



COMMISSION AGENDA



PRE-MEETING AGENDA

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

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

- I. Conclusion of Capital Budget discussion.
 - Transportation
 - Police
 - Community Development
- II. Discussion of January work session.
- III. Other items as time permits.



COMMISSION AGENDA

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

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE DECEMBER 7, 2011 REGULAR MEETING OF THE ADRIAN CITY COMMISSION
- IV. PRESENTATION OF ACCOUNTS
- V. PUBLIC COMMENT ON AGENDA ITEMS
- VI. COMMUNICATIONS
 1. **C1. Fire Department.** National Critical Infrastructure Protection Month December 2011.
- VII. CONSENT AGENDA
 1. **CR11-058. Fire Department.** Resolution to approve the Fireworks Display Permit for December 31, 2011 requested by Colonial Fireworks Company for a fireworks display to follow a wedding at the Adrian College Chapel.
 2. **CR11-059. City Commission.** Resolution to reschedule the second Commission Meeting in January from Monday the 16th to Tuesday the 17th in observance of Martin Luther King Day.
- VIII. REGULAR AGENDA
 - A. ORDINANCES
 1. **Ord. 11-007. Planning Commission.** First reading of an ordinance to amend the City of Adrian Zoning/Development Regulations and the Zoning Map by deleting 1205-1207 Michigan Avenue from the RM-1 Low Rise Multiple Family Residential District and including the same in the ERO Education, Research and Office District.
 - B. RESOLUTIONS
 1. **R11-146. Engineering.** Resolution to approve an agreement with MDOT for the issuance of permits to allow for routine maintenance the City performs in MDOT right-of-ways and authorizing Dane Nelson, Kristin Bauer, and Shane Horn to apply for said permits.
 2. **R11-147. Parks & Recreation.** Resolution to waive the bid process and authorize the selection of Gordon & Son Well Drilling of Tipton, MI for engagement in the City's Standard Professional Services Contract for the

purpose of drilling a 6" well at Heritage Park to serve the restroom facility/concession building as well as the future irrigation system.

3. **R11-148. Parks & Recreation.** Resolution to accept the low bid and authorize the Parks & Recreation Department to purchase two (2) front-mount riding mowers and attachments.

IX. MISCELLANEOUS

1. Departmental Report
2. D.A.R.T. Passenger Ridership Report
3. Fire Department Report
4. Parks & Recreation Reports
5. Planning Commission Minutes

X. PUBLIC COMMENT

XI. COMMISSIONERS COMMENTS



MINUTES

**MINUTES
ADRIAN CITY COMMISSION
NOVEMBER 21, 2011
7:00 P.M.**

Official proceedings of the November 21, 2011 regular meeting of the City Commission, Adrian, Michigan.

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

PRESENT: Mayor DuMars, Commissioners Carrico, Warren, Gallatin, Faulhaber, and Berryman Adams.

Mayor DuMars in the Chair.

Commissioner Berryman Adams moved to approve the minutes of the November 7, 2011 regular meeting of the Adrian City Commission, seconded by Commissioner Carrico, motion carried by a unanimous vote.

PRESENTATION OF ACCOUNTS

Utility Department Receiving Fund Voucher # 3545 through # 3549	\$ 100,733.68
General Fund Vouchers # 20720 through # 20734	\$ 264,067.13
Clearing Account Vouchers amounting to	<u>\$475,177.24</u>
TOTAL EXPENDITURES	<u>\$839,978.05</u>

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

PUBLIC COMMENT

There were no public comments.

Senator Bruce Caswell updated the City on several items that the State Legislature will address after Thanksgiving break.

COMMUNICATIONS

1. **C-1. Finance.** State Revenue Sharing Update

COMMISSION ORGANIZATION

RESOLUTION R11-126

RE: CITY COMMISSION – Vacancy on the City Commission

WHEREAS, there is a vacancy on the Adrian City Commission has been created due to the election of Commissioner DuMars as Mayor; and

WHEREAS, this vacancy must be filled in accordance with the Charter of the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED that Chuck Jacobson be appointed to serve on the City Commission, effective immediately; and

BE IT FURTHER RESOLVED that the term of office of said Commissioner shall expire on the first Monday following the next City Commission election (November 2013) in accordance with the Charter of the City of Adrian.

City Attorney Sarah Osburn explained that the City Charter does not specify how a vacancy in the Commission be filled only that it needs to be done in 60 days or a special election must be held.

Commissioners Carrico, Gallatin, Warren, Berryman Adams, and Faulhaber all spoke in favor of Chuck Jacobson.

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

Chuck Jacobson was then sworn in as City Commissioner and took part in the rest of the meeting.

REGULAR AGENDA

SPECIAL ORDERS

1. **SO-1.** Public Hearing to hear and consider comments regarding the proposed Special Assessment District in the Downtown Development District.
No public comment
2. **SO-2.** Public Hearing to hear and consider comments to the confirmation of the Special Assessment Roll for SAD# 381 – Logan from Center to Division Streets.
No public comment
3. **SO-3.** Public Hearing to hear and consider comments to the confirmation of the Special Assessment Roll for SAD# 382 – W. Hunt from Main to Trestle Park.
No public comment
4. **SO-4.** Public Hearing to hear and consider comments on an application for an Industrial Facilities Exemption Certificate from Creek Plastics for a 12-year period.
In response to an audience question, Chris Miller gave a background on Creek Plastics, LLC.

RESOLUTIONS

RESOLUTION R11-127

RE: **DOWNTOWN DEVELOPMENT AUTHORITY – Downtown Parking Special Assessment**

WHEREAS, the City Administrator has recommended that downtown parking be partially maintained on a special assessment basis, has prepared and filed plans and specifications for the proposal, and has prepared and filed a report and recommendations relating thereto pursuant to the provisions of Article I, Section 70-6 of the Adrian City Code of Ordinances; and

WHEREAS, the City Commission, on November 7, 2011, adopted Resolution CR11-049, Downtown Special Assessment – Notice of Intent, detailing the proposed Financial Plan and Proposed Special Assessment in the amount of \$60,000, establishing a Public Hearing in the City Commission Chambers at 159 E. Maumee Street at 7:00pm on Monday, November 21, 2011 and instructing the City Clerk to mail appropriate Notices of Intent to affected parties.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission, by this resolution:

1. Deems it necessary and declares its intention to maintain the downtown parking system;
2. Estimates the annual cost thereof to be \$506,935, to be defrayed by revenue from over-night parking permits, investment earnings, contributions from the Fee Estate, Downtown Development Authority and City General Fund, a Farmer's Market Grant, prior years' revenue, as well as a Special Assessment to downtown property owners in the amount of \$60,000;
3. Specifies that the Special Assessment District within the Downtown Development District shall include the following land and premises located within the following boundaries:

North of Church Street
West of Broad Street
South of Front Street
West Side of Winter Street
East of College Avenue

4. Authorizes the Special Assessment in the amount of \$60,000 to partially defray the cost of the proposal to be levied on the lands and premises within the proposed Special Assessment District according to zoning;
5. Directs that the report of the city Administrator be filed with the City Clerk forthwith for public examination.

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

RESOLUTION R11-128

RE: ENGINEERING – Confirm Special Assessment Roll for SAD # 381 – Logan from Center to Division Streets

RESOLUTION

WHEREAS, the City Assessor has reported the Special Assessment Roll to the City commission for improvements on Logan from Center to Division Streets, together with the certificate relating thereto; and

WHEREAS, the said Roll has been filed with the city Clerk for public examination; and

WHEREAS, said notice has been given and a hearing held for the purpose of reviewing the said Roll and considering any objections thereto; and

WHEREAS, all objections to the said Roll have been duly considered.

NOW, THEREFORE, BE IT RESOLVED, that the said special assessment project cost in the amount of One Hundred Seventy Four Thousand Four Hundred Fifty Six and twenty eight cents (\$174,456.28) for said improvements on Logan from Center to Division Streets is hereby confirmed; and

BE IT FURTHER RESOLVED that said Special Assessment Roll in the amount of Fifty Thousand Three Hundred Thirty Eight and two cents (\$50,338.02) for improvements on Logan from Center to Division Streets, said project being known and designated as SAD # 381, be and the same is hereby confirmed.

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

RESOLUTION R11-129

RE: **ENGINEERING – Confirm Special Assessment Roll for SAD # 382 – W. Hunt from Main to Trestle Park including Section of N. Winter from W. Hunt to Stormwater Retention Basin – SAD # 382**

RESOLUTION

WHEREAS, the City Assessor has reported the Special Assessment Roll to the City commission for improvements on W. Hunt from Main to Trestle Park including Section of N. Winter from W. Hunt to Stormwater Retention Basin, together with the certificate relating thereto; and

WHEREAS, the said Roll has been filed with the city Clerk for public examination; and

WHEREAS, said notice has been given and a hearing held for the purpose of reviewing the said Roll and considering any objections thereto; and

WHEREAS, all objections to the said Roll have been duly considered.

NOW, THEREFORE, BE IT RESOLVED, that the said special assessment project cost in the amount of One Hundred Twenty Six Thousand One Hundred Forty four and Sixty Six cents (\$126,144.66) for said improvements on Logan from Center to Division Streets is hereby confirmed; and

BE IT FURTHER RESOLVED that said Special Assessment Roll in the amount of Thirty One Thousand Three Hundred Forty Six and Sixty Four Cents (\$31,346.64) for improvements on W. Hunt from Main to Trestle Park including Section of N. Winter from W. Hunt to Stormwater Retention Basin, said project being known and designated as SAD #382, be and the same is hereby confirmed.

On motion by Commissioner Carrico, seconded by Commissioner Berryman Adams, this resolution is adopted by a unanimous vote.

RESOLUTION R11-130

RE: COMMUNITY DEVELOPMENT – IFT Exemption Certificate – Creek Plastics

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551 et. Seq., after a duly notice Public Hearing held on the 1st day of March, 1977, this Commission, by resolution, established Adrian Industrial Development District No. 3; and

WHEREAS, an application has been filed by Creek Plastics for an Industrial Facilities Exemption Certificate for the facility located in the Adrian Industrial Development District #3, and was received by the Adrian City Clerk on the 3rd day of November, 2011; and

WHEREAS, the Adrian City Clerk, pursuant to 1974 PA 198, Section 5 (2) did notify the Adrian City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on the property located within said Adrian Industrial Development District #3 that the application for an Industrial Facilities Exemption Certificate by Creek Plastics would be considered at a meeting of the Adrian City Commission on Monday, November 21, 2011 and that an opportunity to be heard would be provided to the Assessor and to a representative of each of the bodies so notified.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Adrian City Commission finds:
 - a. That the purchase and installation of the equipment had not occurred earlier than twelve (12) months before November 3, 2011 the date of acceptance of the application of the Industrial Facilities Exemption Certificate;
 - b. That the application relates to a purchase and equipment installation program which, when completed, will be situated within Adrian Industrial Development District #3, established March 1, 1977 by resolution of the Adrian City Commission;
 - c. That completion of the equipment installation is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create and retain employment in the City of Adrian;
 - d. That the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Adrian, after granting this certificate, will not exceed five (5) percent of an amount equal to the sum of SEV of the City plus the SEV of personal real property thus exempted. The Adrian City Commission specifically finds that the granting of the exemption applied for will not substantially impede the operation of or impair the financial soundness of any local government.

2. That the application of Creek Plastics for an Industrial Facilities Exemption Certificate with regard to the facility located in Adrian Industrial Development District No. 3, be and is hereby approved for a period of twelve (12) years.

