



# COMMISSION AGENDA

**AGENDA  
ADRIAN CITY COMMISSION  
SEPTEMBER 3, 2013  
7:00PM**

- I. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE TO THE FLAG
- II. ROLL CALL
- III. APPROVAL OF THE MINUTES OF THE AUGUST 19, 2013 REGULAR MEETING OF THE ADRIAN CITY COMMISSION.
- IV. PRESENTATION OF ACCOUNTS
- V. PUBLIC COMMENT ON AGENDA ITEMS
- VI. REGULAR AGENDA
  - A. ORDINANCES.
    - 1. **Ord. 13-016.** Second reading and adoption of Vacant Building ordinance.
    - 2. **Ord. 13-017.** Second reading and adoption of an ordinance to amend the Property Maintenance Code.
    - 3. **Ord. 13-018.** Second reading and adoption of an ordinance to amend the zoning and development regulations to allow outdoor storage of consumables related to the normal operation of a residential household, specifically firewood.
    - 4. **Ord. 13-019.** Second reading and adoption of an ordinance to amend the Fire Prevention Code.
  - B. RESOLUTIONS
    - 1. **R13-186. Administration.** Resolution to authorize/deny a street/parking closure application from Mandy's Uptown Bar & Grill for October 5, 2013.
    - 2. **R13-187. Administration.** Resolution to authorize/deny a street/parking closure application from Mandy's Uptown Bar & Grill for September 20 & 21, 2013.
    - 3. **R13-188. Finance.** Resolution to authorize the sale of a 2006 Ford 550XL Chipper Truck.
    - 4. **R13-189. Finance.** Resolution to authorize the sale of a 1990 GMC High Ranger.
    - 5. **R13-190. Parks & Forestry.** Resolution to award a bid for the purchase of a Grasshopper 721DT lawnmower.

6. **R13-191. Utilities.** Resolution to waive the bid process and authorize contract engineering services for the Lake Adrian Dam Floodgate Repair Project.
7. **R13-192. Attorney.** Resolution to set a fee schedule for the vacant building registration program.

VII. PUBLIC COMMENTS

VIII. COMMISSIONER COMMENTS



# MINUTES

**MINUTES  
ADRIAN CITY COMMISSION  
AUGUST 19, 2013  
7:00 P.M.**

Prior to the start of the City Commission meeting, Commissioner Carrico motioned to go into closed session to discuss a written legal opinion; seconded by Commissioner Gallatin and approved by unanimous vote.

At 6:55pm, Commissioner Carrico motioned to come out of closed session; seconded by Commissioner Warren and approved by unanimous vote. The Commission then went into the regularly scheduled meeting.

Official proceedings of the August 19, 2013 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 and Commissioners Gallatin, Jacobson, Faulhaber, Berryman Adams, Warren and Carrico.

Mayor DuMars in the Chair.

Commissioner Warren motioned to approve the minutes from the August 5, 2013 Commission meeting; seconded by Commissioner Jacobson, and the motion was carried by a unanimous vote.

**PRESENTATION OF ACCOUNTS**

Utility Department Receiving Fund Voucher #3823 through #3826	\$5,855.59
General Fund Vouchers #21581 through #21597	\$172,484.16
Clearing Account Vouchers amounting to	<u>\$1,683,043.34</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$1,861,383.09</b></u>

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

**PUBLIC COMMENT**

1. Don Taylor - 475 Meadowbrook Dr - requested the City Commission approve the street closure request for Art-a-licious in September.
2. Mark Murray - 1004 Sawmill Ct - encouraged the Commission to approve a strong vacant building ordinance.

**REGULAR AGENDA**

**ORDINANCES**

**Ord. 13-016.** Introduction of a Vacant Building Ordinance.

**Ord. 13-017.** Introduction of an ordinance to amend the Property Maintenance Code.

**Ord. 13-018.** Introduction of an ordinance to amend the Zoning and Development Regulations to allow outdoor storage of consumables related to the normal operation of a residential household, specifically firewood.

**Ord. 13-019.** Introduction of an ordinance to amend the Fire Prevention Code.

**RESOLUTIONS**

**R13-178**

**RE: UTILITIES DEPARTMENT –Wastewater Treatment Plant – Authorization to Purchase Replacement Primary Effluent Water Pump, Motor and Base**

WHEREAS the FY2013-14 Budget includes \$20,000 (Account No. 497-554.00-977.586) to purchase a replacement Primary Effluent Water Pump (PEW), motor and base to be used at the Wastewater Treatment Plant; and

WHEREAS on Thursday August 1, 2013, the Purchasing Office received the two (2) bids for the aforementioned replacement pump (see attached bid tabulation), the lowest bidder, Professional Pump, Inc., submitted a pump package that would require modification to the existing piping. The next lowest bidder, Kerr Pump & Supply submitted a pump package that was a direct make and model replacement that would require no additional piping modifications for \$27,428.00; and

WHEREAS the Utilities Director and City Administrator recommend selection of the lowest bidder to meet specifications, Kerr Pump & Supply of Oak Park, MI, for purposes of acquiring a replacement PEW pump, motor and base for the Wastewater Treatment Plant at a cost not to exceed \$27,428.00.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the purchase of a replacement PEW pump, motor and base from the lowest bidder to meet specifications, Kerr Pump & Supply, Oak Park, MI at a cost not to exceed \$27,428.00. There is currently \$20,000.00 budgeted in 497-554.00-977.586 and the remaining balance per the following budget amendment:

SEWER CAPITAL PROJECTS FUND:

Expenditures:

497-554.00-977.586 PEW Pump Replacement	\$7,428.00
497-554.00-977.582 Dump Truck Box Replacement	( \$6,000.00)
497-554.00-977.585 IPP Samplers	( \$1,428.00)

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

**R13-179**

**RE: UTILITIES DEPARTMENT – Wastewater Treatment Plant – Authorization to Contract Preliminary Engineering for Soil Mitigation Project**

WHEREAS the wastewater treatment plant has experienced continual settling of soils in the area in and around the main switchgear, metering pad and thickener tank due to an improper abandonment of an Imhoff tank that was abandoned in 1948 and filled with soil in 1967; and

WHEREAS the settling has caused physical damage to the main switchgear pad that has resulted in additional stress on conduit and wiring within the switchgear as well as settling of soils in the surrounding meter pad, thickener tank and old lab building; and

WHEREAS the City Engineer, WWTP Superintendent and Utilities Director have met with Haengel & Associates, an engineering firm from Canton, MI that specializes in geotechnical and structural services; and

WHEREAS Haengel & Associates prepared a proposal to provide preliminary engineering including locating the boundaries of the abandoned Imhoff tank, surveying, and geotechnical exploration to develop a baseline for further remediation work in this area; and

WHEREAS Haengel and Associates proposal to provide these engineering services is \$26,500.00; and

WHEREAS the Finance Director indicates that there are sufficient funds available for this purpose in the Sewer Fund – Municipal Equity Account (590-000.00-697.000); and

WHEREAS the Utilities Director and City Administrator recommend approval of this resolution for authorization to engage Haengel & Associates of Canton, MI in the City's Standard Professional Services Contract for purposes of providing engineering services to mitigate soil settling in and around the abandoned Imhoff tank site at the wastewater plant at a cost not to exceed \$26,500.00.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes to engage Haengel & Associates of Canton, MI in the City's Standard Professional Services Contract for purposes of providing engineering services to mitigate soil settling in and around the abandoned Imhoff tank site at the wastewater plant at a cost not to exceed \$26,500.00.

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

BE IT FURTHER RESOLVED that \$26,500.00 be appropriated from the Sewer Fund – Municipal Equity Account (590-000.00-697.000) and that the FY2013-14 Budget be amended as follows:

**SEWER FUND (590)**

Revenue:

(590-000.00-697.00)

Prior Years' Revenue

\$26,500.00

Expenditures: (590-965.00-969.497.000)	Transfer out Capital Projects Sewer	26,500.00
	Total	\$ -0-
Revenue: (497-553.00-975.xxx)	Soil Mitigation	\$26,500.00
Expenditures: (497-000.00-676.590)	Transfer in	26,500.00
	Total	\$ -0-

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

### R13-180

**RE: CITY COMMISSION – Resolution to approve or deny an application for the closure of a street or public parking area.**

WHEREAS, Don Taylor on behalf of the Art-A-Licious Festival has applied for the closure of Maumee Street between Broad and Winter, and Main Street between Church and Toledo, from Thursday, September 19, 2013 at 5:00pm until Sunday, September 22, 2013 at 3:00am; and

WHEREAS, the City Commission has considered said request including all requested waivers from standard requirements.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application of Don Taylor on behalf of the Art-A-Licious Festival is hereby (**approved/denied**).

IT IS FURTHER RESOLVED that requested waivers of standard conditions are (**approved/denied**).

IT IS FURTHER RESOLVED that the fee for use of City barricades shall be \$250.

**Commissioner Faulhaber motioned and Commissioner Warren seconded the motion to approve the street closure application. After some discussion between the Commission, Commissioner Faulhaber amended his motion to include the charge of \$50 per intersection for barricades supplied by the City; this was seconded by Commissioner Berryman Adams.**

On motion by Commissioner Faulhaber, seconded by Commissioner Berryman Adams, this resolution **to approve the street closure application and charge \$50 per intersection for barricades** was adopted by a unanimous vote.

