	SOURCES OF FUNDS:							
	MAJOR STREET FUND	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	
	SPECIAL ASSESSMENTS	101,964	113,998	141,739	66,515	118,403	100,000	
	ONE-MILL ROAD IMPROVEMENT TAX	432,020	485,600	468,811	416,636	436,053	445,000	
	ACT 51 FUNDING	330,000	330,000	330,000	330,000	330,000	330,000	
	TOTAL LOCAL STREET FUND	\$963,984	\$1,029,598	\$1,040,550	\$913,151	\$984,456	\$975,000	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

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275	COMMUNITY DEVELOPMENT REQUEST							113 - 143
	FACILITY IMPROVEMENTS:							
	MAIN STREET TRAFFIC CIRCULATION (CDBG)	\$125,000	\$0	\$0	\$0	\$0	\$0	
	TOTAL COMMUNITY DEVELOPMENT FUND	\$125,000	\$0	\$0	\$0	\$0	\$0	
279	BROWNFIELD REDEVELOPMENT AUTHORITY							113 - 143
	FACILITY IMPROVEMENTS:							
	TOLEDO STREET DUMPSTER RELOCATION	\$45,000	\$0	\$0	\$0	\$0	\$0	
	TOTAL DDA - TIF	\$45,000	\$0	\$0	\$0	\$0	\$0	
280	DOWNTOWN DEVELOPMENT AUTHORITY - 2 MILL FUND							113 - 143
	FACILITY IMPROVEMENTS:							
	DOWNTOWN WIRELESS NETWORK	\$40,000	\$0	\$0	\$0	\$0	\$0	
	MAIDEN LANE ABANDONMENT/ENHANCEMENT	0	200,000	0	0	0	0	
	TOTAL DDA - TIF	\$40,000	\$200,000	\$0	\$0	\$0	\$0	
281	DDA - TIF FUND							113 - 143
	FACILITY IMPROVEMENTS:							
	MAIN STREET TRAFFIC CIRCULATION	\$125,000	\$0	\$0	\$0	\$0	\$0	
	E. MAUMEE STREET FAÇADE ENHANCEMENT	200,000	0	0	0	0	0	
	DOWNTOWN FARMER'S MARKET STRUCTURE	250,000						
	COMMERCIAL PROPERTY ACQUISITION	300,000	0	0	0	0	0	
	TOTAL DDA - TIF	\$875,000	\$0	\$0	\$0	\$0	\$0	

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496	CAPITAL PROJECTS FUND - WATER PROJECTS							75 -83
	ADMINISTRATIVE:							
	OFFICE FURNITURE	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	
	TOTAL ADMINISTRATIVE	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	
	METER READING & MAINTENANCE:							
	RF FOR LARGE METERS	\$20,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	
	METER REPLACEMENT	50,000	50,000	50,000	50,000	50,000	50,000	
	PIT METER READERS	5,000	10,000	10,000	10,000	10,000	10,000	
	METER READING EQUIP & SOFTWARE	0	0	20,000	0	0	0	
	TOTAL METER READING & MAINTENANCE	\$75,000	\$70,000	\$90,000	\$70,000	\$70,000	\$70,000	
	OAKWOOD FACILITY:							
	MISC. CAPITAL IMPROVEMENTS	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	
	STORAGE FACILITY	0	0	0	50,000	0	0	
	TOTAL OAKWOOD FACILITY	\$5,000	\$5,000	\$5,000	\$55,000	\$5,000	\$5,000	
	WATER TREATMENT PLANT CAPITAL EQUIPMENT:							
	UNSCHEDULED EQUIPMENT REPLACEMENT	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	
	VALVE/ACTUATOR REPLACEMENT	5,000	10,000	10,000	5,000	5,000	5,000	
	BOILER REPLACEMENT	0	10,000	0	0	0	0	
	LAWNMOWER REPLACEMENT	0	0	15,000	0	0	0	
	DUMP TRUCK REPLACEMENT	0	0	30,000	0	0	0	
	PICK-UP REPLACEMENT	0	0	0	25,000	0	0	
	CHEMICAL BULK TANK REPLACEMENT	15,000	0	0	0	0	0	
	POND AERATOR	5,000	0	0	0	0	0	
	LIME DUST COLLECTION SYSTEM	0	50,000	0	0	0	0	
	DEDICATED SAMPLING STATIONS	5,000	5,000	0	0	0	0	
	REBUILD BACKWASH PUMPS	10,000	10,000	0	0	0	0	
	REBUILD HIGH SERVICE PUMP	0	6,000	0	0	0	0	
	MISC. TOOL REPLACEMENT	3,000	3,000	3,000	3,000	3,000	3,000	
	SAFETY EQUIPMENT	3,000	3,000	3,000	3,000	3,000	3,000	
	TOTAL WATER TREATMENT PLANT	\$61,000	\$112,000	\$76,000	\$51,000	\$26,000	\$26,000	

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WATER TREATMENT PLANT CAPITAL IMPROVEMENTS:								
	MISC. BUILDING REPAIRS	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	
	WINDOW/DOOR REPLACEMENT	0	20,000	20,000	0	0	0	
	SEDIMENTATION BASIN COVERS	0	0	0	0	200,000	100,000	
	SECURITY LIGHTING	0	5,000	5,000	5,000	5,000	0	
	INSTRUMENTATION AND CONTROL	5,000	5,000	5,000	5,000	5,000	5,000	
	SECURITY PERIMETER FENCING	10,000	0	0	0	0	0	
	ENTRANCE SIGN REPLACEMENT	5,000	0	0	0	0	0	
	SERVICE DRIVE ASPHALT PAVING	0	100,000	50,000	0	0	0	
	HANDRAIL REPLACEMENT	0	10,000	10,000	0	0	0	
	LAKE ADRIAN BANK STABILIZATION	50,000	25,000	0	0	0	0	
	BEECHER TANK EXTERIOR PAINTING	0	0	0	200,000	0	0	
	FAIRGROUNDS TANK INTERIOR PAINTING	0	0	125,000	0	0	0	
	LIME STORAGE ROOF REPLACEMENT	0	0	25,000	0	0	0	
	REBUILD CLARIFIER DRIVES	0	25,000	25,000	0	0	0	
	WATER TREATMENT PLANT CAP IMPRVMENTS	\$80,000	\$200,000	\$275,000	\$220,000	\$220,000	\$115,000	
WATER DISTRIBUTION - CAPITAL EQUIPMENT:								
	VAN	\$0	\$0	\$0	\$0	\$30,000	\$0	
	PICKUP TRUCK - FOREMAN	35,000	0	0	0	0	0	
	DUMP TRUCK - 10,000 GVW / WITH SNOW	0	45,000	0	0	0	0	
	PICKUP TRUCK - SUPERINTENDENT	0	0	0	30,000	0	0	
	DUMP TRUCK - 35,000 GVW	0	0	80,000	0	0	0	
	AIR COMPRESSOR	0	0	0	0	0	50,000	
	BACKHOE	80,000	0	0	0	0	0	
	UTILITY TRAILER	0	0	0	4,500	0	0	
	JUMPING JACK COMPACTOR	0	10,000	0	0	0	0	
	2" UNDERGROUND PIECING TOOL	0	10,000	0	0	0	0	
	SAFETY EQUIPMENT	5,000	5,000	5,000	5,000	5,000	5,000	
	TOTAL WATER DISTRB. - CAP EQUIP	\$120,000	\$70,000	\$85,000	\$39,500	\$35,000	\$55,000	

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	WATER DISTRIBUTION - CAPITAL IMPROVEMENTS:							
	SMALL WATER MAIN CONSTRUCTION	\$75,000	\$100,000	\$100,000	\$125,000	\$125,000	\$150,000	
	HYDRANT ADDITIONS	5,000	5,000	5,000	5,000	5,000	5,000	
	WATER LINE REPLACEMENTS	30,000	45,000	45,000	45,000	45,000	50,000	
	SERVICE LINE RENEWALS	<u>20,000</u>	<u>20,000</u>	<u>20,000</u>	<u>30,000</u>	<u>30,000</u>	<u>30,000</u>	
	TOTAL WATER DISTRB. - CAP IMPRVMNTS	\$130,000	\$170,000	\$170,000	\$205,000	\$205,000	\$235,000	
	TOTAL CAPITAL PROJECTS FUND - WATER	\$474,000	\$630,000	\$704,000	\$643,500	\$564,000	\$509,000	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
497	CAPITAL PROJECTS FUND - SEWER PROJECTS							75 -83
	WASTEWATER PLANT - CAPITAL IMPROVEMENTS:							
	MISC. STRUCTURAL REPAIRS	\$35,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	
	LANDSCAPING	0	0	0	10,000	10,000	10,000	
	PAINTING STRUCTURAL COMPONENTS	10,000	10,000	10,000	10,000	10,000	10,000	
	PLANT LIGHTING	10,000	10,000	10,000	10,000	0	0	
	DIGESTER CLEANING	0	0	20,000	20,000	20,000	0	
	PRIMARY AUGER DRIVES	20,000	0	0	0	0	0	
	WWTP INSTRUMENTATION, COM & CNTRLS	5,000	5,000	5,000	7,000	7,000	5,000	
	DOOR REPLACEMENTS	25,000	0	0	25,000	0	0	
	PAVING OF ROADWAY/ASHPHALT REPAIR	0	40,000	0	0	0	0	
	PLANT / BROAD ST HVAC	40,000	40,000	40,000	20,000	0	0	
	PLANT HANDRAIL IMPROVEMENTS	0	0	0	15,000	15,000	15,000	
	LEASE PURCHASE AGREEMENT - DIGESTER	<u>129,484</u>	<u>129,317</u>	<u>126,516</u>	<u>123,606</u>	<u>120,584</u>	<u>117,444</u>	
	TOTAL WASTEWATER CAP IMPVMNTS	\$274,484	\$249,317	\$226,516	\$255,606	\$197,584	\$172,444	

**CITY OF ADRIAN, MICHIGAN
FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR**

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
	WASTEWATER PLANT - CAPITAL EQUIPMENT:							
	TRACTOR REPLACEMENT	\$0	\$0	\$35,000	\$0	\$0	\$0	
	LAWN MOWER REPLACEMENT	10,000	0	0	0	12,000	0	
	PICKUP TRUCK REPLACEMENT	0	30,000	0	30,000	0	0	
	GRIT WASHER REPLACEMENT	70,000	0	0	0	0	0	
	REPLACE MAJOR LAB EQUIPMENT	5,000	5,000	5,000	5,000	5,000	5,000	
	UNSCHEDULED EQUIPMENT MAINTENANCE	15,000	15,000	15,000	15,000	15,000	15,000	
	NEW HEAD WORKS SCREEN	0	0	100,000	0	0	0	
	DUMP TRUCK REPLACEMENT	0	0	0	30,000	0	0	
	VALVE REPLACEMENT	15,000	15,000	15,000	15,000	15,000	15,000	
	PRIMARY CHAIN/FLIGHTS	0	0	0	60,000	60,000	0	
	FILTER EQUIPMENT REPLACEMENT	0	0	30,000	0	0	0	
	U.V. BULBS & BALLAST	25,000	25,000	25,000	25,000	25,000	25,000	
	BROAD ST. CONVEYOR COMPACTOR	0	100,000	0	0	0	0	
	LIFT STATION GENERATOR/ATS	10,000	0	10,000	10,000	10,000	0	
	MAINTENANCE EQUIPMENT	5,000	0	5,000	5,000	5,000	5,000	
	PLANT EFFLUENT WATER PUMPS	0	15,000	25,000	0	0	0	
	TOTAL WASTEWATER PLANT - CAP EQUIP.	\$155,000	\$205,000	\$265,000	\$195,000	\$147,000	\$65,000	

**CITY OF ADRIAN, MICHIGAN
FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR**

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
	SEWER COLLECTION SYSTEM:							
	PICK-UP TRUCK - CREW LEADER	\$0	\$0	\$30,000	\$0	\$0	\$0	
	PICK-UP TRUCK - ENGINEERING TECH	0	0	0	0	0	0	
	DUMPT TRUCK - 10,000GVW	50,000	0	0	0	0	0	
	VACTOR	0	280,000	0	0	0	0	
	SMALL EQUIPMENT	6,600	6,600	6,800	6,800	7,000	7,000	
	SAFETY EQUIPMENT	6,000	6,000	6,000	6,000	6,000	6,000	
	I&I ABATEMENT	30,000	30,000	30,000	30,000	30,000	30,000	
	MANHOLE AND LINE RENOVATION	<u>200,000</u>	<u>100,000</u>	<u>200,000</u>	<u>250,000</u>	<u>250,000</u>	<u>250,000</u>	
	TOTAL SEWER COLLECTOR SYSTEM	\$292,600	\$422,600	\$272,800	\$292,800	\$293,000	\$293,000	
	TOTAL CAPITAL PROJECTS FUND - SEWER	<u>\$722,084</u>	<u>\$876,917</u>	<u>\$764,316</u>	<u>\$743,406</u>	<u>\$637,584</u>	<u>\$530,444</u>	