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

RESOLUTION 11-131

RE: CITY COMMISSION – Election of Mayor Pro-Tem

WHEREAS, Section 4.4 of the city Charter provides for the election of Mayor Pro-Tem at the first meeting following each regular city election.

NOW THEREFORE, BE IT FURTHER RESOLVED that Commissioner Carrico is hereby recognized as Mayor Pro-Tem for the City of Adrian until the next regular City election.

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

RESOLUTION 11-132

RE: CITY COMMISSION – Election of Acting Mayor

WHEREAS, the City Commission has, in the past, found it necessary to establish the position of Acting Mayor.

NOW, THEREFORE, BE IT RESOLVED, that commissioner Warren is hereby recognized as the Acting Mayor for the City of Adrian until the next regular city election.

On motion by Commissioner Carrico, seconded by Commissioner Jacobson, this resolution was adopted by a 6-0-1 vote.

Ayes: Mayor DuMars and Commissioners Gallatin, Jacobson, Carrico, Faulhaber, and Berryman Adams

Nays: None

Abstained: Commissioner Warren

RESOLUTION R11-133

RE: CITY COMMISSION –Revisions to the City of Adrian Emergency Operations Plan.

WHEREAS, the Adrian City Commission is dedicated to insuring the highest state of emergency preparedness for its citizens and visitors by maintaining an Emergency Operations Plan; and

WHEREAS, the Adrian City Commission adopted an Emergency Operations Plan (Resolution R07-180) on November 5, 2007; and

WHEREAS, the Plan requires signatures of current elected and administrative officials; and

WHEREAS, the Plan provides city elected officials and employees a framework to operate within during an emergency; and

WHEREAS, the Emergency Operations Plan meets the requirements of the Michigan Emergency Management Act (PA 390, as amended) and is within the limits of Lenawee County's Emergency Operations Plan; and

WHEREAS, the Chief of the Adrian Fire Department and Chief of the Adrian Police Department and the City Administrator have recommended that the subsequent changes to the plan be adopted.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission has reviewed the Emergency Operations Plan and adopt the document presented it in its entirety. Further the Adrian City Commission directs the City Administrator to fulfill the role of Emergency Coordinator to insure the health, welfare and safety of its citizens, the continuity of government, and the protection of vital assets in the event of a disaster.

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

RESOLUTION R11-134

RE: CITY ENGINEER – Adoption of Asset Management Plan for Major and Local Streets

WHEREAS, in order to provide a coordinated, unified effort by the various roadway agencies within the state, Public Act 338 of 2006 established The Transportation Asset Management Council (TAMC) within the state transportation commission and charged it with advising the commission on a statewide asset management strategy and the processes and necessary tools needed to implement such a strategy; and

WHEREAS Section 9a of Public Act 51 of 1951, the State Trunk-Line Highway System Act, defines "Asset Management" as an ongoing process of maintaining, upgrading, and operating physical assets cost-effectively, based on a continuous physical inventory and condition assessment; and

WHEREAS adoption and implementation of an Asset Management Plan generally results in a change in resource allocation from periodic reconstruction of major and local streets to a greater emphasis on road preservation and maintenance, resulting in longer-lasting assets and avoidance of costly reconstruction projects; and

WHEREAS, to provide greater financial flexibility to local units of government in the management of street systems, Subsection 7 allows a city or village which has adopted an asset management plan to combine its major and local street funds into a single fund and to submit a single report to MDOT on the use of those funds, with the provision that the major street system must be dealt with as a first priority and residual funds directed to local street systems for preservation activities only; and

WHEREAS the City Engineer has prepared an Asset Management Plan in accordance with Michigan Department of Transportation (MDOT) regulations and The Asset Management Council requirements and presents it for adoption by the Adrian City Commission; and

WHEREAS the City Engineer and City Administrator recommend adoption of the proposed Asset Management Plan for the City of Adrian.

NOW, THEREFORE, BE IT RESOLVED that the City Commission, by this resolution, hereby adopts the proposed Asset Management Plan for Major and Local Streets and, further, authorizes its submission to The Asset Management Council (TAMC) of the Michigan State Department of Transportation (MDOT).

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

RESOLUTION R11-135

RE: **DEPARTMENT OF PUBLIC WORKS – Sidewalk Snow & Ice Removal Contract**

WHEREAS the Adrian City Commission, by Resolution # 11-051 dated May 2, 2011, adopted the FY2011-12 Budget and General Appropriations Act, which included \$3,000.00 in the Major Street Fund - Winter Maintenance account (202-478.000-801.111) for the City's Sidewalk Snow & Ice Removal Program; and

WHEREAS bids were solicited by the Purchasing Office and two (2) bid proposals were submitted on Tuesday, November 8, 2011, as follows:

<u>Service</u>	<u>Slusarski Excavating Adrian, MI</u>	<u>Van Ert's Lawn Svc Adrian, MI</u>
Private Walks - Labor, Equip & Material Per Square Foot	\$0.35	\$0.45
Color Photos	\$5.00	\$5.00
13 Railroad Crossings & Misc. Properties	\$399.00	\$500.00; and

WHEREAS snow removal from railroad crossings and misc. City properties is the responsibility of the City; any work on private property snow removal will be assessed directly to property owners where the work is done; and

WHEREAS the Finance Director indicates that sufficient funds are available in the FY2011-12 Major Street Fund – Winter Maintenance Budget (Account # 202-478.00-801.111 Contract Services) for the railroad crossings; and.

WHEREAS, consistent with the City's Local Preference Policy, the City Engineer and City Administrator recommend acceptance of the bid from Slusarski Excavating, Adrian, MI at a price of \$0.35 per square foot, \$5.00 for photos and \$399.000 per event to remove snow from Railroad Crossings; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the acceptance of the bid from Slusarski Excavating, Adrian,

MI at a price of \$0.35 per square foot, and \$5.00 for photos for the FY2011-12 City's Sidewalk Snow & Ice Removal Program and \$399,000 per event to remove snow from Railroad Crossings.

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

RESOLUTION R11-136

RE: CITY ENGINEER – Storm Water Utility Fund – Rate Analysis Contract

WHEREAS the City of Adrian, in 1993, created the Storm Water Utility Fund and established a rate structure that included a flat annual rate of \$19.20 for residential properties and an assessment for all other properties based on the percentage of impervious area; and

WHEREAS, in 1998, the Supreme Court of Michigan ruled on the Bolt V Lansing and supported a storm water utility provided they 1) Serve a regulatory purpose, 2) Be proportional to the necessary cost of service, 3) Be Voluntary – users must be able to limit use of the service with voluntary actions to reduce storm water and thus the users bill; and

WHEREAS the City Engineer has solicited and received a price quote from Tetra Tech, MPS, an engineering firm located in Pittsfield Township, MI, that is uniquely familiar with the City of Adrian's Storm Water Utility System, to provide the following services:

- 1) Perform Rate Analysis to determine appropriate user charges to sustain system;
- 2) Develop Credit Manual;
- 3) Review and recommend revisions to current City ordinances related to Storm Water Utility System; and

WHEREAS Tetra Tech responded with a quote of \$9,600 to cover the cost of the aforementioned services; and

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the Storm Water Utility Fund Undesignated Fund Balance (Account # 598-000.00-390.000); and

WHEREAS the City Engineer and City Administrator recommend engagement of Tetra Tech, MPS, in the City's Standard Professional Services Contract to provide the above specified services, appropriation of funds and approval of the necessary budget amendments, as well as waiver of the competitive bid process due to the unique knowledge the vendor has regarding the City's Storm Water Utility System.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the engagement of Tetra Tech, MPS, Pittsfield Twp., MI in the City's Standard Professional Services Contract for purposes of providing the following services at a cost not to exceed \$9,600:

- 1) Perform Rate Analysis to determine appropriate user charges to sustain system;
- 2) Develop Credit Manual;
- 3) Review and recommend revisions to current City ordinances related to Storm Water Utility System.

BE IT FURTHER RESOLVED that \$9,600 be appropriated from the Storm Water Utility Fund Undesignated Fund Balance (598-000.00-390.000) and that the FY2011-12 Budget be amended as follows:

Storm Water Utility Fund (598)

Revenue:

(598-000.00-697.000) Prior Years' Revenue \$9.600

Expenses:

(598-547.00-801.000) Engineering-Contract Services 9,600
Total \$ -0-

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 Berryman Adams, seconded by Commissioner Faulhaber, this resolution was adopted by a unanimous vote.

RESOLUTION R11-137

RE: Department of Public Works/ City Engineer – Winter Operations Maintenance Plan

WHEREAS a decline in transportation revenues along with rapidly rising costs means that the City of Adrian has had to make difficult but responsible changes to service levels while maintaining motorist safety on its system of major and local streets; and

WHEREAS, in this context, the City Engineer has developed a formal Winter Operations Maintenance Plan that includes the following components:

- 1) Winter Road Maintenance Policy;
- 2) Level of Service Defined, including Best, Minimum and Acceptable Service Levels;
- 3) Mailbox Policy;
- 4) Street Prioritization; including:
 - Priority 1: Major Thoroughfares and Multi-lane Urban Arteries
 - Priority 2: Urban Collector Streets and Special Access Routes
 - Priority 3: Residential Streets, Commercial Area Side Streets/Cul-de-sacs
 - Priority 4: Alleys, Municipal Parking Areas and Downtown On-street Parking;
- 5) Staffing Levels;
- 6) Material Application Policies; and

WHEREAS the City Engineer and City Administrator recommend approval of this resolution adopting the City of Adrian Winter Operations Maintenance Plan for the Department of Public Works.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby adopts the recommended City of Adrian Winter Operations Maintenance Plan for the Department of Public Works.

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

RESOLUTION R11-138

RE: DEPARTMENT OF PARKS & RECREATION – Lake Adrian Fence

WHEREAS the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Tuesday November 8, 2011 for the purchase, installation and relocation of a chain link fence at the Lake Adrian/Water Plant; and

WHEREAS eleven (11) vendors were invited to bid , while five (5) responded, with the following results:

<u>VENDOR</u>	<u>LOCATION</u>	<u>AMOUNT</u>
Adrian Tecumseh Fence	Tecumseh, MI	\$10,839.00
Nationwide Construction Group	Chesterfield, MI	\$17,950.00
Future Fence Company	Warren MI	\$19,102.00
Fence Consultants of West MI	Grand Rapids, MI	\$23,000.00
M&M Fencing, Inc.	Wyoming, MI	\$28,168.00

; and

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the General Fund Unassigned/Undesignated Fund Balance (101-000.00-390.000); and

WHEREAS the Parks & Recreation Director and the City Administrator recommend selection of the low bidder and engagement of Adrian Tecumseh Fence, Tecumseh, MI in the City's Standard Professional Services Contract 2011 for the purchase, installation and relocation of a chain link fence at the Lake Adrian/Water Plant at a cost not to exceed \$10,839.00; and

WHEREAS the City Administrator further recommends appropriation of funds for this purpose from the General Fund Unassigned/Undesignated Fund Balance (101-000.00-390.000) and appropriate amendments to the FY2011-12 Annual Budget.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes selection of the low bidder and engagement of Adrian Tecumseh Fence, Tecumseh, MI in the City's Standard Professional Services Contract 2011 for the purchase, installation and relocation of a chain link fence at the Lake Adrian/Water Plant at a cost not to exceed \$10,839.00.