### R13-181

**RE: CITY COMMISSION – Resolution to approve or deny an application for the closure of a street or public parking area.**

WHEREAS, Sauce Italian Grill & Pub has applied for the closure of the parking lot directly behind "Sauce", from Friday, August 23, 2013 at 7:00am until Sunday, August 25, 2013 at 10:00am; and

WHEREAS, the City Commission has considered said request including all requested waivers from standard requirements.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application of Sauce Italian Grill & Pub is hereby (**approved**/denied).

IT IS FURTHER RESOLVED that requested waivers of standard conditions are (**approved**/denied).

IT IS FURTHER RESOLVED that the fee for use of City barricades shall be \$100.

On motion by Commissioner Berryman Adams, seconded by Commissioner Carrico, this resolution **to approve the application for a parking lot closure and the fee of \$100 for City barricades** was adopted by a unanimous vote.

#### **R13-182**

**RE: CITY COMMISSION – Resolution to approve or deny an application for the closure of a street for public parking area.**

WHEREAS, Tiffany Bozyk on behalf of Zonta has applied for the closure of 115 Toledo Street, the City Pavilion parking lot, on September 28, 2013 from 2:00pm to 11:30pm; and

WHEREAS, the City Commission has considered said request including all requested waivers from standard requirements.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application of Tiffany Bozyk on behalf of Zonta is hereby (**approved**/denied).

IT IS FURTHER RESOLVED that requested waivers of standard conditions are (**approved**/denied).

IT IS FURTHER RESOLVED that the fee for use of City barricades shall be \$200.

On motion by Commissioner Carrico, seconded by Commissioner Faulhaber, this resolution **to approve the application for a parking lot closure and the fee of \$200 for City barricades** was adopted by a unanimous vote.

#### **R13-183**

**RE: ADMINISTRATION – Resolution to approve a Strategic Plan for 2013-2015.**

WHEREAS, in January and February of 2013, the City Commission and department heads met with the City facilitator, Dr. Joe Ohren, to develop an updated strategic plan for the City of Adrian; and

WHEREAS, Dr. Ohren has developed a draft strategic plan for 2013-2015, which has been considered by the City Commission; and

WHEREAS, certain changes to the draft have been considered by the City Commission, which have been incorporated in the original draft submitted by Dr. Ohren.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the attached strategic plan for the Adrian City Commission is hereby approved for the years 2013-2015.

**Commissioner Faulhaber motioned and Commissioner Warren seconded the motion. Commissioner Jacobson requested that language be added to address the need for revenue whether the Headlee Override passes in November or not and that the public needs to be educated on this. The final recommendation was to make an addition to #7 of Goal #1 – "Seek public opinions on where reductions might occur in the absence of new revenue or for consideration of new revenue". Commissioner Faulhaber amended his motion to include this wording and Commissioner Warren amended his second.**

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

#### **R13-184**

**RE: DIAL-A-RIDE – Resolution to authorize the Mayor and City Clerk to execute a project authorization for the purchase of replacement buses and tires for Dial-A-Ride.**

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

WHEREAS, a project authorization has been proposed which grants 339,250 for the purchase of (3) <30 foot replacement buses - \$198,000, and (1) <30 foot replacement bus - \$132,500, and tires - \$8,750, as submitted by the Michigan Department of Transportation (MDOT); and

RESOLVED, that the City Commission of the City of Adrian does hereby approve Agreement 2012-0027, Authorization #P4 in the amount of \$339,2500 from the FY 2013 Section 5311 Capital/Small Cities (5,000 - 50,000) Program/Congestion Mitigation and Air Quality Improvement Program, and be it,

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

HEREBY, authorizes the Mayor, Greg DuMars and City Clerk, Pat Baker, to execute the project authorization #P4 for and on behalf of the City of Adrian.

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

#### **R13-185**

**RE: ADMINISTRATION – Resolution to set aside all charges and rates approved by City resolution R13-017 for storm water utility and to refund all payments made pursuant to the July 2013 billing under said resolution.**

WHEREAS, the City of Adrian has adopted a resolution to set storm water utility rates for the maintenance and operation of a storm water utility within the City limits; and

WHEREAS, the City ordinance creating said utility is modeled after an ordinance for the same purpose in the City of Jackson, Michigan; and

WHEREAS, the charges set forth in said Jackson ordinance have recently been determined by the Michigan Court of Appeals to be a tax in violation of Section 31 of the Headlee amendment to the Michigan Constitution; and

WHEREAS, the City of Adrian is in the process of collecting fees under its storm water utility ordinance; and

WHEREAS, based on said court of appeals decision it appears unlikely that the City ordinance would remain valid if challenged.

NOW, THEREFORE, IT IS HEREBY RESOLVED that, effective August 19, 2013, all charges and rates approved by City resolution R13-017 on March 18, 2013 are hereby set aside and that the Finance Director is directed to refund all payments made pursuant to the July 2013 billing under this resolution and that all collection efforts for said July 1, 2013 storm water billings forthwith cease.

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

#### **MISCELLANEOUS**

1. Fire Department Report.
2. D.A.R.T. Passenger Ridership Report.
3. Departmental Report.
4. Planning Commission Meeting minutes.
5. ZBA Meeting minutes.

#### **PUBLIC COMMENTS**

1. John Kuschell – 632 State St – thanked Carol Souchock and wished her the best of luck at her new position. Asked for an update on what is going on at the Adrian Training School site and requested an oil blog update.

2. Doug Grossman – Mandy’s – requested approval for closure of the area behind Mandy’s to set up a tent and serve food and alcohol this weekend. Was under the impression that he already had approval to do this and when he found out he did not, requested that the Commission grant him approval. After considerable discussion among the Commissioners, it was decided to grant approval, providing that Mr. Grossman completes the paperwork and pays the application fee. **Commissioner Carrico motioned and Commissioner Gallatin seconded the motion to approve the lot closure behind Mandy’s on Friday and Saturday, August 23<sup>rd</sup> and 24<sup>th</sup>. This was adopted by a unanimous vote.**
3. Mark Murray – 1004 Sawmill Ct – invited the Commission to take part in the River Raisin clean-up project that will take place on September 14<sup>th</sup> from 9:00 to 1:00pm in front of Cutler Dickerson.
4. Jack Minster – 424 Feeman Ct and Nancy O’Connor – 1384 Harrison Place – reported that Adrian College had not stopped dumping dirt which was causing the water issues that they are having with the College. Dane Nelson and Kristin Bauer updated them with what they had found out through MDOT.

#### **COMMISSIONER COMMENTS**

1. Commissioner Berryman Adams thanked Robin Connor for attending the meeting on such a short notice.
2. Commissioner Faulhaber addressed the graffiti issue that the City still faces and would still like to see something done about it.
3. Commissioner Warren thanked Carol for all of her hard work and wished her the best.
4. Mayor DuMars shared information about our Mayor Exchange with Mt. Pleasant that will be taking place on September 10<sup>th</sup> from 10:00 to 3:00pm.

The next regular meeting of the Adrian City Commission will be held on **Tuesday, September 3, 2013** at 7:00 p.m. in the City Chambers Building, 159 E. Maumee St, Adrian, MI 49221.

Greg DuMars  
Mayor

Robin Connor  
Deputy City Clerk



# CHECK REGISTER

September 3, 2013

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



Dane C. Nelson  
City Administrator

DCN:mld

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 #3827 through #3831 ..... \$131,881.88

General Fund

Vouchers #21598 through #21655 ..... \$316,646.46

Clearing Account Vouchers

amounting to..... \$231,488.39

TOTAL EXPENDITURES ..... \$680,016.73

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

September 3, 2013

**UTILITIES FUND  
CHECK REGISTER**

CHECK#	AMOUNT	PAYEE	DESCRIPTION
3827	\$ 62,293.67	City of Adrian Payroll	Payroll w/e 8/16/13
3828	\$ 1,441,129.70	City of Adrian Clearing Acct	8/19/13 AP Check Register
3829	\$ 69,302.16	Consumers Energy	August 2013 Electric
3830	\$ 216.99	Citizens Gas	July 2013 Heating
3831	\$ 69.06	Frontier	August 2013 Telephone
	\$ 1,573,011.58		
	\$ (1,441,129.70)	Less: Check 3828	
	\$ 131,881.88	TOTAL	