CITY OF ADRIAN, MICHIGAN
 FISCAL YEAR 2008-14 CAPITAL BUDGET RECOMMENDATION
 SUMMARY OF CAPITAL OUTLAY EXPENDITURES BY YEAR

<u>DEPT.</u>	<u>DESCRIPTION</u>	<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>	<u>PAGE REFERENCE</u>
585	PARKING FUND							113 - 143
	CAPITAL IMPROVEMENTS	\$350,000	\$600,000	\$350,000	\$350,000	\$350,000	\$350,000	
	TOTAL PARKING FUND	\$350,000	\$600,000	\$350,000	\$350,000	\$350,000	\$350,000	
588	TRANSPORTATION FUND							144 - 147
	1) TRANSPORTATION FACILITY - GRANT FUNDED	\$1,268,000	\$0	\$0	\$0	\$0	\$0	
	2) BUS REPACEMENTS - GRANT FUNDED	229,000	0	0	65,000	215,000	70,000	
	TOTAL TRANSPORTATION FUND	\$1,497,000	\$0	\$0	\$65,000	\$215,000	\$70,000	
661	INFORMATION TECHNOLOGY FUND							105 - 112
	CAPITAL EQUIPMENT:							
	WORKSTATIONS	\$55,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	
	SERVER	10,000	11,000	10,000	10,000	0	10,000	
	DATA SWITCHES	0	0	0	0	27,000	0	
	COLOR AERIAL ORTHOPHOTOS	0	0	55,000	0	0	0	
	PARKS & RECREATION - REGISTRATION SYSTEM	0	12,000	0	0	0	0	
	TELECOMMUNICATIONS	20,731	0	0	0	0	0	
	TOTAL CAPITAL EQUIPMENT	\$85,731	\$83,000	\$125,000	\$70,000	\$87,000	\$70,000	
	TOTAL INFORMATION TECHNOLOGY DEPARTMENT	\$85,731	\$83,000	\$125,000	\$70,000	\$87,000	\$70,000	
662	FIRE DEPARTMENT MOTOR VEHICLE POOL							95 - 104
	CAPITAL EQUIPMENT:							
	CHIEF'S VEHICLE	\$30,000	\$0	\$0	\$0	\$0	\$0	
	RESCUE VEHICLE	0	0	0	90,000	0	0	
	REPLACE ENGINE #2	0	0	0	0	0	275,000	
	TOTAL CAPITAL EQUIPMENT	\$30,000	\$0	\$0	\$90,000	\$0	\$275,000	
	TOTAL FIRE DEPARTMENT MOTOR VEHICLE POOL	\$30,000	\$0	\$0	\$90,000	\$0	\$275,000	
	GRAND TOTAL ALL FUNDS	\$8,913,751	\$8,624,490	\$5,788,126	\$6,299,474	\$4,960,815	\$4,864,144	

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

RESOLUTION

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

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

WHEREAS, the City Administrator established a CIP Advisory Committee, composed of the City Administrator (Chairman), Finance Director, City Engineer/DPW Director, Utilities Director, Police Chief, Fire Chief/IT Director, Community and Economic Development Director, and Parks & Recreation Director, for purposes of reviewing Capital Project requests and formulating a Capital Improvement Program Budget Recommendation; and

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

- | | |
|----------------------------|--|
| Asset Replacement | Evaluation and replacement of current fixed assets for purposes of maintaining current service levels will be given priority. |
| Leverage Grants | Projects which are eligible for public or private grant funding, with or without a local matching requirement, will be given priority. |
| Adopted Plans | Projects which comply with the principles and concepts of an adopted City Plan will be given priority. |
| Phased Projects | Projects which implement an ongoing phased project will be given priority. |
| Health & Safety Hazards | Projects which correct a health and safety hazard or prevent a critical breakdown in a City facility will be given priority. |
| Operations and Maintenance | Projects which provide a significant decrease in City operating and/or maintenance expenses will be given priority. |

Job Creation and Retention

Projects which demonstrably support the creation or retention of jobs for City residents will be given priority.

Neighborhood Development-Projects which are a component of a systematic neighborhood development plan or strategy will be given priority; and

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

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

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

WHEREAS, at a regularly scheduled meeting on February 5, 2008, the Planning Commission approved a resolution commending the City Administrator's recommended FY2008-14 Capital Improvement Program to the City Commission, with the following additional recommended enhancements:

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

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

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

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

R-2

DATE: February 11, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Fire Department Pickup with Tank & Pump

I concur with the recommendation of the Fire Chief to award the bid for a Ford F-350 pickup with a skid-mounted tank and pump to Spencer Manufacturing of South Haven, MI, at a cost of \$62,834.00. Although Wolverine Fire Apparatus, Inc. submitted a lower bid (\$57,899.00), the tank and pump they proposed was not in accordance with the bid specifications.

I, therefore, recommend that the bid for a truck with tank and pump to replace Fire Pumper #1 be awarded to Spencer Manufacturing of South Haven, MI, at a cost of \$62,834.00.



Dane C. Nelson
City Administrator

DCN:bjw

Adrian Fire Department



Memorandum

To: Dane C. Nelson, City Administrator
From: Paul G. Trinka, Fire Chief
Date: February 5, 2008
Re: Fire Department Pick-up Truck

The Fire Department has budgeted for a pickup truck to replace the 1994 Ford F-150. The truck specified by the department is a Ford F-350 regular cab pickup truck with a skid-mounted tank and pump. The truck will be used for respond to brush fires, ordinance violations, moving equipment back to the station after a fire, and trips where an engine is not necessary.

Wolverine Fire Apparatus of Union City, Michigan and Spencer Manufacturing of South Haven, Michigan submitted proposals for the truck. The low bid was Wolverine Fire. Wolverine took total exception to both the tank and pump as specified. The unit that was specified is available to anyone and is not sold exclusively to specific dealers or retailers; however, Wolverine chose not to include it in their bid.

For this reason, I would recommend awarding the bid to Spencer Manufacturing of South Haven, Michigan in the amount of \$62,834.00.

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

RESOLUTION

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

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

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

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

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

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

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

Fire Department – Motor Vehicle Fund (662)

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

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

R-3

DATE: February 11, 2008

TO: Honorable Mayor and City Commissioners

FROM: Dane C. Nelson, City Administrator

SUBJECT: Purchase of Used Sport Utility Vehicle

Bids were recently received for the purchase of a used sport utility vehicle for use by the Department of Public Works (DPW) staff. The DPW foreman, Mark Bishop, has recommended that the bid be awarded to Clift Pontiac for a 2005 GMC Envoy at a cost of \$15,800.00. Although Dave Knapp's bid for a 2005 Ford Explorer was lower (\$15,597.00), Mr. Bishop indicated that the Envoy had a larger cargo area, which he felt was an important factor and worth the extra \$203.00.

I urge your favorable consideration authorizing the purchase of the 2005 GMC Envoy from Clift Pontiac at a cost of \$15,800.00. Funds are available in the Motor Vehicle Pool – Capital Equipment account.



Dane C. Nelson
City Administrator

DCN:bjw

Memo

To: Dane C. Nelson, City Administrator
From: Mark Bishop, Public Works Foreman
Date: 2/11/2008
Re: Bid Recommendation – 1 Used Sport Utility Vehicle

Sealed bids were received and opened on Thursday, February 7, 2008 for 1 Used Sport Utility Vehicle for the Departments of Public Works. See Attached sheet for bidders.

After review with staff, it is my recommendation that the bid be awarded the bid to Clift Buick Pontiac of Adrian Mi. for 1 used 2005 GMC Envoy at the cost of \$15,800.00. The funds for this vehicle are available from Account 101.443.00.977.000

Mark Bishop
Public Works Foreman

CITY OF ADRIAN, MICHIGAN
USED SPORT UTILITY
DUE DATE: FEBRUARY 7, 2008

BIDDER	AMOUNT	MAKE
Clift Buick Pontiac Adrian, MI	\$ 15,800.00	2005 GMC Envoy Mileage: 31,587
Dave Knapp Ford Adrian, MI	\$ 15,597.00	2005 Ford Explorer Mileage: 30,110
Dave Knapp Ford Adrian, MI	\$ 21,039.00	2007 Ford Explorer Mileage: 21,729
Dave's Adrian Dodge Adrian, MI	\$ 17,900.00	2007 Dodge Nitro Mileage: 25,100

RESOLUTION

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

RESOLUTION

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

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

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

;and

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

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

WHEREAS, the City Administrator recommends approval of this resolution.

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

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

R-4

DATE: February 12, 2008

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: Agreement with MDOT – M-34 Improvement Project

On February 5, 2007, the City Commission approved Resolution R07-026 for a cost-sharing arrangement with Biofuel Industries Group (BIG) for construction of a center left turn lane on M-34 from approximately 1350 feet east of Sand Creek Hwy. to 1600 feet west of Industrial Drive. MDOT has estimated the total cost of the project to be \$601,300, with the City's portion to not exceed \$90,857. BIG will be required to issue a Letter of Credit or a Performance Bond in the amount of \$175,000.

I recommend that the City of Adrian enter into a contract with MDOT (07-5372) for cost sharing of the M-34 project and that the Mayor and City Clerk be authorized to execute said contract on behalf of the city.



Dane C. Nelson
City Administrator

DCN:bjw

February 11, 2008

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: MDOT Cost Sharing Agreement – M34



In February 2007, the City of Adrian passed a resolution for a cost sharing agreement between the City, Biofuel Industries Group (BIG) and the Michigan Dept. of Transportation (MDOT). In June 2007, a cost sharing agreement with BIG was developed and signed. This agreement stated that the City and BIG will share the cost of 40% of this project, BIG would pay 26% and the City will pay 14%. The City's portion of the funds by the previous resolution will come from our Major Street Fund.

The project has been designed by MDOT, is ready for bidding and will be constructed this summer. Enclosed you will find the cost sharing agreement from MDOT for the agreed upon 40% of the project cost, not to exceed \$259,839. Upon execution of this contract BIG will be required to issue a Letter of Credit or performance bond in an amount of not less than \$175,000.

If you have any question please feel free to contact me.

A handwritten signature in black ink, appearing to read 'K. Bauer', is written over a horizontal line. The signature is fluid and cursive.

Kristin Bauer



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

KIRK T. STEUDLE
DIRECTOR

January 11, 2008

Ms. Pat Baker
Clerk
City of Adrian
100 E. Church Street,
Adrian, MI 49221-2773

Dear Ms. Baker:

RE: MDOT Contract No.: 07-5372
Control Section: MS 46041
Job Number: 89967

Enclosed is the original and one copy of the above described contract between your organization and the Michigan Department of Transportation (MDOT). Please take time to read and understand this contract. If this contract meets with your approval, please complete the following checklist:

 PLEASE DO NOT DATE THE CONTRACTS. MDOT will date the contracts when they are executed. A contract is not executed unless it has been signed by both parties.

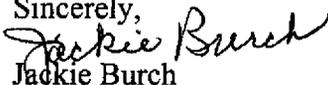
 Secure the necessary signatures on all contracts.

 Include a certified resolution. The resolution should specifically name the officials who are authorized to sign the contracts.

 Return all copies of the contracts to my attention of the Department's Design Division, 2nd floor for MDOT execution.

In order to ensure that the work and payment for this project is not delayed, the agreement needs to be returned within 35 days from the date of this letter.

A copy of the executed contract will be forwarded to you. If you have any questions, please feel free to contact me at (517) 335-2264.

Sincerely,

Jackie Burch
Contract Processing Specialist
Design Support Area

Enclosure

NON-FEDERAL AID PROGRESS PAYMENT

DAB
Control Section MS 46041
Job Number 89967
Contract 07-5372

THIS CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF ADRIAN, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements located within the corporate limits of the CITY.

WITNESSETH:

WHEREAS, the parties hereto anticipate that payments by them will be sufficient to pay the cost of construction or reconstruction of that which is hereinafter referred to as the "PROJECT" and which is located and described as follows:

Construction work for a center left turn lane on Highway M-34 from approximately 1350 feet east of Sand Creek Highway to 1600 feet west of Industrial Drive; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$601,300; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties shall undertake and complete the construction of the PROJECT as a state trunkline highway in accordance with this contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of construction or reconstruction of the PROJECT including the costs of physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT; and construction engineering, and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans thereof, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY shall make available to the PROJECT, at no cost, all lands required thereof, now owned by it or under its control for purpose of completing said PROJECT. The CITY shall approve all plans and specifications to be used on that portion of this PROJECT that are within the right of way which is owned or controlled by the CITY. That portion of the PROJECT which lies within the right of way under the control or ownership by the CITY shall become part of the CITY facility upon completion and acceptance of the PROJECT and shall be maintained by the CITY in accordance with standard practice at no cost to the DEPARTMENT. The DEPARTMENT assumes no jurisdiction of CITY right of way before, during or after completion and acceptance of the PROJECT.

4. The parties will continue to make available, without cost, their sewer and drainage structures and facilities for the drainage of the PROJECT.

5. The PROJECT COST shall be charged to and paid by the CITY in the ratio of 40 percent up to an amount not exceed \$259,839. The remainder of the PROJECT COST shall be paid by the DEPARTMENT.