BE IT FURTHER RESOLVED that \$10,839.00 be appropriated from the General Fund Unassigned/Undesignated Fund Balance (101-000.00-390.000) and that the FY2011-12 Budget be amended as follows:

General Fund (101)

Revenue:

(101-990.00697.000) Prior Years' Revenue \$10,839

Expenditures:

(101-697.00-975.000) Parks & Forestry Capital Improvements	<u>10,839</u>
Total	<u><u>-0-</u></u>

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

RESOLUTION R11-139

RE: DEPARTMENT OF FINANCE – Approval of FY2010-11 Comprehensive Annual Financial Report (CAFR) and Authorization of Year-End Encumbrances and Carry-Forwards, as well as Designations of General Fund Unassigned Fund Balance

WHEREAS Public Act 2 of 1968, (MCL 141.424), the Uniform Budgeting and Accounting Act (as amended) specifies that the Chief Administrative Officer of each local unit shall make an annual financial report..and Chapter Eight, Section 8.7 of the City Charter further specifies that *The City Administrator shall prepare an annual report of the affairs of the City, including a financial report;* and

WHEREAS the Governmental Accounting Standards Board (GASB) Statement # 54, Fund Balance Reporting, indicates that Designations of General Fund Unassigned Fund Balance can be authorized by either the Chief Administrative Officer or City Commission, and lastly, the Government Finance Officers' Association (GFOA) of the United States and Canada recommends that the legislative branch of local government authorize Year-End Encumbrances and Carry-Forwards as amendments to the ensuing year's budget; and

WHEREAS the Comprehensive Annual Financial Report (CAFR) has been prepared and presented and the audit completed by the independent Certified Public Accounting firm Robertson, Eaton & Owen, PC, reflecting an Unqualified (clean) Opinion as follows:

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Adrian, Michigan, as of June 30, 2011, and the respective changes in financial position and cash flows, where applicable thereof, and the budgetary comparison for all the major governmental funds for the year then ended in conformity with accounting principles generally accepted in the United States of America; and

WHEREAS, included in the CAFR, the City Administrator recommends the following Designations to General Fund Unassigned Fund Balance:

1) Accumulated Sick & Vacation Liability	\$ 500,000
2) Building Space Cost Allocation	400,000
3) Pending Michigan Tax Tribunal Claims	200,000
4) Property Acquisitions, Demolitions and Options	50,000
5) Library Café Kitchen	25,000
6) Former Adrian Training School Maintenance	25,000
7) Local Grant Match	25,000
8) Bohn Pool Analysis	18,000
9) Sign Ordinance Rewrite	<u>10,000</u>
Total	<u><u>\$1,253,000</u></u> ; and

WHEREAS the Finance Director and City Administrator recommend approval of this resolution including: 1) Comprehensive Annual Financial Report (CAFR), 2) Designations to General Fund Unassigned Fund Balance detailed above, and 3) year-end encumbrances and carry-forwards in the total amount of \$1,779,532.49 (copy attached), of which \$152,747.50 pertains to the General Fund.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution and in accordance with Public Act 2 of 1968, (MCL 141.424), the Uniform Budgeting and Accounting Act (as amended), hereby approves this resolution including: 1) Comprehensive Annual Financial Report (CAFR), 2) Designations to General Fund Unassigned Fund Balance detailed above, and 3) year-end encumbrances and carry-forwards in the total amount of \$1,779,532.49.

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

RESOLUTION R11-140

RE: ADRIAN PUBLIC LIBRARY –Library Café – Food Preparation Equipment

WHEREAS the Adrian Public Library is desirous of reopening the Library Café in a public-private partnership resulting in the establishment of the *Breakin' Away Café*, which will offer customers a variety of baked goods and Zingerman's Coffee; and

WHEREAS, for purposes of operating a coffee shop/café as a complementary service of the Adrian Public Library, the new arrangement would provide for baked goods to be made on-site, which requires creation of a food preparation area in the workroom on the main floor; the relocation of equipment from the Adrian Training School; and purchase of the following café equipment: mini oven, espresso machine and cart

WHEREAS the Adrian City Commission, by Resolution # R11-124 dated November 7, 2011, appropriated \$6,900 to fund HVAC pipe wrap and the as-built design prints, and now the Library Director is requesting the balance of the funding (\$18,100) to complete the Library Café project; and

WHEREAS the Finance Director indicates that sufficient funds are available for this purpose in the FY2010-11 year-end Assignment of Unreserved General Fund Balance (101-000.00-393.000), which access requires City Commission appropriation; and

WHEREAS the Library Director and City Administrator recommend approval of this resolution, engagement of Sphere Consulting, Adrian, MI, to design build the food preparation area, solicitation of bid quotations, selection and engagement of various local vendors to purchase and install the aforementioned equipment at a total cost not to exceed \$18,100.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the creation of a food preparation area in the Adrian Public Library for purposes of entering into a public-private partnership with *Breakin' Away Café*.

BE IT FURTHER RESOLVED that the Administration is authorized to engage Sphere Consulting, Adrian, MI, in the City's Standard Professional Services Contract to create the food preparation area and solicit bid quotations, select and engage various local vendors to purchase and install the necessary equipment for the aforementioned food preparation area at a cost not to exceed \$18,100.

BE IT FURTHER RESOLVED that \$18,100 be appropriated from Assigned Unreserved General Fund Balance (101-000.00-393.000) and that the FY2011-12 Budget be amended as follows:

General Fund (101)

Revenue:

(101-990.00-697.000)	Prior Years' Revenue	\$18,100
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Expenditures:

(101-738.00-975.000)	Library – Capital Improvements	9,400
(101-738.00-977.000)	Library – Capital Equipment	<u>8,700</u>
	Total	<u>\$18,100</u>

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 Warren, seconded by Commissioner Gallatin, this resolution was adopted by a unanimous vote.

RESOLUTION R11-141

RE: CITY COMMISSION – Micro Brewer License, Cotton Brewing Company

WHEREAS, the City of Adrian has received an application from Cotton Brewing Company LLC for a new Micro Brewer License to be located at 343 Lawrence St., Adrian, Michigan; and

WHEREAS, the Adrian Police Department has completed an investigation report for said application and recommends approval of the application subject to final inspection to determine that the proposed location meets all building, plumbing zoning, fire, sanitation and health laws and ordinances.

NOW THEREFORE, BE IT RESOLVED that the Adrian City Commission hereby recommends approval of the application of Cotton Brewing Company for a new Micro Brewer License to be located at 343 Lawrence St., Adrian Michigan, subject to final inspection to determine that the proposed location meets all building, plumbing zoning, fire, sanitation and health laws and ordinances.

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

MISCELLANEOUS

1. Departmental Report
2. Fire Report

3. D.A.R.T. Passenger Ridership Report
4. Planning Commission Minutes

PUBLIC COMMENTS

1. Dan Beaubien – 117 N Main Street – asked about the parking lot assessment; he is very unhappy with how the parking lots are being taken care of.
2. Mike Jacobitz – Planning Commission/Zoning Board of Appeals – introduced himself to the Commission and made sure that they had the ACPC/ZBA meeting schedule.
3. Dick Van Opynen – complained about the fact that his company, Dick's Towing, no longer worked for the City. Would like to make sure that these decisions had a formal vote.
4. David Horstman – Sauce Italian Restaurant – thanked the commission and City staff for all of their help. Hopes to open December 1st.
5. Allen Kern – 1249 Vine Street – questioned the pipe insulation at the Public Library.]

COMMISSIONER COMMENTS

1. Commissioners Warren and Carrico welcomed the new Commissioners.
2. Commissioners Berryman Adams and Faulhaber were looking forward to working with everyone, as was Mayor DuMars.

The next regular meeting of the Adrian City Commission will be held on Monday, December 5, 2011 at 7:00 p.m. in the City Chambers Building, 159 E. Maumee St., Adrian, MI 49221.

Greg DuMars |
Mayor

Pat Baker
City Clerk



CHECK REGISTER

December 15, 2011

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



Dane C. Nelson
City Administrator

DCN:mlb

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

Utility Department Vouchers	
Vouchers # 3554 through # 3559	\$153,106.15
General Fund	
Vouchers # 20750 through # 20769	\$232,959.58
Clearing Account Vouchers	
amounting to	<u>\$321,366.53</u>
TOTAL EXPENDITURES	<u>\$707,432.26</u>