September 3, 2013

September 3, 2013

GENERAL FUND  
CHECK REGISTER

CHECK#	AMOUNT	PAYEE	DESCRIPTION
21598	\$ 204,734.76	City of Adrian Payroll	Payroll w/e 8/16/13
21599	\$ 15,529.84	First Federal Bank	Soc Sec w/e 8/16/13
21600	\$ 188,029.31	City of Adrian Clearing Acct	8/19/13 AP Check Register
21601	\$ 23,278.79	Consumers Energy	August 2013 Electric
21602	\$ 963.86	Lenawee Fuels	Fuel for Oakwood Cemetery
21603	\$ 55,237.99	Blue Cross Blue Shield	September 2013 Health Care
21604	\$ 7,642.15	Noia's Transportation	8/23/13 Payroll
21605	\$ 2,082.00	City of Adrian OMNI	Aug 2013 EFT State of Michigan
21606	\$ 677.97	City of Adrian Utilities	Aug 2013 EFT State of Michigan
21607	\$ 50.00	Robert Boss	Overpayment on Permit
21608	\$ 12.00	Clegg Electric	Overpayment on Permit
21609	\$ 33.00	Colleen Austin	Park and Rec refund
21610	\$ 12.00	Cindi Behe	Park and Rec refund
21611	\$ 10.00	Jessica Caldwell	Park and Rec refund
21612	\$ 33.00	Linda Compau	Park and Rec refund
21613	\$ 33.00	Mickey Contos	Park and Rec refund
21614	\$ 20.00	Rack Coronado	Park and Rec refund
21615	\$ 10.00	Roger Curtis	Park and Rec refund
21616	\$ 36.00	Julie Desjardins	Park and Rec refund
21617	\$ 20.00	Heather Dilworth	Park and Rec refund
21618	\$ 10.00	Diane Echelbarger	Park and Rec refund
21619	\$ 31.00	Wayland Echelbarger	Park and Rec refund
21620	\$ 35.00	Wanda Foley	Park and Rec refund
21621	\$ 50.00	Amanda Frederick	Park and Rec refund
21622	\$ 16.00	Ann Goodman	Park and Rec refund
21623	\$ 18.00	Davin Heckman	Park and Rec refund
21624	\$ 10.00	Kerry Hendricka	Park and Rec refund
21625	\$ 10.00	Kristine Hillard-Cox	Park and Rec refund
21626	\$ 55.00	Allen Howard	Park and Rec refund
21627	\$ 30.00	Michelle Hutchinson	Park and Rec refund
21628	\$ 18.00	Christy Johnson	Park and Rec refund
21629	\$ 33.00	Heidi King	Park and Rec refund
21630	\$ 20.00	Brent Kubalak	Park and Rec refund
21631	\$ 22.00	Crystal Langham	Park and Rec refund
21632	\$ 20.00	Jose Medina	Park and Rec refund
21633	\$ 10.00	Dawn Nicholas	Park and Rec refund
21634	\$ 10.00	Lisa Vandorhoer	Park and Rec refund
21635	\$ 19.00	Sarah Venser	Park and Rec refund
21636	\$ 97.00	Angie Whitehead	Park and Rec refund
21637	\$ 41.00	Jim Wimple	Park and Rec refund
21638	\$ 17.00	Karen Wood	Park and Rec refund
21639	\$ 26.00	Chelsie Zander	Park and Rec refund
21640	\$ 15.00	Shannon Rodriguez	Park and Rec refund
21641	\$ 13.00	Rebecca Rutherford	Park and Rec refund
21642	\$ 15.00	Amanda Snyger	Park and Rec refund
21643	\$ 36.00	Lisa Schot	Park and Rec refund
21644	\$ 20.00	Melissa Shankwiler	Park and Rec refund
21645	\$ 20.00	Asa Sharpe Jr.	Park and Rec refund
21646	\$ 25.00	Margaret Soto	Park and Rec refund
21647	\$ 10.00	Geoff Stieler	Park and Rec refund
21648	\$ 21.00	Christina Akeroyd	Park and Rec refund
21649	\$ 10.00	Marlynn Alston	Park and Rec refund
21650	\$ 10.00	Tina Trumbull	Park and Rec refund
21651	\$ 10.00	Richard Paton	Park and Rec refund
21652	\$ 4,191.01	Citizens Gas	July 2013 Heating
21653	\$ 382.63	City of Adrian Utilities	Aug 2013 EFT State of Michigan
21654	\$ 859.46	Frontier Communications	August 2013 Telephone
21655	\$ 20.00	Lenawee Co ZA District Court	Motion Fee

\$ 504,675.77

\$ (188,029.31) Less - Check 21600

\$ 316,646.46

September 3, 2013

User: SHOLTZ

CHECK DATE FROM 09/03/2013 - 09/03/2013

DB: Adrian

Check Date	Check	Vendor	Vendor Name	Amount
Bank CLEAR CLEARING CHECKING ACCOUNT				
09/03/2013	33919	MISC	1003 MAPLE STREET LLC	19.20
09/03/2013	33920	MISC	1022 E MICHIGAN LLC	420.27
09/03/2013	33921	MISC	1022 E MICHIGAN, LLC	69.00
09/03/2013	33922	MISC	1207 E CHURCH STREET LLC	19.20
09/03/2013	33923	MISC	404 LOGAN STREET LLC	12.00
09/03/2013	33924	MISC	404 LOGAN STREET LLC	232.51
09/03/2013	33925	MISC	404 LOGAN STREET LLC	70.88
09/03/2013	33926	MISC	404 LOGAN STREET LLC	2,020.63
09/03/2013	33927	MISC	404 LOGAN STREET LLC	19.20
09/03/2013	33928	MISC	404 LOGAN STREET LLC	19.20
09/03/2013	33929	MISC	7-ELEVEN INC	76.94
09/03/2013	33930	MISC	912 MULBERRY STREET, LLC	19.20
09/03/2013	33931	MISC	922 SOUTH MAIN STREET LLC	233.34
09/03/2013	33932	MISC	ABC CARVER LLC	193.71
09/03/2013	33933	MISC	ABC CARVER LLC	65.24
09/03/2013	33934	MISC	ABRAHAM, JOHN AMENDED TRUST	19.20
09/03/2013	33935	MISC	ABRAHAM, JOHN LIVING TRUST	19.20
09/03/2013	33936	MISC	ABRAHAM, JOHN LIVING TRUST	19.20
09/03/2013	33937	MISC	ACKERMAN, KIMBERLY M	19.20
09/03/2013	33938	05030	ACROSS THE STREET PRODUCTIONS	2,015.00
09/03/2013	33939	05034	ERIC ADAMS	208.17
09/03/2013	33940	05036	ADKINS SANITATION LTD	9,900.00
09/03/2013	33941	08999	ADRIAN AUTOMATIC DOORS	3,035.00
09/03/2013	33942	05455	CITY OF ADRIAN	16,998.37
09/03/2013	33943	05049	ADRIAN COMMUNICATIONS	298.00
09/03/2013	33944	MISC	ADRIAN FIRST CHURCH OF THE	19.20
09/03/2013	33945	05666	ADRIAN LOCKSMITH & CYCLERY	1.98
09/03/2013	33946	MISC	ADRIAN MALL LENDERS LLC	6,948.41
09/03/2013	33947	MISC	ADRIAN MALL LENDERS LLC	153.56
09/03/2013	33948	05065	ADRIAN MECHANICAL SERVICES CO	139.50
09/03/2013	33949	09002	ADRIAN NAPA	174.10
09/03/2013	33950	MISC	ADRIAN PLACE APARTMENTS LLC	586.28
09/03/2013	33951	MISC	ADRIAN WATER REALTY, LLC	104.54
09/03/2013	33952	05083	ADVANCE AUTO PARTS COMMERCIAL CHR	199.99
09/03/2013	33953	06123	AIRGAS USA, LLC	169.65
09/03/2013	33954	MISC	ALDRICH, DAVID R	19.20
09/03/2013	33955	07380	ALERE TOXICOLOGY SERVICES INC	25.00
09/03/2013	33956	06682	ALL AREA MECHANICAL, LLC	200.00
09/03/2013	33957	MISC	ALLEN, MICHAEL W & WHELAN, JANICE	19.20
09/03/2013	33958	07605	ALLIED WASTE SERVICES #259	63.00
09/03/2013	33959	07605	ALLIED WASTE SERVICES #259	1,323.92
09/03/2013	33960	MISC	ALVARADO, PEDRO & JOSEPHINE	19.20
09/03/2013	33961	05122	AMAZON CREDIT PLAN	16.40
09/03/2013	33962	MISC	AMERICAN LEGION POST 97	78.62
09/03/2013	33963	MISC	ANDERSON, BOBBIE LOU	19.20
09/03/2013	33964	MISC	ANDERSON, GEORGE B	19.20
09/03/2013	33965	07178	APPLE MAT RENTAL	142.25
09/03/2013	33966	MISC	APPLIN, RICHARD	63.56
09/03/2013	33967	MISC	ARANDA, ANNITA W	19.20
09/03/2013	33968	MISC	ARANDA, PETRA S	15.20
09/03/2013	33969	08644	ARCH WIRELESS	34.64
09/03/2013	33970	05578	ARCHBOLD EQUIPMENT CO	55.66
09/03/2013	33971	MISC	ARELLANO, MARIA & JUANITA JANIE	19.20
09/03/2013	33972	MISC	ARQUETTE, SHERI L	19.20
09/03/2013	33973	MISC	ARRIVEE, CHARLES I & DOROTHY J	19.20
09/03/2013	33974	MISC	ASHENFELTER, MARY E	19.20
09/03/2013	33975	MISC	AVERY PROPERTIES LLC	264.83
09/03/2013	33976	MISC	AWAC, KAMAL	19.20
09/03/2013	33977	MISC	AYLING, RODNEY R	15.20
09/03/2013	33978	MISC	BAILEY, B; J;HAMANN,C; BAILEY, B	19.20
09/03/2013	33979	MISC	BAILEY, BEVERLY	19.20
09/03/2013	33980	MISC	BAILEY, JR, TOMMY D & MELINDA J	19.20
09/03/2013	33981	MISC	BAILLIFF, DAVID K	19.20
09/03/2013	33982	MISC	BAILY, MARIA C	19.20
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09/03/2013	35130	MISC	WHITE, SHARREN	19.20