The PROJECT COST, and the respective shares of the parties, is estimated to be as follows:

DEPARTMENT	\$360,800
CITY	<u>\$240,500</u>
TOTAL COST	\$601,300

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a biweekly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY. No biweekly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number _____", or "Final Billing". Upon completion of the PROJECT and payment of all items of PROJECT COST, the DEPARTMENT shall make a final billing and accounting to the CITY.

7. In order to fulfill the obligations assumed by the CITY under the provisions of this contract, the CITY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the CITY will be based upon the CITY'S share of the actual costs incurred as the work on the PROJECT progresses.

8. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its required payments as specified herein.

9. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such moneys thereafter allocated by law to the CITY from the Michigan transportation Fund sufficient moneys to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

10. All of the PROJECT work shall be done by the DEPARTMENT.

11. This contract is not intended to increase or decrease either party's liability, or immunity from, tort claims.

12. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.

13. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the CITY and for the DEPARTMENT; upon the adoption of a resolution approving said contract and authorizing the signatures thereto of the respective officials of the CITY, a certified copy of which resolution shall be attached to this contract; and with approval by the State Administrative Board.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF ADRIAN

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:

1/10/08
[Signature]



**APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS**

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

- 1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.**
- 2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.**
- 3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.**
- 4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.**
- 5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.**
- 6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.**
- 7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.**
- 8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.**
- 9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.**

March, 1998

APPENDIX B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 27, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or natural origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Michigan Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Michigan Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination, or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs 1 through 6 of every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Michigan Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Michigan Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

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

RESOLUTION

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

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

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

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

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

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

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

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

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

Major Street Fund (202)

Revenue:		
Prior Years' Revenue (202-000.00-967.000)		\$90,857
Expenditures:		
Construction Contract Services (202-451.00-801.000)		<u>90,857</u>
Total		<u>\$ -0-</u>

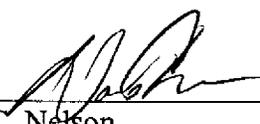
On motion by Commissioner _____, seconded by Commissioner _____, this resolution was adopted by a _____ vote.

MEMORANDUM – UTILITIES DEPARTMENT

DATE: February 12, 2008
TO: Dane C. Nelson, City Administrator
FROM: Shane A. Horn, Utilities Director
SUBJECT: Maple Avenue Well Hydrogeological Services

The Maple Avenue well, constructed in 1929, is in need of emergency replacement. The hydrogeological firm working on the Hamilton Hwy. wellfields, Williams and Works, has submitted a quote for hydrogeological services for the Maple Avenue well replacement at a cost of \$7,000. They will be on site during the drilling, ensuring that MDEQ standards are being followed for municipal well drillings. In addition, they will collect well samples during the drilling process, oversee the pump test after the well is developed and submit a Groundwater Resource Evaluation Report to MDEQ.

I urge your favorable consideration to retain Williams & Works of Grand Rapids, MI for hydrogeological services relative to the Maple Avenue well replacement at a cost of \$7,000 and that the bid process be waived.



Dane C. Nelson
City Administrator

DCN:bjw

Attached is proposal letter from Dan Whalen of Williams & Works of Grand Rapids, MI. Mr. Whalen is our current hydrogeologist for our existing well drilling on Hamilton Hwy. I recommend that we use Williams & Works to perform hydrogeological services for the development of a replacement well at the existing Maple Ave. well site. Williams and Works will be on site when the drilling of the new observation and production well is started. They will be responsible for insuring that MDEQ construction standards for municipal well drilling are being followed. They will collect samples during the drilling process and oversee the pump test after the well is developed. They will submit a Groundwater Resource Evaluation Report to MDEQ that will include a new capacity rating for the well. I recommend that we secure the services of Williams & Works for hydrogeological services for a replacement well at Maple Ave. for a total project price of \$7,000.00. I have eliminated a few items in our water plant capital budget in order to allow for this unfunded item.

cc: Jeff Pardee, Finance Director
Tim Ritchie, WTP Superintendent

February 11, 2008

Shane Horn, Utilities Director
City of Adrian
100 East Church Street
Adrian, MI 49221-2773

**Reference: Proposal -Groundwater Resource Evaluation for a Replacement
Production Well at the Existing Maple Street Well Site**

Dear Mr. Horn:

This is to provide you with our proposed scope of work and fees associated with the development of a replacement production well at the existing Maple Street well site. The approach and scope of work will be performed to fulfill the normal MDEQ requirements for a new or replacement Type I water well¹ and to demonstrate the performance of the new well. The goal of our work will be to provide the City with an approved Type I water well site and its supporting documentation.

For this work, we will assume the following approach:

1. Correspondence will be prepared and presented to the MDEQ summarizing the proposed location and construction of the replacement well. At this point in time, we are assuming that the MDEQ has already approved the concept of a replacement well.
2. Our first task will be to install a small diameter observation well in the general area of the property (assumed to be 5-inch PVC construction). The expected depth of this well will be between 100 and 110 feet. This well will serve three functions; i) the boring will verify the formation in the area of the Maple Well and ii) the boring will allow us to collect formation samples for the purpose of designing the production well and the screen design, and iii) the finished 5-inch PVC well will be used as an observation well during test pumping of the new replacement well..
3. At this time, it is assumed that the replacement well could be as deep as 110 feet, and be constructed using 12-inch steel casing and between 20 and 50 feet of screen. Again, the small well from Task 2 will verify the construction of the replacement

¹ Aquifer Test Requirements for Public Water Supply Wells, 1997, Michigan Department of Environmental Quality - Water Division, Policy/Procedure DWRP-03-003.

well, therefore, the actual design of the well is entirely dependant on the results from Task 2.

4. After development of the test-production well, the well will be equipped with a test pump and pumped for a minimum duration of 24 hours. During pumping, the water levels will be monitored within the new production well, the new observation well, and the "former" Maple Production Well. This data will be used to calculate the hydraulic properties of the pumped aquifer, and allow us to provide a capacity rating for the new well. This information and supporting calculations will be required by the MDEQ prior to issuing a new permit to equip the new well.
5. At the end of the pumping test, samples will be collected from the new well and analyzed for Unit 37 parameters.
6. Preparation of a Groundwater Resource Evaluation Report. This report will include the following topics:
 - a. A full description of the local hydrogeology and the assumed hydraulic inter-relationships between local geological units and(or) hydraulic boundaries. The results of our previous studies will be incorporated into this report.
 - b. Geologic cross-sections which depict the local geology. These will be based upon our well log database for the area.
 - c. A description of the aquifer test, and a full analysis of the aquifer test data using appropriate analytical techniques.
 - d. A description of the water quality characteristics of the aquifer based upon the Unit 37 parameters.
 - e. The determination of the drawdown that would occur within the production well after pumping for 100 days without the benefit of recharge.
 - f. Appendices which will include our aquifer test data, well logs, and laboratory analytical data.

Our fees for performing the work as described above will include , i) MDEQ correspondence, ii) periodic site inspection during drilling and sampling, iii) aquifer testing and analysis, and Unit 37 sample analysis, and, iv) the new well report and capacity rating. The total fees for our work will not exceed \$7,000.00. Our deliverables will include the following items:

1. Laboratory analytical results from the Unit 37 analyses
2. Test-production well performance results and a drilling/construction log

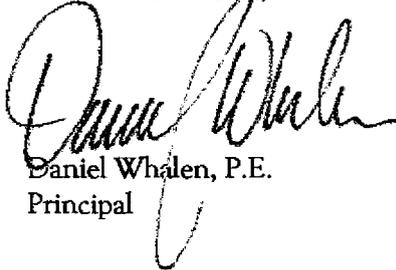
3. A complete groundwater resource evaluation report to be submitted to the MDEQ for their review and re-issuance of a Type I well permit.

We know that time is of the essence with this project; therefore, our work can begin immediately once the drilling has commenced, and will be completed within two weeks after the conclusion of pumping testing².

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Williams & Works, Inc.



Daniel Whalen, P.E.
Principal

Cc Susan H Bertram, P.E., Rowe Engineering

² Our project completion date assumes the drilling contractor will be completed with the drilling and aquifer testing work within 2 to 3 weeks, and also assumes a two-week laboratory turnaround on groundwater samples.

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

RESOLUTION

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

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

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

WHEREAS, the proposed scope of services includes:

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

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

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

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

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

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

MEMORANDUM – UTILITIES DEPARTMENT

DATE: February 12, 2008
TO: Dane C. Nelson, City Administrator
FROM: Shane A. Horn, Utilities Director 
SUBJECT: Maple Avenue Well

The Maple Avenue well, which has been in service since 1929, is in need of replacement. It currently is producing 200 gpm versus the normal 1000 gpm. The Utilities Director has consulted with a well driller, hydrogeologist and MDEQ, all who concurred that the well needs to be replaced. Raymer Company of Marine City, MI has submitted a quote for drilling a new 5" observation well and a 12" production well to MDEQ standards at a cost of \$66,145.00.

I recommend that Raymer Company be retained for emergency well drilling at the Maple Avenue well at a cost of \$66,145.00, waiving of the bid process, and approval of the resulting budget amendments.



Dane C. Nelson
City Administrator

DCN:bjw

Attached is a letter detailing the project of supplying a new well to replace the existing Maple Ave. Well that has been in service since 1929. This well has experienced a significant drop in capacity due to a plugged screen. The cost to rehabilitate the well was quoted at \$39,830.00. After consulting with our well driller, hydrogeologist and MDEQ it was concluded that we would be better served to apply that rehab money to the cost of a new production well. Raymer Company has submitted a cost to drill a new 5" observation well and a 12" production well to MDEQ standards for a project cost of \$66,145.00. I respectfully recommend that we proceed with this much needed project and award the work to Raymer Company. I have eliminated a few items in our water plant capital budget in order to allow for this emergency unfunded item.

cc: Jeff Pardee, Finance Director
Tim Ritchie, WTP Superintendent

MEMORANDUM – UTILITIES DEPARTMENT

DATE: February 12, 2008

TO: Dane C. Nelson, City Administrator

FROM: Shane A. Horn, Utilities Director



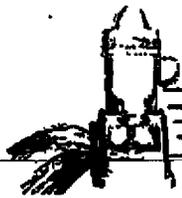
SUBJECT: Maple Avenue Well

Our existing well on Maple Avenue was constructed in 1929 and has provided us with many reliable years of service. This well had the ability of pumping 1000 gpm (gallons per minute) back to the treatment plant where we would blend with the surface water from Lake Adrian. Over the course of the past two months we have seen the capacity of the well decrease down to 200 gpm. To help us troubleshoot the problem, we hired Raymer Company, who has done the well drilling at our new well field on Hamilton Hwy. The well pump was pulled and the casing and screen were televised. The reason for the decreased capacity was due to a plugged screen with years of accumulated materials. Raymer Company has provided us a quote to rehabilitate the well at a cost reaching \$40,000.00. After consulting further with Raymer Company as well as our Hydrogeologist and the MDEQ, we all came to the conclusion that we would be better served by applying this rehab cost to the cost of a new well. Raymer Company has resubmitted a quote to drill a 5" PVC observation well per MDEQ requirements and a 12" production well with pitless adapter and 1000 gpm submersible pump for a total project price of \$66,145.00.

The Maple Ave. is critical to our operations at the plant. This well would typically be used to help us deal with some of the runoff and slow melt challenges that we experienced last week. I recommend that we spend our funds on a new well that will complement what we have done to date at our new well field on Hamilton Hwy. The plan is to tie this well from Maple Ave. into our 20" raw water line. This new well will provide many additional years of service that we can rely on.

I respectfully recommend that we proceed with this project and utilize the services of Raymer Company of Marne, MI. Raymer has done all the drilling of the production wells at our new wellfield on Hamilton Hwy. They have done an outstanding job and are well regarded throughout the state. The total cost of this project is \$66,145.00. I recommend that we delete the Lake Adrian Bank Stabilization capital project from the current water plant capital budget at \$50,000.00 as well as the Security Perimeter Fence capital project for \$25,000.00 to help in funding this emergency unfunded project.

cc: Jeff Pardee, Finance Director
Tim Ritchie, WTP Superintendent



water supply contractors
Raymer

1357 COMSTOCK STREET - MARNE, MI 49435 - PHONE (616) 677-2751

ESTIMATE

Quote Number:

469

Feb 11, 2008

1

Fax: 616-677-2909

CITY OF ADRIAN
ATTN: MR. SHANE HORN
100 E. CHURCH ST.
ADRIAN, MI 49221-2773

MAPLE ST. LOCATION.
NEW 22" X 12" TYPE I WELL.
FAX 517-263-4983

CITY OF ADRIAN	3/12/08	NET 30 DAYS
----------------	---------	-------------

1.00	LS, MOBILIZATION OF DRILLING & SUPPORT EQUIPMENT.	5,000.00	5,000.00
100.00	FT, 22" R.C., TYPE I, PUBLIC BOREHOLE DRILLING.	88.00	8,800.00
50.00	FT, 12" A53-B BLACK STEEL WELL CASING.	65.00	3,250.00
50.00	FT, 12" PIPE SIZE STAINLESS STEEL WELL SCREEN W/FITTINGS & FILTER PACK.	225.00	11,250.00
40.00	FT, 22" X 12" NEAT CEMENT WELL GROUTING PER MDEQ REGULATION.	40.00	1,600.00
1.00	LS, WELL DEVELOPMENT TO ACHIEVE MAXIMUM CAPACITY.	5,000.00	5,000.00
1.00	LS, FURNISH, INSTALL, OPERATE & REMOVE ALL NECESSARY TEST PUMPING EQUIPMENT COMPLETE W/PORTABLE DIESEL GENERATOR TO CONDUCT A STEP TEST.	5,000.00	5,000.00
1.00	NOTES: ADD/DEDUCT UNIT PRICES FOR MORE/LESS THAN ESTIMATED QUANTITIES. MDEQ PERMITS FROM ENGINEER. PLEASE CONTACT MR. DAN WHALEN, P.E FOR THIS SERVICE. ADDITIONAL TEST PUMPING & WATER SAMPLING MAY BE REQUIRED.		