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

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
1. CITY OF ADRIAN	4,691.79		
2. ADRIAN COMMUNICATIONS	49.00		
3. ADRIAN HARDWARE & SUPPLY CO	14.14		
4. ADRIAN LOCKSMITH & CYCLERY	80.00		
5. ADRIAN WATER CONDITIONING IN	19.50		
6. AIRGAS GREAT LAKES	178.20		
7. ALL METALS INC.	308.50		
8. ALLIED WASTE SERVICES #259	1,279.31		
9. AMAZON CREDIT PLAN	666.21		
10. AMERICAN LIBRARY ASSOCIATION	66.00		
11. AMERICAN OFFICE SOLUTIONS, I	47.92		
12. AMERICAN WATER WORKS ASSN	89.67		
13. MARK ANDERSON	46.64		
14. APPLE MAT RENTAL	300.35		
15. APPLIED BUSINESS SOFTWARE	399.60		
16. ARBORIST SKILLS INC	1,600.00		
17. ARCHBOLD EQUIPMENT CO	66.34		
18. AUTO ZONE COMMERCIAL	289.80		
19. BAKER & TAYLOR BOOKS	631.01		
20. BARRETT'S GARDEN CENTER, INC	656.26		
21. BATTERY WHOLESALE	69.25		
22. KRISTIN BAUER	20.00		
23. BELSON ASPHALT PAVING INC	4,697.00		
24. BEST WAY INC	539.87		
25. ROBERT BISHOP	236.88		
26. BLACK SWAMP EQUIPMENT	551.00		
27. THE BLADE	191.36		
28. BLISSFIELD HEATING AND PLUMB	50.00		
29. BOOK OF THE MONTH CLUB	44.87		
30. BRAKES-N-MORE	1,083.63		
31. BRONNER'S COMMERCIAL DISPLAY	396.60		
32. TODD BROWN	150.00		
33. BS&A SOFTWARE	2,616.00		
34. NEIL BUEHRER	128.50		
35. RODNEY CALVIN	95.38		
36. CAMBRIDGE TWP FIREMENS ASSOC	130.00		
37. CDW-G COMPUTER SUPPLIES	5,352.75		
38. CHAMBERS CONTROL COMPANY	874.00		
39. CATHY CHESHER	38.96		
40. CITIZENS GAS FUEL CO	809.63		
41. CLARKE	515.00		
42. CLIFT BUICK-GMC	246.45		
43. COAST TO COAST DELI	67.88		
44. COMCAST	89.23		
45. COMFORT ENTERPRISES INC.	290.19		
46. COMMSPEC, INC.	790.15		
47. CONTINENTAL SERVICE	546.53		
48. JOHN CRAIG	144.16		
49. CUTLER DICKERSON CO	734.95		
50. D&P COMMUNICATIONS, INC.	1,688.23		
51. D-P EQUIPMENT CO, INC.	557.54		
52. THE DAILY TELEGRAM	1,802.36		
53. JERRY DAVIS	198.32		
54. DIGITAL INTELLIGENCE INC	13,198.42		
55. DOAN COMPANIES	508.89		
56. DRUG & LABORATORY DISPOSAL,	1,260.64		
57. E & B SALVAGE LLC	1.00		
58. STEVE EBERLE	20.00		
59. CURT EMMONS	13.80		
60. ENGLEWOOD ELECTRICAL SUPPLY	740.77		
61. EXECUTONE COMMUNICATIONS LLC	1,225.50		
62. FASTENAL COMPANY	552.91		
63. FISHER SCIENTIFIC COMPANY LL	138.07		
64. FOSTER SWIFT COLLINS & SMITH	1,406.00		
65. GALE	3,156.13		
66. GALLANT & SON	131.73		
67. J.O. GALLOUP COMPANY	1,202.82		
68. GEN POWER PRODUCTS INC.	490.00		
69. GEOGRAPHIC INFORMATION SERVI	3,687.75		
70. MARK GIGAX	20.00		
71. GLEASON CONSTRUCTION COMPANY	112,664.23		
72. GOVERNMENTAL BUSINESS SYSTEM	4,319.14		
73. GRAINGER INC.	172.55		
74. DENISE GRITZMAKER	20.00		
75. HACH COMPANY	402.24		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
76. HADDEN TIRE COMPANY	22.00		
77. JON HARRIS	72.00		
78. SHANE HORN	20.00		
79. HUBBARD'S AUTO CENTER INC	203.88		
80. I C M A VANTAGE POINT	5,486.56		
81. ICMA RETIREMENT CORPORATION	158.68		
82. IDSXX LABORATORIES, INC.	2,535.97		
83. INTERNATIONAL ASSOC OF ELECT	102.00		
84. INTERNATIONAL MUNICIPAL	70.00		
85. JACKSON TRUCK SERVICE INC.	185.70		
86. KAR LABORATORIES INC	670.00		
87. KELLER THOMA, P.C.	3,360.09		
88. ERIC KELLY	300.00		
89. KEMIRA WATER SOLUTIONS INC	3,313.79		
90. KONICA MINOLTA BUSINESS SOLU	187.75		
91. BRENT KUBALEK	379.45		
92. KUHLMAN CORP.	148.80		
93. BRITTANIE KUHR	100.00		
94. LEGACY PRINTING	205.07		
95. LENAWEE CO. DEPT ON AGING	3,205.55		
96. LENAWEE COMMUNITY FOUNDATION	1,900.00		
97. LENAWEE COUNTY COMMUNITY	205.00		
98. LENAWEE COUNTY PRINTER	573.18		
99. LENAWEE TIRE & SUPPLY CO, IN	3,419.06		
100. LENAWEE VO TEC CENTER	175.00		
101. LENCO PAINTING, INC.	450.00		
102. LEXIS NEXIS RM INC	153.50		
103. DOUG LOLLEY	116.50		
104. LOWE'S CREDIT SERVICES	3,866.86		
105. MANPOWER OF LANSING MI INC.	2,436.48		
106. MASSON'S ELECTRIC, INC	1,590.02		
107. MCGOWAN ELECTRIC SUPPLY INC.	128.23		
108. MENTAL TASKS LLC	165.00		
109. JACK METTERNICK	160.80		
110. MICHIGAN LIBRARY ASSOC	85.00		
111. MICHIGAN METER TECHNOLOGY GR	1,746.54		
112. MICHIGAN OFFICE SOLUTIONS	59.46		
113. STATE OF MICHIGAN	6,658.00		
114. MICHIGAN STATE POLICE	1,000.00		
115. MICHIGAN TBA DISTRIBUTORS IN	16.98		
116. MICHIGAN WATER ENVIROMENT AS	174.00		
117. MICROMARKETING LLC	472.72		
118. MIDWEST TAPE	161.40		
119. MISS DIG SYSTEM INC	783.48		
120. MITCHELL WELDING	1,476.40		
121. MUGS N' MORE IMAGING	42.50		
122. MUNICIPAL CODE CORPORATION	550.00		
123. NATIONAL FIRE PROTECTION ASS	165.00		
124. NON DESTRUCTIVE TESTING GROU	778.40		
125. NORTH EASTERN UNIFORMS & EQU	157.98		
126. ORIENTAL TRADING CO. INC.	63.99		
127. MIKE OSBORN	20.00		
128. P.K. CONTRACTING, INC.	6,509.38		
129. PALMER ENVELOPE CO.	417.00		
130. DAVID PATE	78.51		
131. PEERLESS SUPPLY INC	120.14		
132. PICTOMETRY INTERNATIONAL COR	15,127.00		
133. PITNEY BOWES INC	730.00		
134. GLENN PRESTON	20.00		
135. PURCHASE POWER	3,030.00		
136. QUICK SERVICE TRANSPORTATION	5,715.48		
137. QUILL CORPORATION	1,417.09		
138. RAGAN COMMUNICATIONS, INC.	29.95		
139. RECORDED BOOKS LLC.	177.80		
140. TIM RITCHIE	20.00		
141. TIM ROBERTS	138.22		
142. ROBERTSON, EATON & OWEN, PC	3,920.00		
143. ROWE PROFESSIONAL SERVICES C	3,093.22		
144. SAFETY SYSTEMS INC.	120.00		
145. SAFEWAY MOVING & STORAGE	257.50		
146. KRITH SCHULTZ	150.00		
147. SERVICE SPECIALTIES OF AMERI	278.00		
148. SHERWIN-WILLIAMS CO	202.68		
149. SHINE'S AUTO CLEAN	70.00		
150. SKAMPO, JEFFREY	82.91		

CLAIMANT	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT REJECTED
151. SLUSARSKI EXCAVATING & PAVIN	9,050.38		
152. SOLARBEE INC	4,200.00		
153. SPRINT NEXTEL	60.00		
154. STAPLES CREDIT PLAN	42.05		
155. STATE CHEMICAL MFG CO.	714.96		
156. STEVENS DISPOSAL	1,010.00		
157. STEVENSON LUMBER, INC.	337.34		
158. JEFFREY A. STICKNEY, DO,PC	95.00		
159. STRATOS MICROSYSTEMS LLC	46.99		
160. SUPERIOR UNIFORM SALES INC.	487.25		
161. TDS SECURITY, INC	399.00		
162. TEAM SOFTWARE SOLUTIONS	125.00		
163. THOMSON WEST	222.96		
164. TIME EMERGENCY EQUIPMENT INC	325.85		
165. TOLEDO SPRING SERVICE, INC.	189.00		
166. TRACTOR SUPPLY COMPANY	577.85		
167. PAUL TRINKA	20.00		
168. TRUCK & TRAILER SPECIALITIES	432.03		
169. TTB CLEANING LLC	3,240.00		
170. U S POSTMASTER	2,093.00		
171. UTILITIES INSTRUMENTATION SE	2,808.00		
172. VORESS, TERRY	11.13		
173. WARREN HOLDING CO LLC	1,370.00		
174. WAYNE STATE UNIVERSITY PRESS	157.94		
175. WEISKOPF INDUSTRIES CORP	287.69		
176. WESTERN LIME CORPORATION	5,040.00		
177. RYAN WHITE	20.00		
178. WORLD BOOK SCHOOL & LIBRARY	1,798.00		
179. WRIGHT TREE SERVICE, INC	11,461.96		
TOTAL ALL CLAIMS	321,366.53		

December 19, 2011

UTILITY DEPARTMENT VOUCHERS

<u>Check Number</u>	<u>To</u>	<u>Description</u>	<u>Amount</u>
3554	City of Adrian: Clearing Acct	Dec 5 Ck Register	\$ 120,345.65
3555	Consumers Energy	Water Plant Electric	\$ 9,839.53
3556	City of Adfrian: Payroll	Dec 9 Payroll	\$ 98,925.57
3557	City of Adrian	Various Nov Expenses	\$ 42,128.71
3558	Citizens Gas Fuel Co	Various Heat Bills	\$ 2,099.57
3559	Frontier	Water Plant Phone	\$ 112.77
		Total	\$ 273,451.80
		Less CK# 3554	\$ 120,345.65
		TOTAL	\$ 153,106.15

WW = \$154,065.11
WAT= \$119,386.69

19-Dec-11

GENERAL FUND
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
20750 \$	1,418.80	US Postmaster	Mailing Tax Bills
20751 \$	500.00	Wolf Creek Enterprises	Road Opening Deposit
20752 \$	300.00	Presort Services	Postage for Tax Bills
20753 \$	22.00	Kristen Wetzel	Volleyball Refund; HR
20754 \$	10.17	Frontier	Various Phone Bills
20755 \$	3,077.18	Citizens Gas Fuel Co	Various Heat Bills
20756 \$	138,505.07	City of Adrian: Clearing Acct	Dec 5 Check Register
20757 \$	4,214.47	Quick Service Transportation	Payroll W/E Dec 3
20758 \$	1,134.24	Business Card	Credit Card Payment
20759 \$	100.31	City of Adrian: Utilities	Bohn Pool Water Bill
20760 \$	197,829.38	City of Adrian: Payroll	Payroll for Dec 9
20761 \$	612.47	US Postmaster	Mailing Recreation Flyers
20762 \$	18,332.48	First Federal Bank	Soc Security for Dec 9
20763 \$	6.38	Kylene Moore	Blue Cross Refund
20764 \$	33.00	Eileen Henson	Recreation Refund
20765 \$	150.00	City of Adrian: Utilities	Correct Receipts
20766 \$	225.00	Gov't Finance Officers Assoc.	Fee for PAFR
20767 \$	4,670.79	Quick Service Transportation	Payroll W/E Dec 10
20768 \$	15.00	Linda Deuble	Recycling Refund
20769 \$	307.91	City of Adrian	Petty Cash

\$	371,464.65	
\$	(138,505.07)	Less: CK#20756
\$	232,959.58	



COMMUNICATIONS

MEMO



DATE: December 15, 2011

TO: Honorable Mayor and City Commission

FROM: Dane C. Nelson, City Administrator

SUBJECT: National Critical Infrastructure Month

Chief Trinka received this communication from Curtis Parsons, who is the Emergency Coordinator for Lenawee County. This letter from the U.S. Department of Homeland Security recognizes December as “National Critical Infrastructure Protection” month.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dane Nelson', is positioned above the printed name.

Dane C. Nelson
City Administrator

DCN:mlb

Curtis Parsons - National Critical Infrastructure Protection Month

From: Sector.Partnership <Sector.Partnership@HQ.DHS.GOV>
To: <curtis.parsons@lenawee.mi.us>
Date: 12/9/2011 5:51 PM
Subject: National Critical Infrastructure Protection Month

**National Protection and Programs Directorate / Office of Infrastructure Protection
National Critical Infrastructure Protection Month
December 2011**

Dear Curtis Parsons,

President Obama continues to demonstrate his dedication to the protection of critical infrastructure by proclaiming December as Critical Infrastructure Month for the third, consecutive year. On behalf of Secretary Napolitano, I would like to take this opportunity to extend our appreciation for your dedication to strengthening the protection and resilience of our nation. Ten years after the September 11th attacks, we have come a long way toward addressing the challenge of securing the nation's critical infrastructure. Together, we have created a vibrant and productive public-private partnership. This extraordinary collaboration is an example of how the worst terrorist attack in American history brought out the best in the American people.

Our approach works by adopting the perspective of all-hazards preparedness and response while considering how the physical, virtual, and human elements of infrastructure security are inextricably linked. As you may know, we have been working closely with councils and fusion centers to capture regional perspectives on how to best improve readiness, communications, and response across sectors and jurisdictions.

To strengthen our collective action across the 18 critical infrastructure sectors and promote more effective information sharing within the critical infrastructure protection and resilience community, the Department has created the Critical Infrastructure Risk Management Enhancement Initiative (CIRMEI). This Initiative will set the strategic direction for how the Department and its partners will address identified gaps and opportunities to improve risk-informed decision-making and resource allocation.

I look forward to continuing to advance our joint initiatives to strengthen regional resilience and further integrate risk management best practices within and among sectors.