User: SHOLTZ

CHECK DATE FROM 09/03/2013 - 09/03/2013

DB: Adrian

Check Date	Check	Vendor	Vendor Name	Amount
09/03/2013	35131	MISC	WILD, LEO D & BARBARA E	19.20
09/03/2013	35132	MISC	WILKINS, RICHARD & CHARLENE, TRUST	19.20
09/03/2013	35133	MISC	WILLIAMS, EDWIN & KELLY	19.20
09/03/2013	35134	MISC	WILLIAMS, EDWIN & KELLY	19.20
09/03/2013	35135	MISC	WILLIAMS, EDWIN & KELLY	19.20
09/03/2013	35136	MISC	WILLIAMS, EDWIN & KELLY	19.20
09/03/2013	35137	MISC	WILLIAMS, EDWIN S	19.20
09/03/2013	35138	MISC	WILLIAMS, EDWIN S	19.20
09/03/2013	35139	MISC	WILLNOW, WILLIAM A	19.20
09/03/2013	35140	MISC	WILSON, CHARLES G & LOIS	19.20
09/03/2013	35141	MISC	WILSON, DEBRA & SEAY, JEANETTE	19.20
09/03/2013	35142	MISC	WILSON, GAROLD H & SHIRLEY J	19.20
09/03/2013	35143	MISC	WILSON, JAMES C	19.20
09/03/2013	35144	MISC	WILT, STEVEN L & LORNA	19.20
09/03/2013	35145	MISC	WINTER, JANET REVOCABLE TRUST, UTD	19.20
09/03/2013	35146	MISC	WINTERS, MARK	19.20
09/03/2013	35147	MISC	WISNIEWSKI, PAUL M & ANNE C	19.20
09/03/2013	35148	MISC	WOLLAM, BOYD R & INES I	19.20
09/03/2013	35149	MISC	WOLVERINE PROPERTIES LTD	274.32
09/03/2013	35150	MISC	WONDERS, DIANE	19.20
09/03/2013	35151	MISC	WOOD, ROBERT E & THERESA A	19.20
09/03/2013	35152	07476	WOODLANDS LIBRARY COOPERATIVE	2,639.98
09/03/2013	35153	MISC	WORKMAN, PATRICIA & HERMOSILLO, MAR	4.50
09/03/2013	35154	MISC	WORTLEY, PAMELA BYERS	19.20
09/03/2013	35155	MISC	WRIGHT, CLYDE A	19.20
09/03/2013	35156	MISC	WRIGHT, DENNIS R	19.20
09/03/2013	35157	MISC	WYNN, ANN F TRUST	19.20
09/03/2013	35158	MISC	YARHOUSE TRUSTEE, ROGER A	19.20
09/03/2013	35159	MISC	YBARRA, CISCO DANIEL	19.20
09/03/2013	35160	MISC	YEILDING, MARY A	19.20
09/03/2013	35161	MISC	YEPEZ, ENGRACIA LOPEZ & J CARMEN	19.20
09/03/2013	35162	MISC	YIELDING, MAGGIE I	19.20
09/03/2013	35163	MISC	YOAKUM, SARAH F REVOCABLE TRUST	19.20
09/03/2013	35164	MISC	YOUSUF, MOHMMED KHALID & JANISE ANN	19.20
09/03/2013	35165	MISC	ZAVALA, ALBERT	19.20
09/03/2013	35166	MISC	ZAVALA, ERNESTINE P	19.20
09/03/2013	35167	MISC	ZIVIC, AGNES	19.20
09/03/2013	35168	MISC	ZUBKE, DOUGLAS G	19.20
09/03/2013	35169	MISC	ZUBKE, LISA I	19.20
09/03/2013	35170	MISC	ZDZEK, LUDWIG J & SABINE M	19.20

## CLEAR TOTALS:

Total of 1252 Checks:

231,510.77

Less 0 Void Checks:

0.00

Total of 1252 Disbursements:

231,510.77



# REGULAR AGENDA

0-1

34-37

## ORDINANCE 13-016

### AN ORDINANCE TO CREATE ARTICLE 5, OF CHAPTER 10, OF THE ADRIAN CODE, ENTITLED "VACANT BUILDINGS"

Section 10-400 of Chapter 10 of the Adrian Code is hereby created to read as follows:

#### **Section 10-400 Purpose**

The purpose of this ordinance is to help protect the health, safety and welfare of the citizens by preventing blight, protecting property values and neighborhood integrity, avoiding the creation and maintenance of nuisances and insuring the safe and sanitary maintenance of dwellings, commercial and industrial buildings. Due to economic conditions, mortgage foreclosures and increased bankruptcies many homes and buildings have become vacant and unsupervised. This has caused properties to become attractive nuisances for minors and has increased criminal activity. Vacant properties have a negative impact on surrounding properties and neighborhoods. Potential buyers are deterred by the presence of nearby vacant abandoned buildings. There is an increased instance of unsecured or open doors and windows, broken water pipes, flooded basements, theft of metals and other materials, overgrowth of grass, weeds, shrubs and bushes, illegal dumping and rat and vermin activity at vacant structures. Such neglect devalues properties and causes deterioration in neighborhoods and industrial and commercial areas. The City also needs the ability to contact owners for utility shutoff, fire safety, and for police related reasons.

#### **Section 10-401 Definitions**

For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as follows:

- a. **Vacant**: a building, structure or land shall be deemed to be vacant if no person or persons actually currently conducts a lawful licensed business or lawfully resides or lives in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupant(s), or tenant(s) on a permanent, not transient basis.
- b. **Open**: a building or structure subject to the provisions of this section shall be deemed to be open if any one or more exterior doors other than a storm door is broken, open, and/or closed without a properly functioning lock to secure it, or if one or more windows is broken, or not capable of being locked and secured from intrusion or any combination of the same.
- c. **Owner**: is defined as any person, partnership, corporation, limited liability company or other legal entity with legal or equitable ownership interest in the structure.

#### **Section 10-402 Evidence of Vacant Property**

Evidence of vacancy shall include any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to:

- a. overgrown and/or dead vegetation,
- b. accumulation of newspapers, circulars, fliers, and/or mail;
- c. past due utility notices, and/or disconnected utilities;
- d. accumulation of trash, junk, and/or debris;
- e. boarded up or broken windows;
- f. abandoned vehicles, auto parts or materials;
- g. the absence of, or continually drawn window coverings, such as curtains, blinds, and/or shutters;
- h. the absence of furnishings, and/or personal items consistent with habitation or occupancy;
- i. statements by neighbors, passersby, delivery agents or utility agents, including the department of public works and/or police/fire department employees that the property is vacant.
- j. is under condemnation notice or legal order to vacate;
- k. has taxes in arrears to the City for a period of time exceeding 365 days; or
- l. is under notice for being in violation of City ordinances.
- m. graffiti
- n. any other violation of the 2012 International Property Maintenance Code.

**Section 10-403 Registry of Vacant Properties**

There is hereby created in the City of Adrian Inspection Department a registry of vacant properties. The City shall record a notice of registration for each registered property in the Lenawee County Register of Deeds.

**Section 10-404 Vacant Properties to be Registered**

Owners of real property are required to register all vacant properties within 60 days of the vacancy. Structures that are vacant at the time of the enactment of this ordinance must register within 30 days. Failure to register a vacant property is a civil infraction. The following properties are exempt from this ordinance:

- a. County owned property reverted by tax foreclosure and land bank owned property
- b. Properties currently registered as rental properties so long as the registrations are current and all required inspections have been completed.
- c. Properties wherein the owner spends a portion of the year residing at another address

**Section 10-405 Owners Registration Form; Content, Consent for inspection**

Owners who are required to register their properties pursuant to this ordinance shall submit a completed vacant property registration form, as provided by the City Inspection Department, containing the following information:

- a. Name of the owner of the property.
- b. A mailing address where mail may be sent that will be acknowledged as received by the owner. If certified mail/return receipt requested is sent to the address and the mail is returned marked refused or unclaimed, or if ordinary mail sent to the address is returned

for whatever reason, then such occurrence shall be prima facia evidence that the owner has failed to comply with this requirement.

- c. The name, address and phone number of an individual responsible for the care and control of the property. The named individual must live within 30 miles of the City of Adrian.
- d. Signed consent provision allowing the City to enter and inspect the property upon notice to the owner and without notice to the owner in the case of an emergency.
- e. The status of all utility services (water, sewer, gas and electric).

#### **Section 10-406 Registration Fee**

The registration fee shall be set by resolution of the City Commission to offset the cost of administering this ordinance. In addition, in the case where the owner has failed to register, there shall be assessed an added cost of the City's expense in having to determine ownership, which may include but is not limited to title search.