CONTRACTOR'S GUARANTEE: We guarantee all materials used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. any variations from plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.

Subtotal	39,900.00
Sales Tax	
TOTAL	39,908.00

ACCEPTANCE OF PROPOSAL: The above specifications, terms and contract are satisfactory, and (I) (we) hereby authorize the performance of this work.

DATE 2/11/08 SIGNED [Signature]

DATE _____ SIGNED _____



1357 COMSTOCK STREET - MARNE, MI 49435 - PHONE (616) 677-2751

ESTIMATE

Quote Number:

481

Feb 12, 2008

1

Fax: 616-677-2909

CITY OF ADRIAN
 ATTN: MR. SHANE HORN
 100 E. CHURCH ST.
 ADRIAN, MI 49221-2773

MAPLE ST.
 6" TEST/OBSERVATION WELL.

CITY OF ADRIAN	3/13/08	NET 30 DAYS	GERALD NEUBECKER III
----------------	---------	-------------	----------------------

100.00	FT, 6" TEST/OBSERVATION WELL DRILLING W/PVC CASING.	18.00	1,800.00
20.00	FT, STAINLESS STEEL WELL SCREEN W/FITTINGS & FILTER PACK.	75.00	1,500.00
70.00	FT, NEAT CEMENT GROUT PER MDEQ REGULATION.	10.00	700.00
1.00	LS, DEVELOPMENT & TEST PUMPING.	1,500.00	1,500.00
1.00	LS, PARTIAL CHEMISTRY WATER SAMPLE COLLECTION, TRANSPORTATION & ANALYSIS.	250.00	250.00
1.00	NOTES: ADD/DEDUCT UNIT PRICES FOR MORE/LESS THAN ESTIMATED QUANTITIES.		

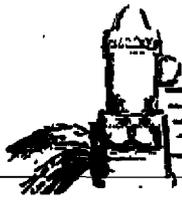
CONTRACTOR'S GUARANTEE: We guarantee all materials used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. any variations from plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.

Subtotal 5,750.00
 Sales Tax
TOTAL 5,750.00

ACCEPTANCE OF PROPOSAL: The above specifications, terms and contract are satisfactory, and (I) (we) hereby authorize the performance of this work.

DATE 2/12/08 SIGNED [Signature]

DATE _____ SIGNED _____



water supply contractors

Raymer

1357 COMSTOCK STREET - MARNE, MI 49435 - PHONE (616) 677-2751

ESTIMATE

Quote Number:

482

Feb 12, 2008

1

Fax: 616-677-2909

CITY OF ADRIAN
ATTN: MR. SHANE HORN
100 E. CHURCH ST.
ADRIAN, MI 49221-2773

MAPLE ST.
PUMPING EQUIPMENT.

CITY OF ADRIAN	3/13/08	NET 30 DAYS	GERALD NEUBECKER III
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1.00	BAKER MONITOR 12" X 6" X 5 FT. BURY INDUSTRIAL PITLESS ADAPTER UNIT FOR TYPE I PUBLIC WELLS, INSTALLED.	9,995.00	9,995.00
1.00	SUBMERSIBLE PUMP, RATED CAPACITY 1050GPM@100FT.TDH, INCLUDING PUMP BOWL ASSEMBLY, 40 HP MOTOR, 6" RISER PIPE, CHECK VALVE, HEAVY DUTY DOUBLE JACKETED COPPER ELECTRIC CABLE, DIRECT READING WATER LEVEL DEVICE, ALL NECESSARY EQUIPMENT TOOLS & LABOR FOR INSTALLATION.	10,500.00	10,500.00
1.00	NOTE: CONNECTION TO EXISTING UNDERGROUND WATER & ELECTRIC LINES BY OTHERS. PUMP CONDITIONS OF SERVICE ARE ESTIMATED. ACTUAL DESIGN MAY VARY. ELECTRICAL SERVICE & CONTROLS ARE NOT INCLUDED.		

CONTRACTOR'S GUARANTEE: We guarantee all materials used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. any variations from plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.

Subtotal	20,495.00
Sales Tax	
TOTAL	20,495.00

ACCEPTANCE OF PROPOSAL: The above specifications, terms and contract are satisfactory, and (I) (we) hereby authorize the performance of this work.

DATE 2/12/08 SIGNED [Signature]

DATE _____ SIGNED _____

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

RESOLUTION

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

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

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

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

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

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

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

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

Water Capital Projects Fund (496)

Expenditures:

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

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

MISCELLANEOUS

m-1

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

ADRIAN D.A.R.T. PASSENGER RIDERSHIP REPORT FOR JANUARY 2008

WEEK END:	JAN 4	JAN 11	JAN 18	JAN 25	JAN 31	TOTAL
MONDAY	0	356	355	257	340	1308
TUESDAY	0	363	375	360	272	1370
WEDNESDAY	354	370	335	370	347	1776
THURSDAY	415	342	314	308	346	1725
FRIDAY	387	353	349	348	0	1437
		1784	1728	1643	1305	7616

SERVICE DAYS	JAN 2008	JAN 2007	+/-	DEC 2007
	(22)	(22)		(20)
SENIORS	925	838	87	884
HDPC SENIORS	1148	1125	23	932
HANDICAPPED	3518	3401	117	2922
WHEELCHAIRS **	191	178	13	129
GENERAL	2025	2269	-244	1433
	7616	7633	-17	6171

FEBRUARY	2006	7060	2007	6833	-3%
MARCH	2006	7748	2007	7656	-1%
APRIL	2006	6426	2007	6705	4%
MAY	2006	7061	2007	6778	-4%
JUNE	2006	6190	2007	6023	-3%
JULY	2006	5865	2007	5775	-2%
AUGUST	2006	6918	2007	6378	-8%
SEPTEMBER	2006	6328	2007	6071	-4%
OCTOBER	2006	7117	2007	7357	3%
NOVEMBER	2006	6597	2007	6718	2%
DECEMBER	2006	6610	2007	6171	-7%
JANUARY	2007	7633	2008	7616	0%
		81553		80081	-2%

** WHEELCHAIR TOTALS ARE INCLUDED IN HANDICAPPED PASSENGER TOTALS

ms
ADRIAN CITY PLANNING COMMISSION
FEBRUARY 5, 2008
REGULAR MEETING
MINUTES

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

Present: Mike Jacobitz Chair
 Khamis Al-Omari Vice Chair
 Gary McDowell Mayor
 Peter Barr
 Mel Dye
 Chad Johnson
 Marilyn Schebil

Absent: Kirk Valentine City Commissioner

Also Present: Leslie E. Kettren City Planner

**APPROVAL OF MINUTES OF THE
JANUARY 8, 2007, REGULAR MEETING**

There were no additions or corrections. Commission McDowell moved that the Minutes of the January 8, 2008, regular meeting be approved as corrected. Commissioner Al-Omari supported. Motion carried unanimously.

**CASE 07-026
DECISION ON ZONING EXCEPTION PERMIT APPLICATION
FOR WORK RELEASE FACILITY
AT 227 NORTH WINTER STREET**

**CASE 07-026
SITE PLAN REVIEW OF WORK RELEASE FACILITY
AT 227 NORTH WINTER STREET**

These two items have been postponed until March at the request of the petitioner.

**CASE 07-068
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS
TO PROPOSED TEXT AMENDMENTS FOR SHOPPING CENTERS**

The public hearing was declared open. There were no comments from the audience or written communications received. The public hearing closed. The proposed text

amendments would allow shopping centers in the B-1 and B-2 Districts. A new definition for shopping mall would be added along with some changes to the definition of shopping center. These changes in the definitions also include limiting the number of stores and gross floor area. The parking requirements (Section 4.37, H, q) would also be amended to include the words "shopping mall". The desire is to limit the size of the shopping centers in the B-1 District; and prevent big box stores. There was discussion on adding a new Section 13.3 to the B-1 Local Business District, which would be titled "Maximum Floor Area" and would have a paragraph stating: No structure in the B-1 District may exceed a footprint of 20,000 square feet.

Commissioner Barr arrived at 7:06 p.m.

Commissioner Schebil moved that the Planning Commission adopt the following resolution and text amendments as corrected:

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

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

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

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

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

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

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

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

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

*Language that is in **bold** is added to this section. Deleted language shows a line through it.*

1. Amend Article II, Definitions as follows:

Section 2.99.20 Shopping Center

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

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

Section 2.99.20A Shopping Mall

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

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

(H) Parking Requirements

(3) Business and Commercial

q.	Shopping Center or Clustered Commercial Shopping Mall	One (1) for each three hundred (300) sq. ft. of gross floor area.
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3. Amend Article XIII, B-1 Local Business District as follows:

ARTICLE XIII

B-1 LOCAL BUSINESS DISTRICT

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

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

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

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

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

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

ARTICLE XIV

B- 2 COMMUNITY BUSINESS DISTRICT

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

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

1. Any principal permitted use in the B-1 Local Business District.
2. Post offices.
3. Photographic reproduction, blueprinting and print shop.
4. Sit down restaurants and taverns.
5. (reserved for future use)

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

There were no comments from the audience. Public hearing closed. The commission discussed the B-2 District but did not make any changes. Commissioner Dye supported. A roll call vote was conducted.

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

Against Motion: none

Motion carried unanimously.

The Planning Commission decided to discuss the following three agenda items in order to accommodate the people in the audience.

Communication Items

Adrian Area Little League (AALL) Request for Sponsorship Banners: Mr. Paul Miller, representing the AALL was present. The AALL wishes to sell sponsorship banners in the City parks and display them temporarily on the outfield fencing in the ball fields they use. They were looking a having vinyl banners in three different sizes (2'x4', 4'x8' and 5'x10'); the sponsor would pay for the banner per year. The AALL would hang and remove the banners, and maintain them during their playing season. Their season is generally the later part of April through the early part of July. Mr. Miller stated that the City Parks and Recreation Department has no objection to this proposal, and that AALL would take full responsibility while they are in the ball fields. Several years ago the City allowed these types of signs as long as they were inside the park; nothing was changed in the ordinance. The Commission will discuss this later in the meeting. No action taken by Commission.

CASE NO. 08-005
SET PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS
TO TEXT AMENDMENTS TO PERMIT STUDENT HOUSING

Mr. Mike Ayre, representative from Adrian College, was present. The Commission was in receipt of a communication from the Mr. Glenn Preston, City Code Enforcement Officer. He explains that by following the Property Maintenance Coe as it relates to occupancy based on square footage; this would allow a large number of students to occupy a home. Mr. Preston feels there should be a cap on the number of students, and is asking that the Ad-Hoc Committee revisit this before to goes to the Planning Commission. The Commission discussed limiting the number of students, felt 17 students in a 1500 square foot home is a significant number. Mr. Ayre proposed a cap of 10 students and said there were some parking restrictions the college would like to address. He suggested the language be changed from 300 feet to 425 feet for off-site parking spaces. There was discussion that a 1.5 ratio for parking was excessive, should be 1:1 for students residing at each house, and not having the back yards become parking lots. There was discussion on what the ERO District requires for parking. Ms. Kettren is to research parking requirements in the ERO District. Mr. Ayre requested the Student Housing Committee review this as soon as possible. The Commission decided to go ahead and set the public hearing for March. Commissioner Barr moved that the Planning Commission set a public hearing at their March meeting to hear and consider comments to text amendments concerning student group housing. Commissioner McDowell supported. A roll call vote was conducted.

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

Against Motion: none

Motion carried unanimously.

Communication Item

Discussion of Approach to Address the Site of Adrian College's Admission Office: The temporary use for 135 South Madison Street expires on September 12, 2011. There was discussion on options that would allow this to remain the Adrian College Admission Office. The Planning Commission did not want the ERO District to extend to the east side of Madison Street. There was discussion on allowing this through a zoning exception permit or conditional zoning. No action taken by Commission.