To view the President's proclamation and the Department's Web pages on critical infrastructure, please visit www.dhs.gov/national-critical-infrastructure-protection-month. If you have not already done so, you can sign up from this site to receive updates to the National Infrastructure Protection Plan newsletter (*NIPP News*).

Please accept both my gratitude and my appeal for your continued commitment and vigilance.

Sincerely,

Todd M. Keil

Assistant Secretary

Infrastructure Protection

National Protection and Programs Directorate

Department of Homeland Security

Office: 703-235-8121



CONSENT AGENDA



Adrian Fire Department

Memorandum

To: Mayor Greg Dumars, Adrian City Commission
From: Chief Paul G. Trinka
CC: City Administrator Dane Nelson, City Clerk Pat Baker
Date: December 9, 2011
Re: Fireworks 31 December 2011

Jason Lynch and Charlie Pick from Colonial Fireworks have contact me regarding a fireworks display following a wedding in the Adrian College Chapel 31 December 2011. The display will consist of 20, 1.5" shells with the mortars located near Shipman Library. As you can see from the drawings included there are campus buildings within the required safe zones. Nationally recognized standards allow buildings to be in a safe area provided they are vacant. Adrian College has provided a letter insuring all buildings will be vacant and there will be no pedestrian traffic within the 175' radius area.

Our experience with Colonial Fireworks has found them to be a responsible company and very willing to accommodate requests from the fire department to insure safety during displays. Colonial Fireworks always allows fire personnel to visit the site prior to the display and review precautions and needs of the day's events.

I would recommend the City Commission approve the display requested on 31 December 2011.



Colonial Fireworks Co.

The New Revolution in Fireworks



December 8, 2011

RE: Information Letter – Adrian College 12/31/11 (Lapinski)

Paul G. Trinka, Fire Chief
Adrian Fire Department
208 S. Main Street
Adrian, MI 49221

Dear Mr. Trinka:

Thank you for your assistance with the proposed December 31, 2011 fireworks display at Adrian College. This information letter is to address the City's requirements as follows:

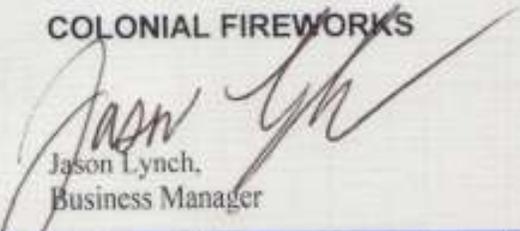
1. One performance is scheduled at Adrian College just south of Shipman Library (see site plan). Lead pyrotechnician is William Shaffer – 419-351-3111 (see attached resume)
2. This is a low-level effects show consisting of multiple-shot barrage items (cakes) 1.3G pyrotechnics display to commence after the wedding in the Chapel, approximate duration 7-10 minutes. There will be one firing positions which is just south of the pathway outside Shipman Library. The items to be used are as follows:
 - Battle of Color
 - Glittering Crossettes
 - Red White and Blue w/effects
 - Silver Dragon to Red Crown
 - Oriental Thunder
 - Liuyang Angle Sector
 - W-Shape Blue-White-Blue
 - Titanium Salute repeater

All of these items are 1.5" diameter and will reach a height of no more than 150 feet.

3. The site plan / aerial location is attached.
4. The crew will arrive on site at 1:30pm to and will be prepared for a fire dept walk-through by 4:30pm
5. I understand that Colonial Fireworks assumes responsibility for the firing of the fireworks only.
6. Permit application is attached.
7. Certificate of Insurance is attached
8. NFPA 1123 will be followed in its entirety for the setup and discharge of the display.

Respectfully submitted,

COLONIAL FIREWORKS


Jason Lynch,
Business Manager

★ MANUFACTURING - 6480 Tomer Rd., Clayton, MI 49235 • 800-882-9323 • Fax 517-436-3269
★ ADMINISTRATION - 5225 Telegraph Rd., Toledo, OH 43612 • 877-257-9977 • Fax 419-476-0929



Application for Fireworks Display Permit
Michigan Department of Energy, Labor, & Economic Growth
Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
517-241-8847

2011

Authority: 1968 PA 358	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.	
Compliance: Voluntary		
Penalty: Permit will not be issued		
<input checked="" type="checkbox"/> Public Display	<input type="checkbox"/> Agricultural Pest Control	DATE OF APPLICATION December 15, 2011
NAME OF APPLICANT NICK LAPINSKE	COLONIAL FIREWORKS FBO	ADDRESS 6480 TOMER RD CLAYTON, MI
IF CORPORATION, NAME OF PRESIDENT GREG TREMONTI	ADDRESS 500 RIVERSIDE ROSSFORD, OH	
IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT MICHIGAN RESIDENT CORPORATION	ADDRESS	TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR BILL SCHAFFER	ADDRESS 15761 W YEASTING RD ELMORE, OH	AGE (18 or over) 61
NO. YEARS EXPERIENCE 23+	NO. DISPLAYS 100+	WHERE THROUGHOUT MICHIGAN AND OHIO
NAME OF ASSISTANT BRANDON MORRILL	ADDRESS 4908 SAND CREEK HWY ADRIAN, MI	AGE 23
NAME OF OTHER ASSISTANT CHARLIE PICK	ADDRESS 10415 TOMER RD CLAYTON, MI 49235	AGE 64
EXACT LOCATION OF PROPOSED DISPLAY SOUTH OF SHIPMAN LIBRARY, ADRIAN COLLEGE		
DATE OF PROPOSED DISPLAY DECEMBER 31, 2011	RAIN DATE: N/A	TIME OF PROPOSED DISPLAY APPROX. 6:30PM
	KIND OF FIREWORKS TO BE DISPLAYED	
20	<1.5" MULTIPLE-SHOT BARRAGES (CAKES)	
MANNER AND PLACE OF STORAGE PRIOR TO DISPLAY (Subject to Approval of Local Fire Authorities) COLONIAL FIREWORKS COMPANY VEHICLE		
AMOUNT OF BOND OR INSURANCE (To be set by local government) \$10 MILLION	NAME OF BONDING CORPORATION OR INSURANCE COMPANY BRITTON GALLAGHER & ASSOC	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 6240 SOM CENTER RD SOLON OH		
SIGNATURE OF APPLICANT <i>Jason Lynch</i> {electronically signed}		

* FORM IS VALID FOR YEAR SHOWN ONLY *

**COLONIAL FIREWORKS
NICK LAPINSKI: LOW-LEVEL SHOW
ADRIAN COLLEGE
DECEMBER 31, 2011**

-  Firing Site (up to 1.5" low-level cakes)
-  350' diameter circle
-  175' radius



The display will be limited to 1.5" cakes, electrically-fired in accordance with NFPA 1123 as amended.

**COLONIAL FIREWORKS COMPANY
HOLD HARMLESS AGREEMENT**

Indemnity Provisions (re: LAPINSKE fireworks at ADRIAN COLLEGE 12/31/11)

Colonial Fireworks Company (hereinafter "Vendor") agrees to indemnify and save harmless Adrian College (hereafter "Indemnitee") and its agents, representatives and employees from any and all charges, claims and causes of action by third persons, including but not limited to, agents, representatives and employees of the Vendor and of the Indemnitee, based upon or arising out of any damages, losses, expenses, charges, cost, injuries or illnesses, including death, sustained or incurred by such person or persons resulting from or in anyway, directly or indirectly connected with the performance or non performance of this Agreement, this includes only the Vendor's setup and exhibiting of the fireworks, of those vending services, provided, however, that notwithstanding the foregoing, the Vendor does not agree to indemnify and save harmless the Indemnitee, its agents, representatives and employees from any charges, claims or notions based upon or arising out of any damages, losses, claims, expenses, charges, costs, injuries or illnesses including death, sustained or incurred as sole result of the negligence of the Indemnitee, its agents, representatives or employees. In the event a claim is filed against the Indemnitee for which the Vendor is to be held liable under the terms of the Agreement, the Indemnitee will promptly notify the Vendor of such claim and will not settle such claim without the prior written consent of the Vendor, which shall not be unreasonably withheld. The obligation of Vendor to indemnify shall include all reasonable reimbursement/indemnification hereunder shall encompass and include all reasonable attorney fees and costs of litigation, which may be incurred by the Indemnitee.

Signed:



For the "Vendor"
Colonial Fireworks Company
Frank Loffredo, President
Date: 12/9/11

Signed:



For the "Indemnitee"
Adrian College
Date: 12/9/11



RE: FIRE DEPARTMENT – Authorization to Issue Permit for Fireworks Display to Colonial Fireworks December 31, 2011 celebrating the vows of marriage.

RESOLUTION

WHEREAS, the Adrian Fire Chief has received and reviewed an application for a Fireworks Display from Colonial Fireworks Company finding all documentation sufficient; and

WHEREAS, the display is to celebrate marriage vows to be exchanged at the Adrian College Chapel December 31st, 2011; and

WHEREAS, the Adrian Fire Chief has identified the location of the firing area to be on Adrian College owned property; and

WHEREAS, the Adrian Fire Chief and the City Administrator further recommend approval of the requested permit and authorization for the City Clerk to sign said permit, provided the following actions be taken regarding establishment of safety of persons, buildings and grounds at Adrian College:

1. All buildings within the safe zone as depicted on the diagram provided by Colonial Fireworks Company are vacant during the fireworks display.
2. The safe zone as depicted on the diagram provided by Colonial Fireworks Company is free from pedestrian traffic during the fireworks display.

WHEREAS, Adrian College has provided a letter to the City of Adrian acknowledging risks associated with pyrotechnic displays and absolves the City of Adrian from responsibility in the event of damage to persons, grounds or buildings.

NOW, THEREFORE, BE IT RESOLVED that the Adrian City Commission by this resolution approves the Fireworks Display Permit for December 31, 2011 requested by Colonial Fireworks Company on behalf of the groom in celebration of the couple’s vows on this New Year’s Eve and further wishes the new couple a life of happiness and prosperity.

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

CR11-059

December 15, 2011

RE: CITY COMMISSION – Change in Commission Meeting Date

RESOLUTION

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

WHEREAS, the regular meeting scheduled for Monday February 16th, 2011 occurs on a day City Hall is closed in observance of Martin Luther King Day; and

NOW, THEREFORE, BE IT RESOLVED that said regular meeting will be held on Tuesday, February 17th, 2011 at 7:00 p.m. in the City Chambers Building located at 159 E. Maumee St., Adrian, MI.

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



REGULAR AGENDA

December 13, 2011

Honorable Mayor
and City Commission:

At the December 6, 2011, meeting the Adrian City Planning Commission voted unanimously to recommend to the City Commission the approval of rezoning 1205 Michigan Avenue from RM-1 Low Rise Multiple Family Residential to ERO Education, Research and Office and adopted the following resolution in support of this rezoning:

RESOLUTION

WHEREAS, Adrian College has submitted a request for rezoning 1205 – 1207 Michigan Avenue, a single parcel identified in the Case File 11-025, from RM-1 Multiple Family Residential to ERO Education, Research and Office; and

WHEREAS, the former use of the parcel was two-family residential; and

WHEREAS, the City of Adrian Comprehensive Plan Future Land Use Map calls for the designation of such parcel as Quasi-Public/College and University; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the Zoning/Development Regulations, Article XXVIII - Amendments pertaining to Official Zoning Map Amendments;

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

BE IT FURTHER RESOLVED that this request would be in compliance with the City of Adrian Comprehensive Plan Future Land Use Map; and

BE IT FURTHER RESOLVED that this rezoning would not have a potentially negative impact on the surrounding residential neighborhood; and

BE IT FURTHER RESOLVED that since the ownership and use of this property has changed, the zoning should be consistent with the ordinance; and

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning Parcel XA0-785-5004-00; and

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

There was one comment from the audience during the public hearing, Dale Stultz at

1205 University, was concerned about the expansion of Adrian College and the impact the decisions of the Planning Commission and City Commission have on our neighborhood. One letter was received from Michael and Linda Collins, 314 South Madison, in support of this rezoning. The Planning Commission reviewed the criteria as mentioned in Section 28.06 and found them in the affirmative and made the following findings:

1. This is consistent with the City of Adrian Comprehensive Plan. The Planning Commission has considered that Adrian College is expanding. Adrian College is the current owner and uses this parcel for housing.
2. It is consistent with the City of Adrian Comprehensive Plan to expand this zoning along Michigan Avenue to the west.
3. No known impact on municipal public services or facilities would result from favorable action on this request.
4. This proposed change should not adversely affect environmental conditions.
5. This is creating a temporary spot zone; however, it is a move in the direction the Comprehensive Plan indicates, which shows this block to be zoned ERO.