#### **Section 10-407 Initial Inspection**

Upon registration, each vacant property shall be inspected by the City. Failure to allow an inspection is a civil infraction. Upon completion of the inspection, if the City determines that the cost of repair exceeds the value of the property, the City may proceed with other enforcement action including but not limited to condemnation and demolition.

#### **Section 10-408 Requirement to Keep Information Current**

If at any time the information contained in the registration form is no longer valid, the property owner shall within 10 days file a new registration form containing current information. There shall be no fee to update the current owner's information. The owner shall also provide notification to the City upon sale of the property.

#### **Section 10-409 Required Maintenance for Vacant Structures**

An owner of vacant property is required to maintain the vacant property as follows:

- a. The property shall be kept free of:
  - 1.) weeds or grass more than 8 inches high,
  - 2.) vegetation growth between the sidewalk and/or driveway
  - 3.) dry brush
  - 4.) dead vegetation
  - 5.) trash, junk and debris
  - 6.) building materials
  - 7.) rodent harborage
  - 8.) discarded items, including but not limited to, furniture, clothing, large and small appliances, printed material, signage, containers,
  - 9.) any illegal storage of vehicles.

- b. The Property shall be maintained free of graffiti, tagging or similar markings.
- c. The Property shall be landscaped and properly maintained. Landscaping includes but is not limited to grass, ground covers, bushes, shrubs, hedges, or similar plantings, decorative rock or bark designed and maintained in an appropriate manner. Landscaping does not include weeds, gravel, broken concrete, asphalt, decomposed materials, plastic sheeting, indoor-outdoor carpet, or any similar material. Maintenance includes, but is not limited to, regular watering, irrigation, cutting, pruning and mowing of landscaping and removal of trimmings.
- d. Pools, spas and other water features shall be kept in working order or winterized to ensure that the water remains clear and free of pollutants and debris, or drained and kept dry and free of debris, and must comply with the minimum security fencing, barrier and maintenance requirements of the Michigan Building, and Construction Codes and the International Property Maintenance Code.
- e. Properties subject to this ordinance shall be maintained in a secure manner so as not to be accessible to unauthorized persons. Secure manner includes, but is not limited to, the closure and locking of windows, doors (walk-through, sliding and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and/or structure(s). Broken windows must be repaired or replaced within fourteen (14) days. Boarding up of open or broken windows is prohibited except as approved by the inspection department.
- f. Timely removal of bulk mail and posted circulars
- g. If the vacant property is not heated, it must be winterized.
- h. If electrical service is not terminated, the vacant property must be inspected for compliance with the 2012 International Property Maintenance Code.
- i. Failure to comply with any other provision of the 2012 International Property Maintenance Code.

#### **Section 10-410 Securing Structures**

A City order to secure a vacant property shall be complied with by the owner within seventy-two hours. If the securing has not been completed or does not comply with the requirements for securing the structure under this ordinance, the City shall secure the structure and bill the owner for all costs incurred, including service fees and administrative costs. If payment in full is not received within 30 days from the due date, a late fee in the amount of \$50.00 shall be charged. If full payment is not received, the amount owed to the City shall be collected as a special assessment against the property as provided in section 70-12 of the Adrian City Code.

#### **Section 10-411 Fire or Storm Damaged Property**

If a building regulated hereunder is damaged by fire or storm, the owner has ninety (90) days from the date of the fire to apply for a permit to start construction or demolition. Failure to do so will result in the property being deemed vacant and will be subject to the requirements of this ordinance.

**Section 10-412 Reuse and Occupancy**

No vacant structure shall be reoccupied until inspected and found to be in compliance with the 2012 International Property Maintenance Code and a Certificate of Occupancy is issued by the City. The fee for the inspection shall be set by resolution of the City Commission.

**Section 10-413 Responsibility for Violations**

All nuisance, housing, building and related code violations will be cited and noticed to the owner of record and shall become the owner's responsibility to bring in compliance. If the owner sells or otherwise disposes of the property to another party, the new owner shall not be entitled to any extension of time to correct or address such violations as existed at the time of sale, transfer or conveyance of the property.

**Section 10-414 Monitoring of Property; Fee**

Upon violation of this ordinance by the owner, the building department is hereby authorized to monitor the condition of any property required to be registered under this ordinance. The right to monitor the property includes the right to enter for purposes of inspection. The City shall notify the owner of the intent to inspect the property prior to entry except in the event of an emergency. A monthly monitoring fee as set by resolution of the City Commission may be assessed against the property/owner to offset the costs incurred by the City in responding to telephone calls, complaints, inquiries, site visits, owner contacts, and the monitoring of the site. The monitoring requirement ceases once the property is brought into compliance.

**Section 10-415 Unpaid Fees; Assessment**

All fees and costs hereunder that remain unpaid after fourteen (14) days written notice to the owner/management company shall be assessed against the property as a lien and included on the tax roll pursuant to section 70-12 of the Adrian City Code.

**Section 10-416 Penalties :**

- a. A violation of any provision of this ordinance is a civil infraction and is punishable by a fine of \$150 for a first offense and \$250 for any subsequent offense.
- b. In addition to any other penalty provided for in this section, this section may be enforced by suit for injunction, action for damages, or any equitable relief appropriate to the enforcement of this section.

INTRODUCTION..... August 19, 2013  
SUMMARY PUBLISHED..... August 26, 2013  
ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

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

0-2

40-43

**ORDINANCE 13-017**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ADRIAN, CHAPTER 10, ARTICLE III, PROPERTY MAINTENANCE CODE.**

Chapter 10, Article III, of the Adrian Code is hereby amended to read as follows:

Sec. 10-61. Adopted.

A certain document, three copies of which are on file in the inspection department of the city, being marked and designated as the International Property Maintenance Code, ~~First Edition, 1998,~~ **2012 Edition**, as published by the International Code Council, is hereby adopted as the Property Maintenance Code of the City of Adrian in the State of Michigan, for the control of buildings and structures as provided in this article; and each and all of the regulations, provisions, penalties, conditions and terms of such property maintenance code are hereby referred to, adopted and made a part of this article, as if fully set out in this section, with additions, insertions, deletions and changes, if any, prescribed in this article.

Sec. 10-62. Availability of copies.

Complete printed copies of the International Property Maintenance Code, ~~First Edition, 1998,~~ **2012 Edition**, adopted in section 10-61, are available for public use and inspection at the office of the city inspection department.

Sec. 10-63. Changes.

The following sections of the International Property Maintenance Code, ~~First Edition, 1998,~~ **2012 Edition**, are hereby amended or deleted as set forth, and additional sections and subsections are added as indicated.

*101.1 Title.* These regulations shall be known as the Property Maintenance Code of the City of Adrian, hereinafter referred to as "this code."

~~103.6~~ *103.5 Inspection fees.*

- a. The city commission shall, by resolution, adopt a schedule of fees for activities and services performed by the department in carrying out its responsibilities under this Code. The schedule shall include fees for the Rental Housing Inspection Program of the City of Adrian. This schedule shall be available to the public from the city clerk. Any unpaid fees shall become a lien on the real property and collected as a single lot assessment pursuant to the Adrian City Code.
- b. The schedule of fees adopted by the city commission shall also include a complaint inspection fee for inspections performed pursuant to a property maintenance code violation complaint. Said inspection fee will be charged at an hourly rate to the owner of record according to the files at the city assessor's

office. In the event such fee is not paid when due, the fee shall become a lien on the real property and collected as a single lot assessment pursuant to this Code.

- c. Notwithstanding the provisions in paragraph b., in the event a permit is required to complete the corrective action, then there shall be no inspection fee assessed.
- d. There shall be no inspection fee following a complaint if no corrective action is ordered by the city.

*111.3 Notice of meeting.* The board shall meet upon notice from the chairman within 30 days of the filing of an appeal, or at stated periodic meetings.

*202.0 General definitions.* The following definitions are added or amended as set forth in this section:

*Attractive nuisance.* Any ~~attractive nuisance~~ **condition or instrumentality** which may prove detrimental to children or others, whether on the premises, in a building on the premises or upon an unoccupied lot, including, but not limited to, abandoned wells, cisterns, shafts, basements, excavations, mounds of gravel or earth, abandoned refrigerators, freezers or other appliances, abandoned and/or inoperative motor vehicles, or parts thereof, structurally unsound structures or fences, trash, debris or vegetation, which may prove a hazard to inquisitive minors.

*Certificate of compliance.* A document issued by the City of Adrian, indicating that the unit identified thereon is in compliance with all applicable provisions of this code, particularly the property maintenance code and the fire prevention code.

*Code official.* The official who is charged with the administration and enforcement of this code, or any duly authorized representative. ~~This definition shall include the housing inspector for the City of Adrian.~~

*Rental dwelling unit.* Shall mean the same as a dwelling unit, as defined in this section.

*302.4 weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of ~~12~~ **8** inches. It shall be the duty of the property owner to cut and remove, or destroy by lawful means, all such weeds and grass as often as may be necessary to comply with the provisions of section 98-71 of the city Code. Any such weeds or grass which attain a height of ~~12~~ **8** inches are hereby declared to be a public nuisance.