CASE NO. 07-076
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO
PROPOSED TEXT AMENDMENTS CONCERNING HOME OCCUPATIONS

This language would allow beauty and barber shops as a home occupation with conditions. The public hearing was opened. There was one change to the language which pertains to the amount of allowed signage. There were no comments from the audience or written communications received. The public hearing closed. There was some discussion on home offices, and it was the consensus of the Commission that if a home office doesn't have a sign it is not a home occupation. Commission Al-Omari moved that the Planning Commission recommend to the City Commission the approval of the following resolution and language as corrected:

**RESOLUTION TO ADOPT
ARTICLE II DEFINITIONS, SECTION 2.71, HOME OCCUPATION
ARTICLE XXV CONDITIONS FOR SPECIFIED USES SUBJECT TO A ZONING
EXCEPTION PERMIT, SECTION 25.14, HOME OCCUPATIONS**

WHEREAS, the Adrian City Planning Commission received a request to permit beauty salons as a home occupation; and

WHEREAS, the Adrian City Planning Commission determined that a one chair salon would not have any adverse affect on surrounding residential properties; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Planning Commission accepts the text amendments as submitted by the Community Development Department; and

BE IT FURTHER RESOLVED that the Adrian City Planning Commission finds the following text amendments to Article II, Definitions, Section 2.71, Home Occupation and Article XXV, Conditions for Specified Uses Subject to a Zoning Exception Permit, Section 25.14, Home Occupations to be in compliance with the City Code of Ordinances and requests that Case No. 07-076 be forwarded to the City Commission for final approval.

(New text is shown in bold, ~~strikeout~~ denotes omitted language)

Proposed amendment of Article II – Definitions

SECTION 2.71 Home Occupation

A home occupation is any occupation or profession carried on by one or more members of a family residing on the premises; provided that no commodity other than those customarily associated with the business is sold upon the premises; provided, further, that no mechanical equipment is installed except such as is normally used for purely domestic or household purposes; provided, further, that not over twenty-five (25) percent of the total actual floor area of any story is used for home occupation or professional purposes. ~~Beauty parlors, barber shops,~~ Doctor's offices, animal hospitals, and nursery schools are examples of uses not considered a home occupation. (Home occupations are not permitted in the R-1 Single Family Residential District.)

Proposed amendments of Article XXV - Conditions for Specified Uses Subject to a Zoning Exception Permit

SECTION 25.14 HOME OCCUPATIONS:

1. Intent. A home occupation is an incidental and secondary use of a dwelling unit for business purposes. The intent of this section is to ensure compatibility of home occupations with other permitted uses of residential districts and with the residential character of the neighborhoods involved. It is further the intent of this provision to ensure that home occupations are clearly secondary and incidental uses of residential buildings.
2. Conditions. Home occupations are permitted in **all the R-2, R-3 and R-4** residential districts provided all of the following conditions are observed.
 - a. A home occupation must be conducted in its entirety within a dwelling unit that is the bona fide residence of the practitioner of the occupation.
 - b. Home occupations shall be conducted solely by persons residing at the residence.
 - c. All business activity and storage must take place within the interior of the dwelling. No exterior view of the product of the home occupation is allowable.
 - d. No alteration to the exterior of the residential dwelling, accessory building or yard that alters the residential character of the premises is permissible.

- e. The home occupation shall not generate a volume or character of pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
 - f. Only off-street parking facilities which are normal for residential use and are located on the premises may be used.
 - g. No vehicles exceeding 5 tons GVW used in the conduct of the occupation may be parked or otherwise kept at the premises, other than as are normal for use for domestic or household purposes, unless housed in a fully enclosed structure.
 - h. One (1) non-illuminated nameplate no larger than two (2) square feet is permitted to identify the home occupation. The nameplate shall be attached to the building. No other identification is permitted.
 - i. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
 - j. No highly explosive or combustible material shall be used or stored on the premises. No activity shall be allowed that interferes with radio or television transmission. Nor shall there be any offensive noise, vibration, smoke, dust, odor, heat or glare noticeable at or beyond the property line.
 - k. Not more than twenty (20) percent of the gross floor area, (or three hundred (300) square feet), whichever is greater, can be used for a home occupation.
 - l. The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire or health, or any other city, county, state or other applicable laws or regulations.
3. Examples of Home Occupations. This list is not intended to limit the kinds of home occupations that can comply with the conditions of this section.
- a. Dressmaking
 - b. Handicrafts
 - c. Typing, secretarial services
 - d. Tutoring, limited to six (6) students
 - e. Office facility of a sales representative provided that no transactions are made in person on the premises

- f. Technical service and/or consulting
- g. Upholstering and refinishing services subject to Section 25.14 (2,j) above
- h. Home office
- i. **Beauty Shops and Barber Shops, limited to one (1) chair, subject to all the conditions in Section 25.14. No other signage or logo permitted, such as barber poles, except as noted in Section 30.13(2)(a).**

Commissioner Johnson supported.

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

Against Motion: none

Motion carried unanimously.

CASE NO. 07-047
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO
AMENDING ARTICLE XXX – SIGNS
OF THE ZONING/DEVELOPMENT REGULATIONS

Last September, the Planning Commission directed staff to open a case file to amend Section XXX – Signs. The Community Development and Inspection Departments and the City Attorney had documented problems and difficulties with the sign ordinance for quite some time. The problem of permitting, interpretation and enforcement has been an ongoing problem. In addition, the problematic language regarding political signage needed to be deleted as a result of a City lawsuit. At the November 6, 2007, Planning Commission established an Ad-Hoc Committee to review staff's recommended changes. The Ad-Hoc Committee reviewed and discussed the many proposed text amendments that staff suggested and now present the revised Sign Ordinance to the Planning Commission for approval. There is now a definition for monument signs and a Schedule of Regulations. The Inspection Department and Code Enforcement along with the City Attorney reviewed this proposed language with no comments or corrections. The public hearing was opened. There were no comments from the audience or any written communications received. The public hearing was closed. There are few corrections in formatting needed. The Commission directed staff to comment back with language for LEED, elimination of pole signs and address the issue of sponsorship banners requested by the Adrian Area Little League (AALL). Commissioner Johnson moved that the Planning Commission recommend to the City Commission the approval of the following resolution with changes as discussed:

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

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

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

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

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

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

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

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

Deletions are crossed out. Additions are in BOLD text.

ARTICLE XXX

SIGNS

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

1. To protect residential areas from adverse lighting which may violate the privacy of residences from the encroachment of commercial uses.
2. To prevent the placement of signs which conceal the benefit of other signs or create visual or physical obstacles to motorists or pedestrians.

3. To control the number, size and placement of signs at a level reasonably necessary to identify a business, and provide effective communication and orientation to the public.
4. To prevent the erection of signs which create a hazard related to collapse, fire or collision, or where the location is difficult to maintain, leading to blight, decay or abandonment.
5. To promote the installation of signs which enhance the character of the City of Adrian, by protecting its heritage and enhancing the quality of its commercial and residential areas.

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

1. **Sign.** A name, identification, description, display or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization or business.
 - a. **A-Frame Sign.** A portable free standing sign not permanently anchored or secured to either a building or the ground and in the shape of an "A".
 - b. **Abandoned Sign/Entity.** A sign which has been erected on property for a specific business or use which has been discontinued, resulting in a nuisance and removal pursuant to Section 30.07 of this ordinance.
 - c. **Business Sign.** A sign which directs attention to a business or profession conducted, or to a service or entertainment sold or offered upon the premises where such sign is located.
 - d. **Canopy or Awning Sign.** A sign which is embodied within the material or fabric of a canopy or awning which projects from and is supported by the wall of a building.
 - e. **Business Center Sign.** A sign which gives direction and identification to a group of contiguous stores whether or not under single management.
 - f. **Directional/Information Sign.** An on-premise sign giving directions, instruction or facility information and which contains the name or logo of an establishment or group of establishments but no advertising copy; e.g., parking or exit and entrance signs.
 - g. **Entrance Way Sign.** An on-premise sign which designates the entranceway to a residential or industrial subdivision, mobile home park or multiple family development, or to a college or university campus.

- h. Ground-Pole or Ground-Mounted Sign. A sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.
- i. Illuminated Sign. A sign that provides artificial light directly (or through any transparent or translucent material) from a source of light connected with such sign, or a sign illuminated by a light so shielded that no direct rays from it are visible from any public right-of-way or from the abutting property.
- j. Identification Sign. A sign that identifies the business, owner or resident and/or the street address and which may also include the logo or logo type of the business and which would not include any other advertisement.
- k. Inverted T-Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground, and is in the shape of an upside down " T " .
- l. Marquee Sign. An identification sign attached to a marquee or other surface which projects more than fifteen (15) inches from the building wall and may not be parallel to such wall.
- m. Monument Sign. A sign structurally supported by a solid foundation with zero ground clearance, not attached to a wall or building.
- n. Off-Premise Advertising Sign. A sign which contains a message related to a business or profession conducted or to a commodity, service or entertainment, sold or offered on property other than the premise where such sign is located. Signs that are located on private access easements and provide access to the site, and advertise the use of the property accessed, are not off-premise signs.
- o. Projecting Sign. A sign which projects from and is supported by a wall of a building.
- p. Portable Sign. A free standing sign not permanently anchored or secured to either a building or the ground, such as, but not limited to sandwich boards, "A" frame, "T" shaped or inverted "T" shaped sign structures. All portable signs shall be controlled by the sections of this ordinance regulating the use of temporary signs.
- q. Sandwich Board Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground, and is the shape of an "A".

- r. Street Clock/Temperature Sign. A sign which displays the current time or outdoor temperature or both and which displays no other material except for an identification sign as defined above.
 - s. T-Sign. A portable free standing sign not permanently anchored or secured to either a building or the ground, and is in the shape of a "T".
 - t. Temporary Sign. A display, informational sign, portable sign, banner, balloon, pennant, streamer, or other advertising device constructed of cloth, canvas, fabric, wood, or other material with or without a structural frame and intended for a limited period of display.
 - u. Wall Sign. A sign which is attached directly to or painted upon a building wall and which does not extend more than fifteen (15) inches there from, with the exposed face of the sign in a plane parallel to the building wall.
 - v. Roof Sign. Any sign erected, constructed, and maintained wholly upon or over the roof of any building with the principal support on the roof structure.
2. Area of Sign. For the purposes of this ordinance, the area of a sign shall be defined as the entire area within a circle, triangle or parallelogram enclosing the extreme limits of all individual letters, words, representation emblems, symbols, or any figure or similar character, together with any frame.
 3. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign. When two back-to-back signs are no more than two (2) feet apart, then the area between the two signs shall be included in determining the total area of the sign. When two signs are more than two (2) feet apart, then the total area shall be determined the same as for two separate signs.
 4. Parcel of Land. A unit of real property, platted or unplatted, within the City of Adrian.
 5. Institutional Bulletin Board. A structure containing a surface area upon which is displayed the name of a religious institution, school, library, community center or similar institution and the announcement of its services or activities.
 6. District. A zoning district specified in the Adrian City Zoning/Development Regulations.
 7. Basic Code. The Basic Code shall mean the State of Michigan Building Code as adopted by the City and as may be amended.

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

SECTION 30.03 PERMITS:

1. No person shall erect or construct any sign in the City of Adrian without first securing a permit except as provided for in Section 30.06.
2. All permits shall be obtained from the Building Department.
3. Before any permit is granted for the erection of a sign, plans and specifications, therefore, shall be filed with the Building Department showing the dimensions, materials, and details of construction, including loads, stresses, and anchorage. The application for a permit shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is located.
4. Annual temporary permits shall apply to signage of a temporary nature utilized to market a product or service provided on the premises.
5. All signs shall include an identification plate indicating the name of the owner, the permit number and the date the permit was granted.

SECTION 30.04 PROHIBITIONS:

1. **General Prohibitions**
 - a. No sign shall be erected or maintained in any manner which, by reason of its size, location, context, coloring, or manner of illumination, shall constitute a traffic hazard or which shall interfere with the visibility of any traffic control device.
 - b. No sign, other than a time and temperature sign shall have any visible moving parts or visible mechanical movement or any other apparent visible movement achieved by electrical, electronic, kinetic means, intermittent electrical pulsations, or wind currents. The image or message of electronic reader boards must remain static on the sign for at least five (5) minutes.
 - c. No sign shall be placed so as to obstruct any fire escape, required exit way, window, or door opening used as a means of passage from one part of a building to another (including the roof) or as access thereto for fire fighting purposes.
2. **Prohibited Signs:** The following signs are prohibited within the City of Adrian:
 - a. Any sign not permanently installed or not considered temporary according to the provisions of this ordinance. (Magnetic signs shall be considered a permanently installed sign).