Respectfully submitted,

Denise Cook, Secretary

ORDINANCE 11-007

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

The City of Adrian Ordains:

1. That Section 3.1 of Article III of the City of Adrian Zoning/Development Regulations, and the Zoning Map to which reference is therein made, is amended to the extent of deleting the following property hereinafter described from the RM-1 Low Rise Multiple Family Residential District and including the same in the ERO Education, Research and Office District.
2. Parcel described as follows:

N 90 FT OF E 140.54 FT LOT 6 BLK 10 EXT L G BERRYS SW ADD
3. More commonly known as: 1205 – 1207 Michigan Avenue

INTRODUCTIONDecember 19, 2011

SUMMARY PUBLISHED

ADOPTION

COMPLETED PUBLICATION

EFFECTIVE DATE.....

On motion by Commissioner _____,

seconded by Commissioner _____,

this Ordinance was adopted by a _____ vote.

December 6, 2011

MEMORANDUM

TO: Dane Nelson, City Administrator

FROM: Kristin Bauer, City Engineer

SUBJECT: 2012 MDOT Annual Performance
Resolution



In keeping with our yearly requirements by the Michigan Department of Transportation (MDOT) I am submitting the Performance Resolution to be added to the agenda for a City Commission meeting. This resolution is required for us to receive our Annual Permit for operations within the MDOT Right of Way.

**PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way," or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way."

RESOLVED WHEREAS, the City of Adrian, Michigan
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations; within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent he DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Name	and/or	Title
Dane Nelson	or	City Administrator
Kristin Bauer	or	City Engineer
Shane Horn	or	Utilities Director
Pat Baker	or	City Clerk

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc)

of the _____ of _____
(Name of GOVERNMENTAL AGENCY) (County)

at a _____ meeting held on the _____ day of
 20____ A.D.

Signed _____ Title _____

Print Name _____

MEMO



DATE: December 15, 2011
TO: Honorable Mayor and City Commission
FROM: Dane C. Nelson, City Administrator
SUBJECT: Heritage Park Well

A memo regarding a well for the softball fields at Heritage Park is attached. This was also discussed at the capital budget meeting held last week. In the past, the City has used two Lenawee businesses for this type of work and have been satisfied with the quality of work and the cost. Rather than submit bids, the Parks and Recreation department chose to obtain quotes from these two businesses and received very similar prices. As such, I recommend waiving the formal bid process and accepting the low bid submitted.

Respectfully submitted,



Dane C. Nelson
City Administrator

DCN:mlb

R11-147

RE: DEPARTMENT OF PARKS & RECREATION – DIVISION OF PARKS & FORESTRY- Well Replacement at Heritage Park

RESOLUTION

WHEREAS the Department of Parks and Recreation – Division of Parks & Forestry has experienced an irreparable well failure at Heritage Park softball fields, which supplies water to the restroom facility/concession building; and

WHEREAS, after exploring several options as well as looking at future needs, it was determined replacement of the 5” well with a 6” inch well would provide for a planned irrigation system in addition to the current use and avoid the cost of a future well; and

WHEREAS quotes were solicited from two local well drillers, with the following results:

<u>VENDOR</u>	<u>LOCATION</u>	<u>AMOUNT</u>
Gordon & Son Well Drilling	Tipton, MI	\$18,692.69
Alcock Drilling, Inc.	Britton, MI	\$18,888.00; and

WHEREAS the Finance Director indicates that, by changing spending priorities to meet this emergency situation, sufficient funds are available for this purpose in the following accounts:

(101-691.00-975.000)	Parks & Rec – Capital Imprv Bohn Pool Parking	\$ 9,700.00
(101-691.00-975.000)	Parks & Rec – Capital Imprv Softball Field # 3	5,500.00
(101-691.00-975.000)	Parks & Rec – Capital Imprv Baseball Dugouts	2,000.00
(101-691.00-977.000)	Parks & Rec – Capital Equipment	<u>1,492.69</u>
		and

WHEREAS the Parks & Recreation Director and City Administrator recommend waiver of the competitive bid process in the best interests of the City, selection of Gordon & Son Well Drilling, Tipton, MI for engagement in the City’s Standard Professional Services Contract for the purpose of drilling a 6” well at Heritage Park to serve the restroom facility/concession building, as well as the future irrigation system, at a cost not to exceed \$18,692.69, and that the FY2011-12 Budget be appropriately amended.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby authorizes the selection of Gordon & Son Well Drilling, Tipton, MI for engagement in the City’s Standard Professional Services Contract for the purpose of drilling a 6” well at Heritage Park to serve the restroom facility/concession building, as well as the future irrigation system, at a cost not to exceed \$18,692.69.

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

From:		
(101-691.00-975.000)	Parks & Recreation – Capital Improvements	\$(17,200.00)
(101-691.00-977.000)	Parks & Recreation – Capital Equipment	<u>(1,492.69)</u>
	Total	\$(18,692.69)
To:		
(101-698.00-975.000)	Parks & Forestry-Heritage Park-Capital Imprv	<u>18,692.69</u>
	Total	<u>\$ -0-</u>

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.

Memo

TO: Dane C. Nelson, City Administrator
FROM: Mark K. Gasche, Parks and Recreation Director
DATE: December 12, 2011
SUBJECT: Bid Recommendation – Mowers and Attachments Purchase

I concur with the recommendation of the Parks & Recreation Director to award the bid for the purchase of two (2) front mount riding mowers, one winter cab enclosure, one rotary broom, and one hydraulic deck lift to the low bidder, Buck & Knobby of Ottawa Lake, MI in the amount of \$27,029.10.

Funding for this purchase will be as follows: \$12,000 from Parks and Forestry General Fund CIP Equipment, \$14,000 Fee Estate CIP Equipment and \$1,029.11 of Fee Estate CIP Equipment carry-forward from FY 10-11 for “Site Amenities”.



 Dane C. Nelson
 City Administrator

Sealed Bids were received on Tuesday, November 29, 2011 for the purchase of two (2) front mount riding mowers, one winter cab enclosure, one rotary broom, and one hydraulic deck lift; less the trade in of two front mount riding mowers. Nine vendors were invited to bid with two dealers responding; their bids are listed below:

ITEM	Archbold Equip Adrian, MI	Buck & Knobby Ottawa Lake MI	Buck & Knobby Ottawa Lake, MI
Front Mount Mower	\$ 11,575.00 ea Grasshopper 721D	\$ 11,438.21 Grasshopper 721D	\$ 12,191.11 Grasshopper 725D
Cab Enclosure	\$ 2,665.00 Grasshopper 533405	\$ 3,175.83 Grasshopper 533405	\$ 3,175.83 Grasshopper 533405
Rotary Broom	\$ 2,085.00 Grasshopper 533420	\$ 2,212.94 Grasshopper 533420	\$ 2,212.94 Grasshopper 533420
Hydraulic Deck Lift	\$ 810.00 Grasshopper 533532	\$ 1,063.91 Grasshopper 533532	\$ 1,063.91 Grasshopper 533532
Sale: 1997 Grasshopper	\$1,000.00	\$1,800.00	\$1,800.00
Sale: 1999 Woods	\$100.00	\$ 500.00	\$ 500.00
Delivery	21 days	14 days	14 days
Total Cost minus	\$27, 610.00	\$27,029.10	\$28,534.90

trade-in value			
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Archbold Equipment is eligible for a 2% preference because they are located in Lenawee County. Their bid is \$27,057.80 after the adjustment; which leaves them \$28.70 higher than Buck & Knobby after the 2% local bidder preference is applied. Therefore, after review with staff, it is my recommendation that the bid be awarded to the low bidder, Buck & Knobby of Ottawa Lake, MI, in the amount of \$27,029.10.

One of the mowers will be used primarily for Riverside Park and the other mower will be used primarily for Fee eligible parks (Fee Park, Comstock Park, Riverview Trail, Yew Park and Berry Park). The broom, cab enclosure and hydraulic deck lift will be used for snow removal on sidewalks and trails. Funding for this purchase will be as follows: \$12,000 from Parks and Forestry General Fund CIP Equipment, \$14,000 Fee Estate CIP Equipment and \$1,029.11 of Fee Estate CIP Equipment carry-forward from FY 10-11 for "Site Amenities".

R11-148

RE: **DEPARTMENT OF PARKS & RECREATION – Request to Purchase Two (2) Front-Mount Riding Mowers and Accessories**

RESOLUTION

WHEREAS the Department of Parks & Recreation, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Tuesday, November 29, 2011 for two (2) front-mount riding mowers to be used in Riverside Park and Fee eligible parks; and

WHEREAS nine (9) vendors were invited to bid and two (2) responded with three (3) bids with the following results:

ITEM	Archbold Equip Adrian, MI	Buck & Knobby Ottawa Lake MI	Buck & Knobby Ottawa Lake, MI
Front Mount Mower	\$ 11,575.00 ea Grasshopper 721D	\$ 11,438.21 Grasshopper 721D	\$ 12,191.11 Grasshopper 725D
Cab Enclosure	\$ 2,665.00 Grasshopper 533405	\$ 3,175.83 Grasshopper 533405	\$ 3,175.83 Grasshopper 533405
Rotary Broom	\$ 2,085.00 Grasshopper 533420	\$ 2,212.94 Grasshopper 533420	\$ 2,212.94 Grasshopper 533420
Hydraulic Deck Lift	\$ 810.00 Grasshopper 533532	\$ 1,063.91 Grasshopper 533532	\$ 1,063.91 Grasshopper 533532
Sale: 1997 Grasshopper	\$1,000.00	\$1,800.00	\$1,800.00
Sale: 1999 Woods	\$100.00	\$ 500.00	\$ 500.00
Delivery	21 days	14 days	14 days
Total Cost minus trade-in value	\$27, 610.00	\$27,029.10	\$28,534.90

; and

WHEREAS Archbold Equipment is eligible for a 2% preference because they are located in Lenawee County; their bid is \$27,057.80 after the adjustment; which leaves them \$28.70 higher than Buck & Knobby after the 2% local bidder preference is applied; and

WHEREAS the Parks & Recreation Director and City Administrator recommend acceptance of the low bid and purchase of two (2) front-mount riding mowers with accessories from Buck & Knobby, Ottawa Lake, MI at cost not to exceed \$27,029.10; and

WHEREAS the Finance Director indicates that sufficient funds are available in the FY2011-12 Parks & Recreation Operating Budget for this purpose in the following accounts:

(101-697.00-977.000) Parks & Forestry Capital Equipment	\$12,000.00
(205-699.00-977.000) Fee Estate Capital Equipment	<u>15,029.10</u>
Total	<u>\$27,029.10</u>

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby accepts the low bid and authorizes the Parks & Recreation Department to

purchase two (2) front-mount riding mowers with accessories from Buck & Knobby, Ottawa Lake, MI at cost not to exceed \$27,029.10.