*302.8 Motor vehicles.* Except as otherwise provided by ordinance, no unregistered motor vehicle shall be parked, kept or stored on any premises ~~in open view~~ **except in an enclosed structure**; and no vehicle shall, at any time, be in a state of disassembly, disrepair or in the process of being stripped or dismantled. All motor vehicles must park on the provided and improved designated parking space or on the street as allowed by law. As permitted by Adrian City Zoning Ordinance (chapter 106 of the city Code), a

vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a completely enclosed structure and approved for such purposes.

*302.10 Outdoor furniture.* Outdoor furniture will be constructed of materials which are made to withstand outdoor weather conditions, and to prevent dampness or deterioration of such furniture. All exposed surfaces shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment. Indoor furniture ~~will~~ **shall** not be **used, located, placed or stored** outdoors or on an open porch.

*302.11 Attractive nuisances.* All premises shall be kept free of attractive nuisances.

*302.12 Outdoor storage.* All exterior property including but not limited to stairways, decks, porches and balconies shall be maintained in a clean condition. Indoor items, such as milk crates, boxes, plastic containers, bed frames, mattresses, or any other indoor item, along with auto parts, bicycle parts, machinery or machinery parts, wood, paper, or like items are prohibited from being kept or stored on all exterior property.

~~303.3~~ *304.3 Street numbers.* All premises shall bear a distinctive street number on the front or near the front entrance of such premises in accordance with, and as designated upon, the street plan map on file in the office of the department of engineering and public works. The owners and occupants of all buildings in the city shall cause the correct numbers to be placed thereon in accordance with such street plan map. No person shall display other than the officially designated numbers on any house or building.

*304.13 Windows, skylights and doorframes.* **Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.**

*304.13.1 Glass.* **All buildings are required to have glass panes in all windows.**

*304.13.2. Glazing.* **All glazing materials shall be maintained free from cracks and holes.**

*304.13.3 Openable windows.* **Every window other than a fixed window shall be easily openable and capable of being held in position by window hardware.**

~~303.15~~ *304.14 Insect screens.* During the period of April 1 to December 1, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved, tightly fitting screens of not less than 16-mesh per inch, and every swing door shall have a snug closing device in good working condition.

*602.3 Heat supply.* Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, ~~to furnish heat to the occupants thereof,~~ shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

604.4 *Occupiable work spaces.* Indoor occupiable work spaces shall be supplied with heat during the period from September 15 to May 15 to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

*Exceptions:*

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

604.4 *Edison fuse panels.* All Edison based fuse panels shall be equipped with properly sized type S fuses and fuse base adapters.

~~702.12.2~~ 702.5 *Minimum escape window dimensions.* For all existing sleeping rooms, an emergency escape window is required as follows: The minimum clear opening width of 20 inches, and a clear opening height of 20 inches. The clear opening width may be reduced to a minimum of 14 inches, provided that the net clear opening area is a minimum of 500 square inches or the clear height may be reduced to a minimum of 16 inches, provided, the clear opening is a minimum of 500 square inches.

INTRODUCTION..... August 19, 2013

SUMMARY PUBLISHED..... August 26, 2013

ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

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

47  
44-47

**ORDINANCE NO. 13-018**

**AN ORDINANCE TO AMEND ARTICLE II – DEFINITIONS AND ARTICLE IV – GENERAL PROVISIONS OF THE ZONING/DEVELOPMENT REGULATIONS**

The City of Adrian Ordains:

1. That a new Paragraph E be added to Section 2.12 of Article ii to read as follows: *(New language is shown in bold and deleted language is shown in strikethrough)*

2.12 Accessory Use, or Accessory

A use which is clearly incidental to, customarily found in connection with, and (except in the case of accessory off-street parking spaces or loading) located on the same zoning lot as, the principal use to which it is related. When "accessory" is used in this text, it shall have the same meaning as accessory use.

An accessory use to a residential principal use includes, but is not limited to the following:

- A. Residential accommodations for guests, servants and/or caretakers.
- B. Swimming pools for the use of the occupants of a residence, or their guests.
- C. Domestic or agricultural storage in a barn, garage, shed, tool room, or similar accessory building or other structure.
- D. Home occupations as defined and permitted herein.
- E. **Outdoor storage of consumables related to the normal operation of a residential household, including, but not limited to, firewood.**

An accessory use to a nonresidential principal use includes, but is not limited to the following:

- A. Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations.
- B. Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations.
- C. Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located.
- D. Uses clearly incidental to a main use such as, but not limited to: offices of an industrial or commercial complex located on the site of the commercial or industrial complex.
- E. Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located.

2. That Paragraph J be amended and that the former Paragraphs J through O be renamed as Paragraphs K through P of Section 2.12 of Article II to read as follows: *(New language is shown in bold and deleted language is shown in strikethrough)*

4.34 Accessory Buildings

Accessory buildings except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to all regulations of this Ordinance applicable to main building.
- B. Accessory building shall not be erected in any required yard, except a rear yard.
- C. No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than three (3) feet to any side or rear lot line in the R-3 and R-4 Districts and five (5) feet to any side or rear lot line in the R-1 and R-2 Districts.
- D. No detached accessory building in R-1 through R-4, RT, RM-1, OS-1, B-1, B-2, B-3, B-4 and P-1 Districts shall exceed one (1) story of fourteen (14) feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts, subject to Zoning Board of Appeals review and approval if the building exceeds one (1) story or fourteen (14) feet in height.
- E. When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front line of the lot to its rear, said building shall not project beyond the front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than ten (10) feet to a street right-of-way line.
- F. When an accessory building in any Residence, Business or Office District is intended for other than the storage of private motor vehicles, the accessory use shall be subject to the approval of the Zoning Board of Appeals. Accessory buildings with a floor area of one hundred (100) square feet or less shall not be subject to Zoning Board of Appeals review.
- G. The parking of a travel trailer, motor home or camper trailer when in use or occupied for periods exceeding twenty-four (24) hours on lands not approved for such use shall be expressly prohibited, except that the Chief of Police may extend temporary permits allowing the parking of said travel trailer, camper trailer or motor home in a rear yard on private property, not to exceed a period to two (2) weeks. All travel trailers, camper trailers, or motor homes parked or stored shall not be connected to sanitary facilities.
- H. The open storage of any recreational vehicle such as but not limited to: truck camper bodies, snowmobiles, boats, motor homes, camper trailers, travel trailers, all terrain vehicles, etc., shall be permitted only within the confines of the rear yard and shall further respect the requirements of this Section

applicable to accessory buildings, insofar as distances from principal structures, lot lines and easements are concerned.

- I. The open storage of utility trailers, boat trailers and other similar conveyance shall be permitted only within the confines of the rear yard and shall further respect the requirements of this Section applicable to accessory buildings, insofar as distances from principal structures, lot lines and easements are concerned.
- J. **The outdoor storage of consumables, specifically firewood, shall be permitted only within the confines of the rear yard and shall further respect the requirements of this section applicable to accessory buildings as it relates to distances from principal structures, lot lines and easements. Firewood in a quantity greater than a face cord (4' x 8' x 16") stored outside shall be neatly stacked, and screened via a fence, an enclosure or landscaping so as to prevent it from being visible from adjacent residential properties.**
- K. Private pools shall be permitted as an accessory use with the rear yard only, provided they meet the following requirements.
  - 1. There shall be a minimum distance of not less than ten (10) feet, between the adjoining property line, or alley right-of-way and the outside of the pool wall. The side yard setback shall apply to side yards greater than ten (10) feet.
  - 2. There shall be a distance of not less than four (4) feet between the outside pool wall and any building located on the same lot.
  - 3. No swimming pool shall be located in any easement.
- L. Accessory structures must be aesthetically compatible in design and appearance and at a minimum constructed of material similar in appearance and quality as the primary structure.
- M. No detached accessory building roofline shall extend over an adjacent property, nor shall the drainage from any accessory building roof be drained onto an adjacent property.
- N. No detached accessory buildings included those of 100 square feet or less, shall be permitted within any required setback area.
- O. Number of accessory structures permitted: Each primary structure shall be permitted one detached accessory building, (exclusive of private swimming pools) and one tool/garden shed no greater than 100 square feet.
- P. Size and height and use restrictions:
  - 1. Accessory buildings shall not exceed the height of the principal building or 14 feet whichever is less.
  - 2. A detached accessory structure shall not exceed 600 square feet or the ground floor area of the principal building, whichever is greater.

3. Accessory buildings shall not include residential or living quarters.

INTRODUCTION ..... August 19, 2013

SUMMARY PUBLISHED..... August 26, 2013

ADOPTION.....

COMPLETED PUBLICATION.....

EFFECTIVE DATE.....

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

48-49

**ORDINANCE 13-019**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ADRIAN, CHAPTER 26, ARTICLE II, FIRE PREVENTION CODE.**

Chapter 26, Article II, of the Adrian Code is hereby amended to read as follows:

Sec. 26-71. Adopted.

The International Fire Code, 2003 2012 Edition, as published by the International Code Council, Inc., is hereby adopted as the fire prevention code of the city.

Sec. 26-72. Availability for public use and inspection.