- b. Signs utilizing any moving or flashing lights or parts other than electronic messages, Section 30.04(2), approved for street clocks and temperature signs. Barber poles are excluded from the prohibition.
- c. Pennants, spinners, streamers, balloons, banners, windsocks, and flags, except during promotional sales, such display not to exceed thirty (30) consecutive days within any ninety (90) day period. Applicants shall complete a sign permit application designating the type and dates of the promotional sales. The application for a permit shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is located.
- d. Roof signs or other signage which do not meet the requirements of the district in which it is located or painted, posted, or erected in areas not meeting the sign requirements of this ordinance. (This shall include the use of trees, rocks, or other natural features as signs).
- e. Projecting signs are not permitted except in the B-3 Central Business District.
- f. Off-premises signs are not permitted. Only in cases where the public benefit can be positively demonstrated will a permit be issued by administrative variance as found in Section 27.07 of the Adrian City Zoning/Development Regulations. Off-premise sign administrative variance standards are as follows:
 - 1. The sign shall have a total surface area on all surfaces, height and location requirements that are compatible to the standards for signs in the zoning district in which the sign is located; and
 - 2. The number of existing signs in the vicinity shall be considered in the permit application review; and
 - 3. Such signs shall also be set back from any public right-of-way two (2) feet for every one (1) foot of height and shall not be closer than five hundred (500) feet from any playground, school, park, church or residential dwelling; and
 - 4. Temporary off-premise signs shall require a building permit. If the signs do not require structural supports, they may be permitted in non-residential zones under special conditions. The term of the sign permit shall be stipulated and a cash bond posted in an amount acceptable to the Building Department at the time of approval.

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

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

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

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

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

SECTION 30.08. Reserved for future use.

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

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

TEMPORARY SIGN
SCHEDULE OF REGULATIONS
Section 30.09

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

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

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

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

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

SECTION 30.10 NUMBER OF ON-PREMISE SIGNS PERMITTED:

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

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

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

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

1. **Non-illuminated Signs Requiring No Permit.** The following non-illuminated signs shall be permitted in all districts without obtaining a sign permit prior to installation.
 - a. Identification signs not exceeding two (2) square feet in area indicating the name of the business or occupant and the address of the parcel.
 - b. Traffic or other municipal signs as installed or approved by the City Commission or City Administrator. This may include legal notices, vehicle or pedestrian traffic signs, emergency signs, or other signs as sanctioned by the City such as for community events.

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

SECTION 30.14 (Reserved for future use)

SECTION 30.15 Wall Signs: Shall be permitted in the OS-1 Office Service, R-O, Residential Office, B-1 Local Business, B-2 Community Business, B-4 Shopping Center, WH Warehouse and Wholesale, ERO Education Research and Office, E-1 Exclusive Industrial, I-1 Light Industrial, I-2 General Industrial, and P-1 Vehicular Parking Zoning Districts subject to the following conditions:

1. Wall signs shall not exceed more than fifteen (15) inches from the face of any building wall and must be parallel to the wall in which it is affixed.
2. The wall sign must be installed at least eight (8) feet above the ground level or sidewalk, whichever is higher, and shall not project above the roof line.

3. Where more than one wall is exposed, a maximum of two (2) wall signs, one on each wall, may be installed consistent with the conditions of the Zoning/Development Regulations.
4. The following are maximum sizes (sign area) of wall signs by district:
 - a. OS-1: Not more than 12 sq. ft. in area
 - b. R-O: Not more than 12 sq. ft. in area
 - c. B-1 and B-2:
 1. Wall signs for stand alone buildings cannot exceed 5% of the square footage of the wall where located with a total not more than ninety (90) sq. ft. in area.
 2. Wall signs for integrated or cluster uses (local shopping centers) are permitted a maximum of two wall signs per business, according to conditions as set forth in Section 30.15 (3), not to exceed 5% of the square footage of the wall where located with a total not more than thirty (30) sq. ft. in area.
 - d. B-4: Cannot exceed 10% of the square footage of the wall where located with a total not more than three hundred (300) sq. ft. in area.
 - e. In all other non-residential districts: Cannot exceed 5% of the square footage of the wall where located with a total of not more than two hundred (200) sq. ft. in area.

SECTION 30.16 GROUND POLE SIGNS: Shall be permitted in all non-residential districts, except in the B-3 District, where the building is located at least twenty (20) feet from the property line and the sign does not extend beyond the boundary of the property. The sign may not be located closer than twenty-five (25) feet from any adjacent property and shall not inhibit the vision of motorists and pedestrians, in accordance with Section 30.04. Each parcel shall be allowed only one (1) ground pole sign, unless a corner lot, which will be allowed two (2) such signs consistent with Section 30.10 of this ordinance. Where the identification or advertising is the same, the sign area shall be deemed one side of the sign. The sign must be permanently attached to the ground. The bottom of the pole sign must be at least twelve (12) feet above ground level or sidewalk.

1. In the B-1 and B-2 Districts, the sign shall not exceed fifty-four (54) square feet in area and shall not exceed twenty-five (25) feet in height.
2. In the B-4 Planned Shopping Center District:

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

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

1. In the B-1 and B-2 Districts, the monument sign shall not exceed fifty-four (54) square feet in area.

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

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

SECTION 30.19 OTHER SIGNS PERMITTED:

1. **Other Permitted Signs:** These signs are subject to the granting of a permit by the City of Adrian subject to the following conditions for the district in which they are located:

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

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

1. This section has special provisions to promote and protect the public health, welfare and safety within the B-3 Central Business District. It is intended to improve communication within the District, protect property values, preserve the historic character and streetscape, and create a more attractive economic and business climate. It is further intended to reduce advertising distractions that may contribute to traffic accidents and reduce hazards to the general public.
2. For the purpose of this Section (30.16) only, the term "sign" shall mean any material, symbol, emblem, structure, or advertising device, composed of lettering, images or pictures and used to identify or direct attention to any business, institution, organization, person, object, event or activity when visible from a public area. The "sign" shall include all related materials, attachments, mounting and illumination. The "sign" may be applied directly or indirectly to facades, windows or walls and includes "signs" painted on a building wall or façade or which project from a building on a pole, canopy or awning, or are placed separate from the building as a permanent ground sign or temporary sidewalk sign.

3. Sign Application Review Process. All signs erected within the B-3 Central Business District shall be reviewed by the Community Development Department. An application for a permit for a sign within the B-3 Central Business District shall be submitted to the Building Department who shall transmit the application to Community Development. Community Development shall review the application pursuant to the following criteria and submit rejection or approval to the Building Department within five (5) business days of receipt of the application.

Design Criteria

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

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

4. Allowable Signage. Only "flat facade signs", "projecting signs", "awning or marquee signs", "window lettering", "detached sidewalk signs" and "monument signs" will be permitted based on criteria for dimension, location and design as follows:
 - a. Flat Façade Sign (Wall or Marquee Signs). One or more wall signs or marquee-signs are permitted, provided the total area shall not exceed five (5%) percent of the number of square feet on the side of the structure where the sign is located, and provided further that the combined area of wall and marquee sign shall not have a copy area greater than five (5%) percent of the wall where located or one hundred fifty (150) square feet. No wall signs shall project above or beyond the highest point of the roof or parapet. Wall or marquee signs placed flush with building shall not extend

more than fifteen (15) inches from the face of any wall or building. The minimum height of the lowest edge of a flat face sign shall not be less than eight (8) feet above the sidewalk. The maximum height of such sign shall not exceed two (2) inches above the top of the face of the marquee to which it is attached.

- b. Projecting Signs on a pole perpendicular to the building shall have a clearance of eight (8) feet from the ground, be no larger than six (6) square feet and extend a maximum of three (3) feet from facade.
 - c. Window Lettering shall be determined by the Community Development Department according to size and proportion of each window sign to be applied.
 - d. Awning Signs may be placed anywhere on a structure when such awning has a ground clearance of seven (7) feet, six (6) inches and extends no more than three (3) feet from façade. No flat metal or wood canopies will be permitted unless in place at time of ordinance adoption.
 - e. Sidewalk Signs, otherwise known as “sandwich boards”, shall be no more than 10 square feet in area. All sidewalk signs are temporary by nature and will not be considered as “existing signage” under this ordinance. A permit may be issued after approval by Community Development. No fee will be charged for this permit. They may be placed in front of the entrance area to the store, front, rear or side, during regular business hours and must be removed to the store’s interior at the end of each business day. These shall not create a hazard to pedestrians or reduce the visibility to motorists.
 - f. Monument Signs
 - 1. Each parcel shall be limited to one monument sign, the total area of which shall not exceed sixteen (16) square feet.
 - 2. Shall not exceed four (4) feet in height, measured from surrounding ground level.
 - 3. Shall not extend beyond any property line.
5. Location and Number of Signs. Signs will be permitted on the front, rear, and side facades of buildings. The total number of signs permitted will be determined by the Community Development Department.
6. Sign Illumination. Any illumination of a sign within the B-3 Central Business District either at time of erection or after shall be considered part of such a sign. The sign owner must receive the written approval of both the Building Department and Community Development prior to use of such illumination. All

illumination of all signs shall be from a direct, non-intermittent source, and shall be so arranged and designed that the source of illumination cannot be seen from any residential area.

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

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

Section 30.21 – Sign Schedule of Regulations

Zoning District	Height of Sign			Size Limit Maximum Sq. Ft.		Lighting
	Pole	Monument	Wall	Pole / Monument	Wall	
R-1					(12,21a)	Not allowed (14)
-2, R-3, R-4					(12, 21a)	Not Allowed (14)
RT					(12, 21a)	Not allowed (14)
RM-1					(12,21a)	Not allowed (14)
RM-2					(12,21a)	Not allowed (14)
RMH					(12,21a)	Not allowed (14)
OS-1	5 to 10 ft (1, 2, 11)	4 ft (7)	(24,25)	24 to 39 sf (11)	12 sf (27)	Allowed (14, 16) Section 30.11
R-O	5 to 10 ft (11)	4 ft (7)	(24,25)	24 to 39 sf (11)	12 sf (27)	Allowed (14, 16) Section 30.11
B-1	25 ft (1, 2)	4 ft (7)	(24,25)	54 sf	5% of SF of wall-not to exceed 90 sf (27)	Allowed (14, 16) Section 30.11
B-2	25 ft (1, 2)	4 ft (7)	(24,25)	54 sf	Same as B-1	Allowed (14, 16) Section 30.11
B-3	5 ft (1, 2)	4 ft (7)	Section 30.20	16 sf	Section 30.20	Allowed (14, 16) Section 30.11 Section 30.20
B-4	35 ft (1,2,9,10)	4 ft (7)	(24,25)	81 to 108 sf (8)	10% of SF of wall-not to exceed 300 sf (27)	Allowed (14, 16) Section 30.11
WH	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	5% of SF of wall – not to exceed 200 sf (27)	Allowed (14,16) Section 30.11
ERO	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11
E-1	25 ft (1, 2)	4 ft (7)	((24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11
I-1	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11
I-2	25 ft (1, 2)	4 ft (7)	(24,25)	200 sf maximum	Same as WH	Allowed (14, 16) Section 30.11
P	(2)				Same as WH	Allowed (14, 16) Section 30.11
PUD	(1, 2)					

Section 30.21 Footnotes:

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

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

to the corresponding reduction of signage available on the frontage of this parcel for any other use or business relating to the shopping center property. (Section 30.17)

11. In the OS-1 and R-0 Districts, the ground pole sign shall not exceed twenty-four (24) square feet in area and not exceed five (5) feet in height. For unified development signs and on premises signs of a single office building with multiple tenants, the sign area may be increased three (3) square feet in an area of each additional rental or lease unit available up to a maximum of thirty-nine (39) square feet in area. The height of the sign may be increased one (1) foot for each additional rental or lease unit up to a maximum of ten (10) feet in height. All signs shall be located no closer to the right-of-way than one-half the required setback. (Section 30.17)
12. Institutional signs for churches, hospitals, extended care facilities (but not including nursing homes) educational institutions, subdivision entranceways and similar uses, one sign shall not exceed fifty (50) square feet and shall not be erected closer to any property line than twenty-five (25) feet. The illumination of which sign shall be from a direct non-intermittent source and shall be so arranged and designed that the source of illumination cannot be seen from any adjoining residence; and further provided, an illuminated bulletin board may be incorporated in the area of which shall not exceed twelve (12) square feet. Number of on-premises signs permitted Section 30.10, Subsection 1. (Section 30.13)
13. Signs shall be placed on private property. If not placed on private property, they will be subject to removal by the City of Adrian. (Section 30.13)
14. Illuminated signs are not allowed in residential areas not including illuminated house numbers and must be buffered from residential areas when installed in adjacent commercial location. Internal illumination must be within the faces of the sign only and not within the supporting structure of the sign. External illumination shall be directed to the sign only and shall be shielded for the vision of pedestrians or motorists. (Section 30.19)
15. Directional/Information Sign: One (1) ground pole sign may be permitted per entrance/exit of a parking lot or shipping/receiving area, not to exceed three (3) square feet in area nor four (4) feet in height and may be located within the minimum setback area of all districts except R-1 through R-4. The sign may contain the name and/or logo of the establishments (as distinguished from parking, access, egress, or driving information) and shall occupy no more than thirty (30) percent of the sign area and shall consist of letters, numbers and symbols no larger than or more conspicuous than those used for parking access information. (Section 30.18)

16. No sign other than a time and temperature sign shall have any visible moving parts or visible mechanical movement or any other apparent visible movement achieved by electrical, electronic, kinetic means, intermittent electrical pulsations, or wind currents. The image or message of electronic reader boards must remain static on the sign for at least five (5) minutes. (Section 30.04)
17. No sign shall be erected or maintained in any manner which, by reason of its size, location, context, coloring, or manner of illumination, shall constitute a traffic hazard or which shall interfere with the visibility of any traffic control device. (Section 30.04)
18. No sign shall be placed so as to obstruct any fire escape, required exit way, window, or door opening used as a means of passage from one part of a roof to another or as access thereto for fire fighting purposes. (Section 30.04)
19. In the case of reverse lots (lots held under one ownership, fronting on two streets or a street and public alley); the number of signs shall be determined as though the lots were held by separate owners. In the case of a corner lot situated on two or more streets, one ground pole sign may be permitted on each street in accord with this article. However, both ground pole signs must face a separate frontage, with each sign being either perpendicular or parallel to the street centering. (Section 30.10)
20. Each parcel of land (other than a corner lot or reverse lot as defined above) shall not be permitted more than one sign of the type permitted by this article, except that when more than one ground floor business or usage occupies a single parcel of land, each such ground floor business or usage may have the number of signs permitted. The minimum distance between ground signs shall be one hundred (100) feet. However, a business center shall be permitted a business center or unified development (ground) sign. Individual store or business enterprise pole signs are expressly prohibited within the business center. (Section 30.10)
21. Signs Permitted in All Districts: The following non-illuminated signs shall be permitted in all districts without obtaining a permit prior to installation. (Section 30.13)
 - a. Home occupation signs in residential districts shall be non-illuminated. One (1) identification sign not exceeding two (2) square feet in area indicating the name of the business or occupant and the address of the parcel. The sign shall be attached to the principal structure. Section 25.14(2, h) and Section 30.13 (a)
 - b. Traffic or other municipal signs as installed or approved by the City Commission or City Administrator. This may include legal notices, vehicle or pedestrian traffic signs, emergency signs, or other signs as sanctioned by the city such as for community events.