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



MISCELLANEOUS

DEPARTMENTAL REPORT

DECEMBER 19, 2011

	NOVEMBER 2011	OCTOBER 2011	NOVEMBER 2010	YEAR-TO-DATE 2011	YEAR-TO-DATE 2010
POLICE DEPARTMENT					
Complaints Answered	771	797	759	9,168	8,249
VIOLATIONS					
Moving Citations	73	64	115	1,205	1,499
3-6 am Parking Tickets	117	173	176	1,665	2,021
Non-Moving Citations	2	8	13	137	295
Downtown Parking Tickets	0	0	29	0	945
TOTAL VIOLATIONS	192	245	333	3,007	4,760
ARRESTS	92	88	112	1,087	1,313
FIRE DEPARTMENT (See M-4)					
INSPECTION DEPARTMENT					
Building Permits	31	48	22	322	284
Electrical Permits	16	43	20	294	215
Mechanical Permits	32	30	18	290	223
Plumbing Permits	13	10	7	108	83
Sidewalk Permits	0	0	0	5	10
Sign Permits	4	10	1	56	53
TOTAL PERMITS	96	141	68	1,075	868
Estimated Bldg. Costs	\$1,306,331	\$497,091	\$78,782	\$7,166,526	\$6,596,713
PARKING SYSTEM					
Parking Assessment	\$0	\$0	\$0	\$51,624	\$29,666
Lot Revenue	\$0	\$0	\$852	\$0	\$2,643
Street Revenue	\$0	\$0	\$0	\$0	\$0
Misc. Revenue	\$9	\$8	\$11	\$92	\$179
Permits	\$0	\$0	\$125	\$225	\$19,086
Fines	\$0	\$0	\$285	\$660	\$4,479
Collection Fees	\$0	\$0	\$85	\$0	\$913
Token Sales	\$0	\$0	\$0	\$0	\$0
Contribut-GenFund	\$0	\$0	\$0	\$16,900	\$6,000
TOTAL REVENUE	\$9	\$8	\$1,358	\$69,501	\$62,966
WASTE WATER DEPARTMENT					
M. G. Pumped	191,752	139,872	124,432	1,632,053	1,437,990
Cost of Plant Operation	\$208,079	\$56,399	\$292,663	\$1,017,491	\$1,315,358
WATER DEPARTMENT					
M. G. Pumped	77	81	78	876	891
Number of Customers	6,231	6,286	6,246		
	Industrial	Commercial	Residential	Other	TOTAL
M. G. Sold Revenue	\$27,974	\$78,150	\$109,073	\$57,155	\$272,352

*Figure not available

FROM: MARCIA M. BOHANNON, TRANSPORTATION COORDINATOR

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

WEEK END:	NOV 4	NOV 11	NOV 18	NOV 25	NOV 30	TOTAL
MONDAY	0	344	351	293	301	1289
TUESDAY	303	346	299	337	333	1618
WEDNESDAY	296	326	323	269	296	1510
THURSDAY	339	309	291	0	0	939
FRIDAY	335	305	317	159	0	1116
		1630	1581	1058	930	6472
SERVICE DAYS		NOV 2011 (21)	NOV 2010 (21)	+/-	OCT 2011 (21)	
SENIORS		946	736	210	1026	
HDCP SENIORS		816	792	24	814	
HANDICAPPED		2627	2604	23	2476	
WHEELCHAIRS **		345	379	-34	335	
GENERAL		2083	1785	298	2014	
		6472	5917	555	6330	

NOVEMBER 2010 RIDERSHIP INCLUDES NIGHT SERVICE

	2009	6419	2010	6195	-3%	-224
DECEMBER	2010	6532	2011	6594	1%	62
JANUARY	2010	6267	2011	5861	-6%	-406
FEBRUARY	2010	7288	2011	7638	5%	350
MARCH	2010	6388	2011	6153	-4%	-235
APRIL	2010	5598	2011	6039	8%	441
MAY	2010	5639	2011	5767	2%	128
JUNE	2010	5747	2011	5625	-2%	-122
JULY	2010	5986	2011	6175	3%	189
AUGUST	2010	5759	2011	6322	10%	563
SEPTEMBER	2010	5722	2011	6330	11%	608
OCTOBER	2010	5917	2011	6472	9%	555
NOVEMBER		73262		75171	3%	1909

** WHEELCHAIR TOTALS ARE INCLUDED IN HANDICAPPED PASSENGER TOTALS

Adrian Fire Department
 Monthly Report
 November 2011

Fire	Total	Property Loss	Content Loss
Building fire	1		
Passenger vehicle fire	1	\$1,000	
Dumpster or other outside trash receptacle fire	1		
	3		
Rescue			
Rescue, EMS incident, other	28		
Medical assist, assist EMS crew	3		
EMS call, excluding vehicle accident with injury	83		
EMS call, PDA	1		
EMS call, refused treatment/transport	1		
Motor vehicle accident with injuries	6		
Rescue or EMS standby	2		
	124		
Hazardous Condition			
Hazardous condition, Other	2		
Chemical hazard (no spill or leak)	1		
Heat from short circuit (wiring), defective/worn	1		
Power line down	2		
Arcing, shorted electrical equipment	1		
	7		
Service Call			
Service Call, other	2		
Smoke Investigation, No action taken	1		
Assist police or other governmental agency	1		
Unauthorized burning	4		
	8		
Good Intent			
Dispatched & cancelled en route	5		
Authorized controlled burning	1		
Smoke scare, odor of smoke	1		
	7		
False Alarm			
False alarm or false call, Other	3		
System malfunction, Other	1		
Smoke detector activation, no fire - unintentional	1		
Alarm system activation, no fire - unintentional	1		
	6		
Total	155	\$1,000	
Year to Date	2394	\$2,126,470	\$886,200
2010 Year to Date	2454	\$153,719	\$79,169

Adrian Parks And Recreation
SKATE AND BIKE PARK
5 Year Attendance and Revenue/Expense Comparison

	2007	2008	2009	2010	2011
OPEN SESSIONS					
Skateboard	978	733	696	459	323
Bike	318	506	517	453	935
Inline Skates		6	34	8	12
Admissions Revenue	\$2,720.00	\$2,509.00	\$2,551.00	\$1,863.00	\$2,724.00
Total Regular Admissions	1296	1245	1247	920	1270
Helmet Rentals	657	632	538	437	486
Helmet Rental Revenue	\$657.00	\$632.00	\$538.00	\$437.00	\$486.00
Season Passes	3	1	1	1	0
Employee Season Passes	0	8	8	13	16
10 Punch Passes	0	0	0	1	3
Pass Revenue	\$240.00	\$96.00	\$80.00	\$94.00	\$64.00
Pass Admissions	60	35	31	64	70
# of Free Sessions	2	11	14	14	16
Sponsorship Revenue	\$100.00	\$500.00	\$550.00	\$650.00	\$750.00
Free Session Admissions	35	125	135	127	220
# Private Rentals			1	1	2
Private Rental Revenue			\$60.00	\$20.00	\$83.00
Private Rental Admissions			10	10	24
TOTAL ADMISSIONS	1391	1405	1423	1121	1584
SKATEBOARD LESSONS					
Participants	7	8	18	20	13
Revenue	\$117.00	\$132.00	\$348.00	\$358.00	\$257.00
Expenses	\$125.00	\$75.00	\$127.50	\$193.88	\$124.86
Net	(\$8.00)	\$57.00	\$220.50	\$164.12	\$132.14
SKATEBOARD CAMP					
Participants	25	13	17	15	13
Revenue	\$1,807.00	\$600.00	\$842.00	\$740.00	\$577.00
Expenses	\$706.76	\$381.36	\$481.50	\$406.00	\$439.00
Net	\$1,100.24	\$218.64	\$360.50	\$334.00	\$138.00
*2007 camp was four days, 5hours/day. Based on instructor's request camp was changed starting in 2008 to three days, 3hours/day.					
CONCESSIONS					
Revenue	\$421.60	\$669.75	\$768.75	\$671.50	\$1,074.25
Expenses	\$313.20	\$342.53	\$375.00	\$360.09	\$401.36
Net	\$108.40	\$327.22	\$393.75	\$311.41	\$672.89
*OVERALL					
Revenue	\$6,061.76	\$5,047.56	\$5,716.00	\$4,710.72	\$6,015.25
Expenses	\$11,610.95	\$10,444.28	\$10,254.80	\$10,321.63	\$10,839.83
Net	(\$5,549.19)	(\$5,396.72)	(\$4,538.80)	(\$5,610.91)	(\$4,824.58)

NOTE: The "Overall" Expenses are the G.L. actuals as of 11/31/2011 plus estimated expenses for Dec.

***NOTE:** The detailed information was taken from RecTrac and the recreation Skate Park files. The "Overall" totals, however, were taken from the City's Financial General Ledger. Discrepancies between the two could be attributed to a number of things (i.e. delay from collection at park to posting on the G.L., revenue mistakenly deposited in the wrong city account, etc.)

NOTE: The main reason for the jump in concession revenue was that we dropped the price of bottled water and pop slightly (*Our two highest profit margin items*) which, along with the higher attendance resulted in a large jump in volume sold (*Pop & Bottled Water Sold, 2010 = 108; 2011 = 597*). Sales of other items (*Sports Drinks, Candy, & Chips*) remained nearly constant.

Bohn Pool 10 Year Summary Comparison 2011

Years	Open Swim Attendance	Passes Sold	Pass Holders	Swim Lessons	Swim Team	Rentals	Total Attendance
2002	15,423	247		586	68	15	
2003	10,772	169		591	66	16	
2004	10,740	178		587	69	14	
2005	14,195	186		660	74	14	
2006	13,314	184		629	111	22	24,059
2007	13,179	247	602	711	174	15	24,243
2008	14,663	247	609	545	148	18	24,537
2009	12,942	244	584	487	157	15	21,969
2010	13,243	218	518	502	139	13	22,367
2011	10,536	153	386	386	130	15	18,684

*2003 marked the the first year of having one, instead of two separate daytime open swim sessions

NOTE: Open Swim Attendance = Pass Admissions + Regular Admissions (Res, NR, & Senior; Day, PM & Evening admissions) + group admissions (TotalGroup\$/3)

NOTE: Total Attendance = Open Swim Attendance + (Swim Lessons x average attendance 8 of 10 days) + Special Events + (Swim Team x average attendance 3.5 of 5 days per week x 6 weeks) + Rentals + Lap Swim + Aerobics & Parent Tot Swim + Private Lessons

Years	Total Revenue	Total Expenses	Net
2002	\$71,181.43	\$93,269.05	-\$22,087.62
2003	\$61,428.75	\$99,843.91	-\$38,415.16
2004	\$63,760.30	\$105,554.92	-\$41,794.62
2005	\$81,792.29	\$129,499.32	-\$47,707.03
2006	\$85,570.32	\$135,423.34	-\$49,853.02
2007	\$87,155.38	\$123,453.09	-\$36,297.71
2008	\$90,634.70	\$134,214.69	-\$43,579.99
2009	\$81,442.22	\$138,295.68	-\$56,853.46
2010	\$81,993.31	\$116,652.03	-\$34,658.72
*2011	\$69,906.18	\$123,744.95	-\$53,838.77
Budget	\$85,521.00	\$142,169.00	-\$56,648.00

*See Next Page For 2011 NOTES:

Bohn Pool Concessions

Year	Total Revenue	Total Expenses	Net
2006	\$16,369.26	\$22,414.00	-\$6,044.74
2007	\$17,463.04	\$13,031.07	\$4,431.97
2008	\$16,500.97	\$12,994.81	\$3,506.16
2009	\$13,260.25	\$11,481.10	\$1,779.15
2010	\$15,039.36	\$11,823.82	\$3,215.54
2011	\$12,039.44	\$10,467.78	\$1,571.66

NOTE: In 2007 the concession prices were raised significantly resulting in a large decrease in volume sold, a dramatic decrease in expenses and nearly constant revenue.