Each and all of the regulations, provisions, conditions and terms of the International Fire Code, 2003 2012 Edition, published by the International Code Council, Inc., are on file and available for public use and inspection in the office of the city clerk, city inspection office, city library and city fire department.

Sec. 26-73. References.

References in the International Fire Code, 2003 2012 Edition, to the "name of the state" shall remain in the State of Michigan; references to the "name of the jurisdiction," as set forth in section 101.1 of such code, shall be the City of Adrian.

Sec. 26-74. Amendments.

The following sections are subsections of the International Fire Code, 2003 2012 Edition, and are hereby amended or deleted as set forth and indicated, and sections are added as indicated. Subsequent section numbers used in this section shall refer to the like numbered sections of the International Fire Code, 2000 Edition.

INTERNATIONAL FIRE CODE—CHAPTER 1

*Section 101.1.* Insert: City of Adrian

*Section F-109.3. Violation penalties.* Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor.

*Section 111.4. Failure to comply.* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform, to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

INTERNATIONAL FIRE CODE—CHAPTER 3

*Section 302.1.* Insert: *Bonfire.* An outdoor fire used for ceremonial purposes or for the burning of brush or seasoned firewood and not for the burning of leaves, building materials, rubbish, trash, household trash or rubbish, or other such waste materials.

*Section 307.3.1.* Add: Permits are required for bonfires. All permits or other proper authorizations shall be requested by and issued to the owner or occupant of the land upon which the bonfire is to be kindled. The permit or authorization must be approved by the fire

official prior to the lighting or ignition of the bonfire.

INTERNATIONAL FIRE CODE—CHAPTER 5

*Section 506.3. Required location.* If required by the fire official, key boxes shall be installed in or on the following new and existing structures:

1. In all residential occupancies that are locked for security reasons and that have common corridors to living units.
2. In all residential occupancies with six or more units without common corridors and in which a key is not readily available for rescue purposes.
3. In any occupancy required to be equipped with fire detection, fire suppression or automatic fire alarms.
4. In any commercial or industrial occupancy of 20,000 square feet or larger.
5. In any covered mall for entry into individual spaces.
6. In any commercial or industrial structure without windows and over 40 feet in depth. Windows that are covered to the extent that quick access and visibility to the inside of the structure are blocked will not be considered as windows.

*506.4. Type, contents, installation.* The key box shall be of a type approved by the fire official and shall contain keys to gain necessary access s requird by the fire official. Commercial and industrial structures that contain hazardous materials shall place material safety data sheets and maps showing the location of same in the key box and key boxes shall be installed in a manner and location approved by the fire official.

*506.5. Alarms.* At the request of the owner or the lessee, the fire official shall permit him to install a key box tamper switch connected to the building's fire alarm system.

*506.6. Security.* To maintain security, keys will be controlled by the fire department. The fire department shall be notified any time the contents of the lock box are to be changed.

INTERNATIONAL FIRE CODE—CHAPTER 33

*Section 3301.2.3. Insert: Permit restrictions.* No person, business or organization shall possess explosive material in a quantity sufficient to require a permit under the code.

INTRODUCTION..... August 19, 2013

SUMMARY PUBLISHED..... August 26, 2013

ADOPTION.....

COMPLETE PUBLICATION.....

EFFECTIVE DATE.....

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

50-55

STREET/PARKING AREA CLOSURE APPLICATION

Applicant Information - please print

Name:	Mandy's Uptown Bar & Grill		
Address:	111 S. Main Street		
Daytime Phone:	(517) 263-8023	Cell:	(517) 605-7370
Fax:		Email:	dg3grossman@gmail.com

1. Are you a non-profit organization?  No

2. State requested street or parking area to be closed:  
Sidewalk alley way behind Mandy's

3. Purpose for request:  
Art-A-Licios weekend

4. Period of time for closing:  
Friday and Saturday September 20 and 21, 2013 (Fri.) (Sun.) 10:00am - 3:00am

5. Provide a diagram (including dimensions) for area to be enclosed to show placement of tents, carts, or other items (attach to this application).

6. Set forth any requests for a waiver of any standard conditions set forth in the instructions.  
No barricades needed

STAFF USE ONLY	
Number of intersections involved:	<u>0</u>
Number of barricades needed:	<u>0</u>
Are City barricades available?	<u>          </u>
Application & barricade fee due:	<u>\$35.00</u>

OKAY PLX 8-28-13

Parking Lot

Sidewalk

Added  
Space  
Area  
App. 15' x 40'

Hamerman's Furniture

Sidewalk

Exit

Rear Entrance

Club  
109

Mandy's Uptown  
Bar & Grill

Hair Salon

Front Entrance

Sidewalk

Sidewalk

Sidewalk

Main Street

**HOLD HARMLESS/INDEMNIFICATION AGREEMENT**

THIS AGREEMENT, made this 20<sup>th</sup> 21<sup>st</sup> day of September, 2013, between the CITY OF ADRIAN, a Michigan municipal corporation, of 135 East Church Street, Adrian, Michigan 49221, hereinafter referred to as the "City", and Doug Grossman, of Mandy's Uptown Bar & Grill, hereinafter referred to as the "Applicant".

**RECITALS**

1. The Applicant has requested the use of a City street or public parking area, that is owned by the City.
2. The fees involved are for the purpose of covering direct costs and are not designed for any profit to the City.
3. As the City will receive little or no financial benefit for this usage, it is necessary to have the City indemnified and held harmless from any liability or damage claims associated with the use of such area by the Applicant, which is agreeable to the Applicant.

NOW, THEREFORE, inconsideration of the foregoing Recitals and the use of said street or public parking area by the Applicant, it is agreed as follows:

1. The Applicant will have the City named as an additional insured on its liability policy for all activities or events for which it will utilize the street or parking area. Minimum coverage will be One Million (\$1,000,000) Dollars. The City shall be provided a copy of the insurance declaration sheet which shall evidence such coverage.
2. The Applicant shall indemnify and hold the City harmless from any and all liability, claims, damages, costs, and any other expenses, including actual attorney fees incurred, that may be associated or incurred by the City as a result of the Applicant's use of the street or public parking area.

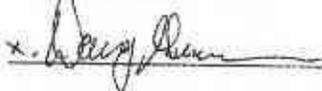
IN WITNESS WHEREOF, the parties have set their hands the day and year first above written.

THE CITY OF ADRIAN

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

Its: \_\_\_\_\_

APPLICANT:

x.   
\_\_\_\_\_

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Iott Insurance Agency, Inc 9017 E. US 223 P.O. Box 7 Blissfield, MI 49228	CONTACT NAME: Marty Nine
	PHONE (A/C, No, Ext): 517.486.4381      FAX (A/C, No): 517.486.2351 E-MAIL ADDRESS: ADDRESS:
INSURED Mandy's Uptown Bar & Grill DBA: TAND, Inc. 111 S. Main St. Adrian, MI 49221	INSURER(S) AFFORDING COVERAGE      NAIC #
	INSURER A: Home Owners      26638
	INSURER B: North Pointe
	INSURER C:
	INSURER D:
	INSURER E:

COVERAGES      CERTIFICATE NUMBER: 13/14      REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES FOR <input type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC			14105871	02/15/2013	02/15/2014	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Eo occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPOF AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY EMPLOYEE OR PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			14010108	02/15/2013	02/15/2014	<input checked="" type="checkbox"/> WC STAT TORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	Liquor Liability			NPLL73912	02/15/2013	02/15/2014	\$50,000 aggregate limit \$50,000 each common cause limit

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

LIMITS SHOWN ARE THOSE IN EFFECT AT POLICY ISSUANCE.

Additional insured under the general liability is City of Adrian.

CERTIFICATE HOLDER  City of Adrian 100 E. Church St. Adrian, MI 49221	CANCELLATION  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  Marty Nine/DAWN

Additional Coverages and Factors

02/25/2013

Line of Business Coverages for General Liability

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
General Aggregate	2,000,000				
Products/Completed Ops	1,000,000				
Aggregate					
Personal & Advertising	1,000,000				
Injury					
Each Occurrence	1,000,000				
Fire Damage	50,000				
Medical Expense	5,000				

Line of Business Coverages for Workers Compensation

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
WC & Employer's liability	500,000/500,000/ 500,000				
Expense constant				225.00	
Adjst. to reconcile-exp				-321.00	0.77000
mod. premium					
Multi policy				-48.00	0.95000
Group credit				-108.00	0.88000
Increased employer's				50.00	
liability					
Terrorism				11.00	

**R13-186**

September 3, 2013

**RE: CITY COMMISSION – RESOLUTION TO APPROVE OR DENY AN APPLICATION FOR THE CLOSURE OF A STREET OR PUBLIC PARKING AREA.**

**RESOLUTION**

WHEREAS, Mandy's Uptown Bar & Grill has applied for the closure of the sidewalk alley way behind "Mandy's" from Friday, September 20, 2013 at 10:00am until Sunday, September 22, 2013 at 3:00am; and

WHEREAS, the City Commission has considered said request including all requested waivers from standard requirements.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application of Mandy's Uptown Bar & Grill is hereby (approved/denied).

IT IS FURTHER RESOLVED that requested waivers of standard conditions are (approved/denied).