- c. Flags bearing the official design of the United States, State of Michigan, a public educational institution, or other organization as approved by the City Commission or City Administrator.
 - d. Exceptions as defined under Section 30.06 of this ordinance.
 - e. Political signs not exceeding .six (6) square feet, which are ground mounted and adhere to the following:
 - 1. Signs shall be removed within seven (7) days after the election for which they are placed.
 - 2. Signs shall be located no closer than three (3) feet from the sidewalk and shall in no way create a traffic hazard due to reduced vision of motorists or pedestrians.
22. Signs Permitted for Uses Subject by Special Exception, or Requiring Site Plan Review, Including Permitted Uses in the Office, Commercial, Industrial or Parking Districts. The specific provisions for signs within the non-residential uses or those requiring site plan review are defined by the category of signs outlined in Sections 30.15 through 30.18. Adherence to sign regulations shall be a condition of the approval of the site plan, special exception use permit, and the building permit for such use. (Section 30.13)
- a. Signs shall be placed on private property. If not placed on private property, they will be subject to removal by the City of Adrian.
23. Street Clocks/Temperature Signs. These signs are restricted to the B-4 commercial districts. The signs may not exceed fifty-four (54) square feet in area and the lettering or numbering shall not exceed eight (8) inches in height. The signs shall be at least twelve (12) feet above ground level or sidewalk and must not overlay the public right-of-way, except with written approval from the City Commission. (Section 30.19)
24. Wall signs shall not exceed more than fifteen (15) inches from the face of any building wall and must be parallel to the wall in which it is affixed. (Section 30.15)
25. The wall sign must be installed at least eight (8) feet above the ground level or sidewalk, whichever is higher, and shall not exceed higher than the roof line. (Section 30.15)
26. Where more than one wall is exposed, a maximum of two (2) wall signs may be installed consistent with the conditions of this ordinance. (Section 30.15)

SECTION 30.22 APPEALS:

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

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

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

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

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

END OF ARTICLE XXX

Commissioner Dye supported. A roll call vote was conducted.

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

Against Motion: none Motion carried unanimously.

CASE NO. 07-064
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO
REMOVING SECTION 15.03 (4) FROM
ARTICLE XV – B-3 CENTRAL BUSINESS DISTRICT

This amendment would eliminate work release facilities in the downtown. At their October 1 meeting, the City Commission approved a resolution stating they believe that work release facilities should not be allowed in the B-2 and B-3 Districts and that the ordinance needs to be amended in that regard. At the January 3 work session, the Planning Commission discussed the positive, negative and perceived impacts of work release facilities to downtown businesses. The Planning Commission discussed the potential for development along the river front as a long term goal, and felt that a work release facility would be a deterrent for future development in the downtown area as identified in the City of Adrian Comprehensive Plan and the Downtown Blueprint Plan. The consensus was to remove this type of use from the B-3 District. At the January 8 meeting, a public hearing was scheduled for the February meeting to consider this change. The public hearing was opened. There were no comments from the audience nor were any written communications received. Public hearing was closed. The Planning Commission felt this text amendment addresses the City Commission's concerns. Tim Hernandez, WLEN, asked what districts the work release facilities are presently permitted in. The Commission replied B-2, B-3 in certain areas only and the E-1, I-1 and I-2 industrial districts. Commissioner Schebil moved that the Planning Commission recommend to the City Commission approval of adopting the following resolution:

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

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

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

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

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

Language that is in bold is added to this section. Deleted language shows a line through it.

ARTICLE XV

B-3 CENTRAL BUSINESS DISTRICT

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

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

1. Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as, but not limited to: foods, liquor, furniture, clothing, dry goods, notions, drugs, or hardware.

2. Any personal service establishment which performs services on the premises within a completely enclosed building, such as, but not limited to: repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographer and dry cleaners.
3. Restaurants and taverns where the patrons are served while seated within a building occupied by such establishment, and where in said establishment does not extend as an integral part of, or accessory thereto, any service of a drive-in or open front store.
4. Offices and office buildings of an executive, administrative or professional nature.
5. Hotels and motels.
6. Post offices and libraries.
7. Mixed uses i.e. commercial and residential uses combined in one structure, subject to Section 12.03.5.
8. Theaters, banquet facilities, concert halls, or places of assembly that promote pedestrian shopping and the stability of retail development when said uses are conducted completely within enclosed buildings. The Board of Appeals shall have the power and duty to authorize in specific cases a relaxation of the provisions of this Ordinance through a variance as will not be contrary to public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship or practical difficulty.
9. Housing for the elderly.
10. Other uses which are similar to the above and subject to the following restrictions:
 - a. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from the premises where produced.
 - b. All business, servicing or processing except for off-street parking or loading shall be conducted within completely enclosed buildings.
 - c. Storage of commodities shall be within buildings and shall not be visible to the public from the street or thoroughfare.
11. Off-street parking lots, operated as a business.
12. Accessory buildings and uses customarily incidental to the principal uses.
13. Public education facilities subject to the following restrictions:

- a. Not for profit adult education facilities are allowed which excludes Pre-K through 12 of compulsory education.
- b. Facility must demonstrate private free parking for students available for expected demand within 1,200 feet of the facility. Specifically, a minimum of 24 private parking spaces must be provided on the premises, plus additional spaces equal to 50% of the maximum potential number of enrolled students occupying the building, up to the maximum determined by the Fire Department.

SECTION 15.03 USES SUBJECT TO A ZONING EXCEPTION PERMIT:

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

of the city and shall not be permanent. Such plans shall also include the location of adequate trash receptacles.

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

- iv. Prisoner transport shall be designed so loading and unloading of prisoners takes place within an enclosed building.

4. ~~Work release facility (subject to the following conditions):~~

- a. ~~No work release facility shall be located within three hundred (300) feet of any residential district, park or school.~~
- b. ~~No work release facility shall be located within 1500 feet of another work-release facility.~~
- c. ~~The work release facility shall be designed, constructed, and maintained so that such use will not change the general character of the area or any adjacent, or nearby residential areas.~~
- d. ~~The facility shall be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal, water and sewer; or if such facilities and services are not provided, documentation that persons or agencies responsible for the establishment of the work release facility shall be able to provide adequately any such facilities and services.~~
- e. ~~The work release facility shall submit plans which provide a description of programs and procedures which are operational at the facility to assure security and safety for the residents of the facility and the surrounding neighborhood and to assure the success of the program in terms in rehabilitation counseling, training, job placement, and resident access to essential services and facilities, including recreation and transportation. Said plans shall be approved by the planning commission.~~
- f. ~~A license, or evidence of ability to obtain a license, if such is required, from the appropriate governmental unit. Prior to the issuance of a final certificate of occupancy, the operator or agency shall provide evidence that a valid license has been issued or is obtainable for the proposed work release facility on the property. Should licensing not be required, an affidavit from the applicant stating that licensing is not required, shall be provided.~~
- g. ~~Every room occupied for sleeping purposes within the structure shall contain a minimum of eighty (80) square feet of habitable room area for one (1) occupant, and when occupied by more than one (1) person, shall contain at least sixty (60) square feet of habitable room area for each occupant.~~
- h. ~~Indoor and outdoor recreational space shall be provided for the clientele served, based upon standards specified by the licensing authority. If no such standards exist then the following minimum standards shall apply.~~

- ~~1. A common indoor area shall be provided which shall consist of at least twenty five (25) square feet per individual.~~
- ~~2. A common outdoor area shall be provided which shall consist of at least sixty (60) square feet per individual.~~
- ~~3. Any exterior alteration of the structure shall be compatible with the surrounding area.~~
- ~~4. Exterior security lighting shall be provided. All exterior lighting shall be suitably directed and shaded to prevent any glare upon adjoining, or nearby, residential properties.~~
- ~~5. One (1) parking space shall be provided for each three persons residing in the work-release facility, except for facilities which prohibit the ownership or operation of automobiles by occupants. Parking shall be provided on-site in an amount determined to be appropriate to accommodate guests, and employees as deemed necessary by the planning commission following a review of the proposed work-release facility, and its operation.~~
 - ~~i. The facility shall be limited to forty (40) clients.~~
 - ~~j. Signage shall be limited to one identification sign affixed flat against the front wall of the facility of size not to exceed eight (8) square feet.~~
 - ~~k. The work-release facility shall not be located on the ground floor level within an area bounded by Front Street on the North, Broad Street on the East, Church Street on the South, and Winter Street on the West.~~

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

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

Commissioner Johnson supported. A roll call vote was conducted.

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

Against Motion: Dye

Motion carried.

CASE NO. 07-081
SET PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO
A ZONING EXCEPTION PERMIT APPLICATION FOR
730 RIVERSIDE AVENUE

Commissioner Dye moved that the Planning Commission set a public hearing for the March meeting to hear and consider a zoning exception permit application for 730 Riverside Avenue. Commissioner Al-Omari supported. A roll call vote was conducted.

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

Against Motion: none

Motion carried unanimously.

CASE NO. 08-006
APPROVE CAPITAL IMPROVEMENT PLAN

The Planning Commission reviewed this plan at a January 31 work session. The Commission was in receipt of a resolution from the Finance Director. After discussion, there was one change. The title "Master Plan" should be changed to "Comprehensive Plan". Commission Johnson moved that the Planning Commission approve the following resolution:

**CITY OF ADRIAN PLANNING COMMISSION – FY2008-14
City of Adrian Capital Improvement Program and
FY2008-09 Capital Budget Recommendation**

RESOLUTION R08 – ____

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

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

WHEREAS the City Administrator established a CIP Advisory Committee, composed of the City Administrator (Chairman), Finance Director, City Engineer/DPW Director, Utilities Director, Police Chief, Fire Chief/IT Director, Community and Economic Development Director, and Parks & Recreation Director, for purposes of reviewing Capital Project Requests and formulating a Capital Improvement Program Budget Recommendation; and

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

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

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

<u>FY2008-09</u>	<u>FY2009-10</u>	<u>FY2010-11</u>	<u>FY2011-12</u>	<u>FY2012-13</u>	<u>FY2013-14</u>
\$9,181,279	\$7,638,468	\$4,861,130	\$4,666,954	\$4,668,231	\$4,658,700

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

WHEREAS the Planning Commission met with the City Administration in a work session on January 31, 2008 for the purpose of reviewing the recommended document and formulating a recommendation to the City Commission.

NOW THEREFORE BE IT RESOLVED that the City of Adrian Planning Commission, by this resolution, commends the City Administrator's FY2008-14 Capital Improvement Program (CIP) and FY2008-09 Capital Budget to the City Commission for incorporation into the FY2008-09 Operating Budget and General Appropriations Act.

BE IT FURTHER RESOLVED that the Planning Commission further recommends the following enhancements to the Capital Improvement Program Planning Process:

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

Commissioner Dye supported. A roll call vote was conducted.

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

Against Motion: none

Motion carried unanimously.

CASE NO. 07-074
SET PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO
COMPREHENSIVE PLAN AMENDMENTS

The Adrian and Blissfield Railroad Company sent a communication to the City stating they have no comments on the proposed amendments. Commissioner Schebil moved

that the Planning Commission set a public hearing at their March meeting to hear and consider objections to proposed amendments to the 2006 Comprehensive Plan. Any comments or changes to this should be e-mailed to Chair Jacobitz. Commissioner Al-Omari supported. A roll call vote was conducted.

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

Against Motion: none

Motion carried unanimously.