Adrian Parks and Recreation - Non-Resident Report - Fall 2011

SEPTEMBER - NOVEMBER	Residents	Non-Residents	Total Participants	Percentage Non-Res.
AQUATICS				
N/A				
YOUTH PROGRAMS				
Toddler Sports & Movement Class	3	4	7	57%
Squirts Soccer	27	23	50	46%
Squirts Floor Hockey	7	6	13	46%
Squirts Basketball	6	7	13	54%
Pixie Cheerleading	37	14	51	27%
YOUTH SPORTS				
Youth Soccer	5	15	20	75%
ADULT CLASSES				
Basic Square Dance	1	4	5	80%
Plus Square Dance	4	8	12	67%
Line Dance	13	24	37	65%
Dog Obedience	16	26	42	62%
ADULT SPORTS				
Adult Volleyball 6x6 (individuals)				
Men's	11	19	30	63%
Women's	50	132	182	73%
Adult Softball (individuals)				
Slow Pitch-Men's	137	159	296	54%
Slow Pitch-Co-Ed	58	76	134	57%
SKATE PARK				
Open Skate	364	41	405	10%
SPECIAL EVENTS				
Couch Potato to 5K	18	20	38	53%
Haunted Graveyard 5K Race	N/A Did not track			
Haunted Graveyard Fun Run	N/A Did not track			
Hayrides (groups)	13	4	17	24%
Family Hayride Nights	37	24	61	39%
Turkey Basketball Shoot	6	8	14	57%
TOTALS	808	599	1407	43%
Scholarships Distributed				
Fall 2011				
Program			# of Scholarships	Amount
Aquatics			0	\$0
Youth Programs			5	\$106
Youth Sports			11	\$174
Special Events			3	\$67
TOTAL			19	\$347.00

ADRIAN CITY PLANNING COMMISSION
DECEMBER 6, 2011
REGULAR MEETING
MINUTES

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

Present:	Mike Jacobitz	Chair
	Marilyn Schebil	Vice Chair
	Chuck Jacobson	City Commissioner
	James Caldwell	
	Mel Dye	
	Chad Johnson	
	Brian Watson	
	Nancy Weatherby	

Also Present:	Dave Pate	Building Official
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APPROVAL OF MINUTES OF THE
NOVEMBER 1, 2011, REGULAR MEETING

There were no corrections or additions to the minutes. Commissioner Watson moved that the Minutes of the June 4, 2011, regular meeting be approved as presented. Commissioner Caldwell supported. Motion carried unanimously.

CASE NO. 11-026
SITE PLAN REVIEW FOR THE
ADRIAN FARMER'S MARKET

Representing the City of Adrian were Kristin Bauer, City Engineer and Mike Nicklowitz, Adrian Design Group. The City is proposing to construct a 5,684 square foot steel framed open structure and a 2,069 square foot pedestrian court yard to be used for a Farmers Market pavilion. The project will also have two small storage rooms located at the south end of each wing. The structure will also double as a carport structure for parking. The City received a grant to build an open-air pavilion; there will be no restrooms in this building. City staff reviewed the site plan on November 17, 2011, and some minor discrepancies were found. A revised plan was submitted and the noted discrepancies have been addressed. There were no comments from the audience. There was no further discussion from the Commission. Commissioner Schebil moved that the Planning Commission make a finding that the requirements for site plan review have been met and that the following resolution be adopted to approve the site plan as submitted:

RESOLUTION

WHEREAS, City of Adrian has submitted a request for Site Plan Review and Approval for the construction of a Farmers Market pavilion in the North Toledo Street Municipal Parking Lot, Parcel XA0-850-0226-00; and

WHEREAS, this proposed pavilion will be available for a variety of seasonal uses, which will be an asset to the downtown area and surrounding neighborhoods; and

WHEREAS, the zoning district of the subject parcel is designated as B-3 Central Business District, which promotes convenient pedestrian shopping; and

WHEREAS, this structure would be in compliance with the Future Land Use Map of the City of Adrian Comprehensive Plan, which designates this area as Downtown Mixed Use.

WHEREAS, the construction of this pavilion will not decrease the amount of available parking; and

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

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

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approves the submitted Site Plan under Case #11-026 for Parcel XA0-850-0226-00.

Commissioner Jacobson supported. A roll call vote was made.

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

Against Motion: none

Motion carried unanimously.

SET PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS
TO A ZONING EXCEPTION PERMIT APPLICATION AT
944 EAST BEECHER STREET

The request is to operate a car lot on this property. Commissioner Watson moved that the Planning Commission set a public hearing at their next regular meeting to hear and consider comments to a Zoning Exception Permit Application at 944 East Beecher Street. Commissioner Johnson supported. Motion carried unanimously.

CASE NO. 11-024
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS
TO REZONING 135 SOUTH MADISON STREET
FROM R-4 SINGLE FAMILY RESIDENTIAL TO
ERO EDUCATION, RESEARCH AND OFFICE

Chair Jacobitz explained to the audience the procedures that are required for rezoning and the criteria the Commission must consider.

The public hearing was opened. Mr. Jerry Wright, VP of Business Affairs for Adrian College was present for this meeting. Adrian College requests the rezoning in order to continue to use this property for their Admissions Office and guest house for overnight visitors. This was formerly a single-family residence. The Admissions Office was allowed as a temporary use until September 12, 2011. Mr. Wright had read the Staff Analysis which did not support this rezoning request. The College felt that since the use has been in operation for the last six years that should mitigate concerns that the neighborhood would be adversely affected by the zoning change. The College submitted a petition with 24 signatures in support this zoning change. The College is sensitive to the Planning Commission's concerns for the future use of this property and is willing to restrict the use of that property. Mr. Wright gave the Commission copies of a proposed deed restriction that would restrict the use of this property for office, professional and overnight guest housing and give the City the power to enforce this restriction. Mr. Wright mentioned the Michigan Zoning Enabling Act concerning conditional zoning. At present the Zoning/Development Regulations does not have language in place for this. The Commission asked how many occupants the guest house can accommodate and if the proposed deed restrict could say that this guest house would not be increased. Mr. Wright talked about the general use of the guest house and that it could accommodate 3 people and that the intention is to maintain the guest house as it is. Dave Pate mentioned the electronic signs that were installed, and that the City received a complaint about them, and if this property was zoned ERO the City may not have be able to address that issue. There was discussion on traffic and parking at this location. The College uses this property for drop-in admissions; there are three parking spaces and a turn-around driveway in front, events that require more parking are not held at this location. The Commission was in receipt of letters from Don and Donna Nelson at 115 South Madison, Kevin Darr at 111 South Madison, Gary E. McDowell at 432 East Westwood and Christopher Timmis at 1125 Williams Street in favor of this rezoning. The Commission asked if the College's plan for an entrance from Michigan Avenue include a new Admissions facility. Mr. Wright responded that the long range plan is to have this facility on campus, and this property would be continued to be

used as office professional use with guest house as it is used today, the college is not looking to build a fraternity house or a plant facility. If this rezoning was approved, the Planning Commission would be creating a major precedent by accepting a deed restriction, the ERO District allows a wide range of uses. There was some discussion on rezoning to the R-O Residential Office District, but if this happens the City may lose any argument to rezoning adjoining properties. Section 4.57 of the ordinance pertains to Adaptive Reuse and the Commission suggested this may be the direction to go, would not have to change the zoning and we could keep it residential. Discussion followed. There was agreement with the Commission to table this rezoning request and have the College examine the Adaptive Reuse requirements. The College was in agreement with this. There were no further comments. Commissioner Caldwell moved that the Planning Commission table this request for rezoning for 135 South Madison Street. Commissioner Weatherby supported. Motion carried unanimously. The petitioner has the option of coming back with the rezoning request if the Adaptive Reuse request doesn't work out.

CASE NO. 11-025
PUBLIC HEARING TO HEAR AND CONSIDER COMMENTS TO
REZONING 1205 MICHIGAN AVENUE FROM
RM-1 MULTIPLE FAMILY RESIDENTIAL TO
ERO EDUCATION, RESEARCH AND OFFICE

Mr. Jerry Wright, VP of Business Affairs for Adrian College was present for this meeting. Mr. Wright was in receipt of the Staff Analysis, which was in support of this rezoning. There was discussion on including in this rezoning the adjacent properties to the west that the College also owns. Mr. Wright requested the Commission go forward with this one property. The property is a duplex and is located on the southwest corner of Michigan Avenue and Madison Street. Public hearing opened. Dale Stultz, 1205 University, has no objections with 135 South Madison but there is considerable parking problems, concerned about Adrian College expanding and the impact the decisions of the Planning Commission and City Commission have on our neighborhood. There were no further comments. One letter was received from Michael and Linda Collins at 314 South Madison in support of this rezoning. No other communication was received concerning this request. Public hearing closed. There were no questions or comments from the Commission. Commissioner Caldwell moved that the Planning Commission find the requirements for rezoning have been met and that the following resolution be adopted in support of this request.

RESOLUTION

WHEREAS, Adrian College has submitted a request for rezoning 1205 – 1207 Michigan Avenue, a single parcel identified in the Case File 11-025, from RM-1 Multiple Family Residential to ERO Education, Research and Office; and

WHEREAS, the former use of the parcel was two-family residential; and

WHEREAS, the City of Adrian Comprehensive Plan Future Land Use Map calls for the designation of such parcel as Quasi-Public/College and University; and

WHEREAS, the Community Development Department has conducted a review of the applicant's request in accordance with the review standards found in the Zoning/Development Regulations, Article XXVIII - Amendments pertaining to Official Zoning Map Amendments;

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

BE IT FURTHER RESOLVED that this request would be in compliance with the City of Adrian Comprehensive Plan Future Land Use Map; and

BE IT FURTHER RESOLVED that this rezoning would not have a potentially negative impact on the surrounding residential neighborhood; and

BE IT FURTHER RESOLVED that since the ownership and use of this property has changed, the zoning should be consistent with the ordinance; and

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

BE IT FURTHER RESOLVED that the Adrian City Planning Commission approve the application for rezoning Parcel XA0-785-5004-00; and

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

Commissioner Dye supported. The Commission then discussed the Findings of Fact in Section 28.06 (1) as follows:

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

This is consistent with the City of Adrian Comprehensive Plan. The Planning Commission has considered that Adrian College is expanding, and that the College is the current owner and uses this parcel for housing.

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

It is consistent with the City of Adrian Comprehensive Plan to expand this zoning along Michigan Avenue to the west.

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

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

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

This proposed change should not adversely affect environmental conditions.

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

This is creating a temporary spot zone; however, it is a move in the direction the Comprehensive Plan indicates, which shows this block to be zoned ERO.

There were no questions or comments from the Commission. The Findings have been found in the affirmative. Chair Jacobitz asked for a roll call vote.

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

Against Motion: None

Motion carried unanimously.

There being no further discussion the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Denise Cook, Secretary