Communication Items

Development Regulations – Update on Zoning Ordinance Rewrite: There was nothing to report at this time.

Status of Joint Meeting with Madison Charter Township Planning Commission – Township’s Land Use Plan: Chair Jacobitz and Ms. Kettren attended the January 28 public hearing to consider this land use plan. They were pretty much the only ones in attendance and asked the Township Planning Commission to a joint meeting in the future. Both Planning Commission Chairs exchanged contact information.

Communication – Administrative Site Plan Review – Approved Friendly Village Mobile Home Park Improvements: The review was for the construction of a 24' x 30' maintenance building and a 32' x 26' picnic shelter. Preliminary site plan approval was given on December 20, 2007. The City review was required before the State would give final approval.

Homeless Shelter Ad-Hoc Committee – Update: Two meetings have been held already with another one scheduled for next week.

Discussion of a Wind/Solar Energy Ordinance: The Commission instructed staff to start a case file to consider drafting language.

Discussion on Renewal of Zoning Bulletin and Building Permit Law Bulletin: After some discussion, staff will continue with these subscriptions.

Communication Concerning Croswell Opera House: A letter was receipt in support of the Croswell.

Communication Concerning Approved Conversion at 627 East Maumee Street: The Commission was in receipt of a letter from the Code Enforcement Officer. The owner of 627 East Maumee, who was approved to add an additional apartment to this building contingent on it being owner occupied, has informed the Inspection Department that he proposes to reside at another residence. Staff is dealing with this.

Adrian Area Little League (AALL) Request for Sponsorship Banners: Staff to research language on allowing these types of signs.

Adrian College Ritchie Marketplace Communication – Proposed Use Does Not Require Site Plan Review: The Commission was in receipt of a letter concerning Ritchie Marketplace Expansion. The only thing that would require a site plan on this project would be parking. Adrian College has said they don't need additional parking.

PLANNING AND ZONING ASYST: COMMUNITY PLANNING AND ZONING AUDIT – Created by the Michigan State University Extension: This document is intended for use by a local unit of government in Michigan to help perform a self-evaluation of the basics of the community's planning and zoning system. The reason for doing an assessment is to learn of shortcomings and problems before they are controversial issues. As a result of going through this booklet, local officials will be alerted to things that need "fixing" and deficiencies in the community's files. The MSU Extension Office is looking for pilot communities to field test the new assessment tool. Chair Jacobitz will look at this to see if the Commission could do some of the items listed.

Zoning and Planning Article for Newspaper: Ms. Kettren suggested that the Commission do an article in the newspaper regarding zoning and planning in general. The article would be directed toward residents in order to give them a general understanding of planning and zoning. The Commission will take this under advisement.

Commissioner Dye will not be at the March meeting as he will be out of town.

The Commission adjourned the meeting at 9:08 p.m.

Respectfully submitted,

Denise Cook, Secretary

- n. Land Division – 413 South Dean Street – waiting on survey
- u. Land Division – 402 S Tecumseh – waiting on application and survey
- v. Land Division – 715 Lakeshire – waiting on go-ahead from applicant
- w. Pre-meetings with Planning Commission chair & vice chair re agenda
- x. Bench Signs – working on inventory/locations and enforcement
- y. Attend Planning Commission meetings
- ii. Special Projects/Tasks
 - a. Steering Committee – Schedule meeting to review proposals
 - b. Rewrite Zoning Ordinance & setting up and attending Steering Committee meetings, ongoing
 - c. Form-Based Code Research, ongoing
 - d. Attend weekly staff meetings
 - e. Prepared and distributed Planning Commission Packets
 - f. Researching Smart Growth Readiness Assessment Tool
 - g. Respond to phone calls from Mike Ayre, Adrian College, regarding student housing issues
 - h. Sent reminder to Adrian College of unresolved issues with Baseball Stadium site plan. Need to be resolved before Certificate of Occupancy
 - i. Discussion and research on homeless shelters. Third meeting of Ad-Hoc Committee will be 2/18/08
 - j. Discussion with owner of 2820 W Beecher – requirement to hard surface parking lot
 - k. Discussion with interested party in semi-continual flea market
 - l. Discussion with realtor regarding AFC home at 1220 West Maple Ave
 - m. Discussion with interested party in demolishing 246 South Winter for possible construction of small office building
 - n. Research on City concerns pertain to Madison and Adrian Township’s land use plans
 - o. Responding to architect on site plan requirements for new restaurant at 922 East Beecher Street
 - p. Communication to be sent to PPG Industries concerning outside storage.

B. Board of Zoning Appeals (A-BZA)

- i. Casework
 - a. Sign variance for Golden Wok – height of directional sign
 - b. Attend ZBA Meeting
 - c. Pre-Meeting with ZBA Chair & Vice Chair regarding agenda
- ii. Special Projects
 - a. Rewrite Zoning Ordinance
 - b. Form-Based Codes research
 - c. Reviewing new Codified Zoning Ordinance for unclear language
 - d. Setting up and attending Steering Committee meetings
 - e. Research language on LEED Certification for lighted signs
 - f. Research other communities who have eliminated pole signs

II. Downtown/Economic Development

A. Downtown Development Authority (A-DDA)

- i. Design
 - a. DDA Façade Rehabilitation Program Administration – DDA Board

Disposition – Project Administration

- i. 132 North Main Street – Awaiting Project Completion
 - OPRA Exemption – Approved - Completed
 - Brownfield MBT Credits – Assisted Applicant with Part II application upon approval of Brownfield Redevelopment Plan
 - Federal Historic Tax Credit – Assisted Applicant/Architect with Phase I application – Received Preliminary Approval from SHPO requiring minimal amendments – provided assistance to architect and applicant in the provision of the additional requests from SHPO
 - Relocation of Public Dumpster – Working with City Engineering to develop bid specifications (project expected to commence in spring of 2008)
- ii. 113 W. Maumee Street – Received Applicant Prints/Awaiting Additional Construction Estimates (waiting on additional information from the applicant to proceed with project) Expected to be a \$500,000 full rehabilitation City Facilitation of Redevelopment Incentives
 - OPRA
 - DDA Façade
 - Public Infrastructure Covered Parking
 - Brownfield MBT Credit
 - Historic Tax Credits???
- iii. Toledo Street South Municipal Parking Lot Dumpster Reconstruction Project – Receipt of Project Bids From Slusarski and Rock Hard Concrete
- iv. Church Street Parking Lot Reconstruction Design Working with the City Engineer’s Department on Development of Prints and Supporting Bid Package
- b. Redevelopment Incentive Programs – Property Owner Assistance and Review
 - i. 132 N. Main Street – see above (ongoing)
 - ii. 113 W. Maumee Street – see above (ongoing)
 - iii. 101-111 E. Maumee Street – OPRA Exemption Request, Brownfield Redevelopment Plan Authorization/Development, Negotiation with Developer over Eligible TIF Activities, Local Historic District Establishment (ongoing) – awaiting developer submittals to allow for staff completion of a Brownfield Plan
- c. Discussions with Various Parties on Potential Development Opportunities
- d. Farmer’s Market Discussion/Analysis – Capital Improvements
- e. Downtown Wireless Network Discussion/Meetings – Request for Proposal Development
- f. Two-Way Traffic Discussion with MDOT/URS, Inc. (ongoing) – Met with Nancy Jenkins of Senator Cameron Brown’s Office, Community Development Director and City Administration to discuss lack of response from MDOT – Senator’s Office has been helpful in providing assistance

- ii. Economic Restructuring
 - a. Site Assistance for Business Prospects/Local Realtors
 - b. See Projects Above
 - d. Environmental Assessment Work – completed Phase II ESA on 250 West Church Street (former Adrian Taxi Cab Location)
 - e. Downtown Liquor Licensing Proposal Submittal to City Commission and Subsequent Transmittal to State
- iii. Promotions
 - a. Downtown Adrian Website Development/Management (www.downtownadrian.org)
 - b. Downtown Advertising (cooperative) – working with Downtown Business Committee (ongoing) – participated in WLEN Valentine’s Day Promotion
 - c. Completion of Downtown Newsletter – Winter 2008
 - d. Community Movie Program Work – (not specific to downtown)
 - e. Art-A-Licious Festival Planning – Committee Planning for 2008 Event including fund solicitation
 - f. Downtown Business Guide – 2008 Development – Working with Momentum Advertising on Completion of an updated print downtown business directory/guide
- iv. Organization
 - a. VSCI Grant Application – Met in Lansing with MSHDA Staff receive Request For Grant Funds Materials (due in Lansing March 15th) – Completion expected by the end of February
 - c. Historic District Study Committee Work – Met with Work Study Student from Eastern Michigan University Graduate level Historic Preservation Program – Student will be completing Study Committee Report for the 101 – 111 E. Maumee Street proposed Local Historic District
 - d. Downtown Capital Improvements Plan – Worked with City Engineering Department on Plans for Church Street Municipal Parking Lot Reconstruction (included in City CIP)
 - e. Administration of Parking Validation Program (ongoing)

B. Economic Development/Redevelopment

- 1. Brownfield Redevelopment Authority (A-BRA)
 - i. 136 North Main Street (Proposed Site #3) –On-site structures have been demolished. Awaiting Site Plan approval and MDOT access permit.
 - ii. 1130 North Main Street (Proposed Site #4) – City Commission approved Brownfield Plan on 11/19/07. On-site structures have been demolished.
 - iii. Senate Downtown Revitalization Package / Senate Bill 973 -- CD staff is involved in development and support of this legislative effort. Senate Bill 973 (Lead Sponsor is Senator Brown) will separate federal and state historic preservation credits to add additional incentive for downtown rehabilitation projects.
 - iv. Adrian Silos – MDEQ has approved City request to use an additional \$91,000 for such work. Staff is currently awaiting proposals from project contractor.
 - v. Buckeye Products –Concrete sampling complete. Awaiting scheduling of sub-grade sampling under concrete.

2. GAIDC/Local Development Finance Authority (A-LDFA)
Proposal was submitted to GAIDC Board on 10/24 to dissolve GAIDC and transfer its land and cash assets to the Adrian LDFA. Discussion and action on the formal resolution will occur at next GAIDC meeting on 2/20/08.
3. Commercial/Industrial Development Assistance
 - i. GAIDC – Adrian Industrial Park
Negotiations continuing with three (3) prospects

III. Housing/Historic Preservation

- A. Neighborhood Enterprise Zones (NEZ)
 - i. Two (2) applications sent to Michigan Tax Commission for Approval
- B. HUD Good Neighbor Program
 - i. Placed bid on first HUD house (353 Merrick St)
- C. MSHDA Programs
 - i. Property Improvement Program (PIP)
 - a. No applications at this time
 - ii. Downtown Rental Rehab (DRRH)
 - a. Four (4) projects were completed (5 MSHDA units created)
 - b. Four (4) of the (5) MSHDA units are occupied
 - c. \$40,000 of the grant was not expended – MSHDA will recapture
 - iii. Submitted 2008-2009 Rental Rehabilitation Grant application – no word on status
- D. County CDBG
 - i. Completed 2005-2007 CDBG allocation
 - ii. One (1) Emergency project in progress
 - iii. Lenawee County awarded 2008-2009 CDBG in amount of \$300,000

M-4

DEPARTMENTAL REPORT

FEBRUARY 2008

	JANUARY 2008	DECEMBER 2007	JANUARY 2007		
POLICE DEPARTMENT					
Complaints Answered	904	817	898		
VIOLATIONS					
Moving Citations	112	99	140		
3-6 am Parking Tickets	61	153	118		
Non-Moving Citations	11	2	14		
Downtown Parking Tickets	536	0	0		
TOTAL VIOLATIONS	720	254	272		
ARRESTS	155	133	138		
FIRE DEPARTMENT (See M-4)					
INSPECTION DEPARTMENT					
Building Permits	18	40	19		
Electrical Permits	19	30	27		
Mechanical Permits	15	29	17		
Plumbing Permits	4	6	7		
Sidewalk Permits	0	0	0		
Sign Permits	8	4	22		
TOTAL PERMITS	64	109	92		
Estimated Bldg.Costs	\$614,244	\$1,730,141	\$702,366		
PARKING SYSTEM					
Meters in Operation	232	232	232		
Parking Assessment	\$4,564	\$0	\$4,865		
Lot Revenue	\$0	\$316	\$2,815		
Street Revenue	\$0	\$0	\$0		
Misc. Revenue	\$3	\$89	\$5		
Permits	\$713	\$288	\$588		
Fines	\$2,505	\$420	\$4,240		
Token Sales	\$0	\$0	\$0		
Contribut-GenFund	\$0	\$0	\$0		
TOTAL REVENUE	\$7,785	\$1,112	\$12,513		
WASTE WATER DEPARTMENT					
M. G. Pumped	213.880	188.607	221.134		
Cost of Plant Operation	*	\$307,754	\$263,375		
WATER DEPARTMENT					
M. G. Pumped	97	84	82		
Number of Customers	6,279	6,316	6364		
	Industrial	Commercial	Residential	Other	TOTAL
M. G. Sold Revenue	\$25,186	\$68,605	\$93,058	\$50,171	72,448 \$237,020

*Figure not available