IT IS FURTHER RESOLVED that the fee for use of City barricades shall be \_\_\_\_\_.

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

26-61

STREET/PARKING AREA CLOSURE APPLICATION

Applicant Information - please print

Name: Mandy's Uptown Bar & Grill

Address: 111 S. Main Street

Daytime Phone: (517) 263-8023 Cell: (517) 605-7370

Fax:  Email: dg3grossman@gmail.com

1. Are you a non-profit organization?  No

2. State requested street or parking area to be closed:  
Sidewalk alley way behind Mandy's

3. Purpose for request:  
Siena Heights University Homecoming Party

4. Period of time for closing:  
Saturday October 5, 2013 10:00am - 3:00am

5. Provide a diagram (including dimensions) for area to be enclosed to show placement of tents, carts, or other items (attach to this application).

6. Set forth any requests for a waiver of any standard conditions set forth in the instructions.  
No barricades needed.

**STAFF USE ONLY**

Number of intersections involved: 0

Number of barricades needed: 0

Are City barricades available?

Application & barricade fee due: \$35.00

G.K.A. P 8.28.13

Parking Lot

Sidewalk

Added  
Space  
Area  
App. 15' x 40'

Hamerman's Furniture

Sidewalk

Exit

Rear Entrance

Mandy's Uptown  
Bar & Grill

Club  
109

Hair Salon

Front Entrance

Sidewalk

Sidewalk

Sidewalk

Main Street

**HOLD HARMLESS/INDEMNIFICATION AGREEMENT**

THIS AGREEMENT, made this 5<sup>th</sup> day of October, 2013, between the CITY OF ADRIAN, a Michigan municipal corporation, of 135 East Church Street, Adrian, Michigan 49221, hereinafter referred to as the "City", and Doug Grossman, of Mandy's Uptown Bar & Grill hereinafter referred to as the "Applicant".

**RECITALS**

1. The Applicant has requested the use of a City street or public parking area, that is owned by the City.
2. The fees involved are for the purpose of covering direct costs and are not designed for any profit to the City.
3. As the City will receive little or no financial benefit for this usage, it is necessary to have the City indemnified and held harmless from any liability or damage claims associated with the use of such area by the Applicant, which is agreeable to the Applicant.

NOW, THEREFORE, inconsideration of the foregoing Recitals and the use of said street or public parking area by the Applicant, it is agreed as follows:

1. The Applicant will have the City named as an additional insured on its liability policy for all activities or events for which it will utilize the street or parking area. Minimum coverage will be One Million (\$1,000,000) Dollars. The City shall be provided a copy of the insurance declaration sheet which shall evidence such coverage.
2. The Applicant shall indemnify and hold the City harmless from any and all liability, claims, damages, costs, and any other expenses, including actual attorney fees incurred, that may be associated or incurred by the City as a result of the Applicant's use of the street or public parking area.

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

THE CITY OF ADRIAN

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

Its: \_\_\_\_\_

APPLICANT:

Doug Grossman  
\_\_\_\_\_

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER Iott Insurance Agency, Inc 9017 E. US 223 P.O. Box 7 Blissfield, MI 49228	CONTACT NAME: Marty Nine PHONE (A/C No, Ext): 517-486-4381 FAX (A/C No): 517-486-2351 E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE INSURER A: Home Owners INSURER B: North Pointe INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Mandy's Uptown Bar & Grill DBA: TAND, Inc. 111 S. Main St. Adrian, MI 49221	

COVERAGES CERTIFICATE NUMBER: 13/14 REVISION NUMBER:

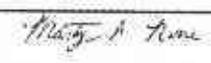
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		14105871	02/15/2013	02/15/2014	EACH OCCURRENCE \$ 1,000,000 DAMAGES TO RENTED PREMISES (Per occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP ASS \$ 1,000,000
	(GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJ. <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR-PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in MI) If yes, describe under DESCRIPTION OF OPERATIONS below.	Y/N	14010108	02/15/2013	02/15/2014	<input checked="" type="checkbox"/> WC STAT. <input type="checkbox"/> TIER <input type="checkbox"/> LTR E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA-EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	Liquor Liability		NPLL73912	02/15/2013	02/15/2014	\$50,000 aggregate limit \$50,000 each common cause limit

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101. Additional Remarks Schedule, if more space is required)

LIMITS SHOWN ARE THOSE IN EFFECT AT POLICY ISSUANCE.

Additional insured under the general liability is City of Adrian.

CERTIFICATE HOLDER  City of Adrian 100 E. Church St. Adrian, MI 49221	CANCELLATION  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  Marty Nine/DANN
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**Additional Coverages and Factors**02/25/2013

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**Line of Business Coverages for General Liability**

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
General Aggregate	2,000,000				
Products/Completed Ops	1,000,000				
Aggregate					
Personal & Advertising	1,000,000				
Injury					
Each Occurrence	1,000,000				
Fire Damage	50,000				
Medical Expense	5,000				

**Line of Business Coverages for Workers Compensation**

Coverage	Limits	Ded/Ded Type	Rate	Premium	Factor
WC & Employer's liability	500,000/500,000/ 500,000				
Expense constant				225.00	
Adjst. to reconcile-exp mod. premium				-321.00	0.77000
Multi policy				-48.00	0.95000
Group credit				-108.00	0.88000
Increased employer's liability				50.00	
Terrorism				11.00	

R13-187

September 3, 2013

**RE: CITY COMMISSION – RESOLUTION TO APPROVE OR DENY AN APPLICATION FOR THE CLOSURE OF A STREET OR PUBLIC PARKING AREA.**

**RESOLUTION**

WHEREAS, Mandy's Uptown Bar & Grill has applied for the closure of the sidewalk alley way behind "Mandy's" from Saturday October 5, 2013 at 10:00am through Sunday, October 6, 2013 at 3:00am; and

WHEREAS, the City Commission has considered said request including all requested waivers from standard requirements.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the application of Mandy's Uptown Bar & Grill is hereby (approved/denied).

IT IS FURTHER RESOLVED that requested waivers of standard conditions are (approved/denied).

IT IS FURTHER RESOLVED that the fee for use of City barricades shall be \_\_\_\_\_.

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

V2

R13-188

September 3, 2013

RE: **MOTOR VEHICLE POOL -Sale of 2006 Ford 550XL Chipper Truck**

**RESOLUTION**

WHEREAS the Motor Vehicle Pool is in possession of an older Chipper Truck that was used when the city had an in-house tree trimming crew; and

WHEREAS, the city now contracts out these services; and

WHEREAS, bids were solicited, for the sale of the 2006 Ford 550XL Chipper Truck and one (1) bid was submitted for the sale of the vehicle on Tuesday, August 20, 2013, as follows:

<u>Bidder</u>	<u>Amount</u>
Mark Underwood Adrian, MI	\$ 23,501.00

WHEREAS there was a minimum bid of \$22,000.00 placed on the vehicle; and

WHEREAS the City Engineer and City Administrator recommend approval of the sale of the 2006 Ford 550XL Chipper Truck to Mark Underwood at a price of \$23,501.00; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of the 2006 Ford 550XL Chipper Truck to Mark Underwood at a price of \$23,501.00

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.

**RE: MOTOR VEHICLE POOL –Sale of 1990 GMC High Ranger**

**RESOLUTION**

WHEREAS the Motor Vehicle Pool is in possession of an older High Ranger that was used when the city had an in-house tree trimming crew; and

WHEREAS, the city now contracts out these services; and

WHEREAS , bids were solicited, for the sale of the 1990 GMC High Ranger and three (3) bids were submitted for the sale of the vehicle on Tuesday, August 20, 2013, as follows:

<u>Bidder</u>	<u>Amount</u>
William Knisel Sand Creek, MI	\$ 15,001.00
Hidden Lake Gardens Tipton, MI	\$ 11,565.00
Mark Underwood Adrian, MI	\$ 10,005.00

WHEREAS there was a minimum bid of \$9,000.00 placed on the vehicle; and

WHEREAS the City Engineer and City Administrator recommend approval of the sale of the 1990 GMC High Ranger to William Knisel at a price of \$15,001.00; and

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes the sale of the 1990 GMC High Ranger to William Knisel at a price of \$15,001.00

On motion by Commissioner \_\_\_\_\_,

Seconded by Commissioner \_\_\_\_\_, this

Resolution was adopted by a \_\_\_\_\_ vote.

64

**R13-190**

**RE: DEPARTMENT OF PARKS & RECREATION – Request to Purchase one (1) Front-Mount Riding Mowers**

**RESOLUTION**

WHEREAS the Department of Parks & Forestry, in conjunction with the City of Adrian Purchasing Office, solicited and received bids on Tuesday, August 27, 2013 for one (1) front-mount riding mower with a hydraulic deck lift ; and

WHEREAS Two (2) vendors were invited to bid and two (2) responded with the following results:

	Archbold Equipment Adrian, Michigan	Buck and Knobby Ottawa Lake, Michigan
Grasshopper 7214DT	\$10,975.00	\$11,436.04
Hydraulic Deck Life	\$850.00	\$823.00
Less Trade In	\$1,000.00	\$800.00
<b>TOTAL</b>	<b>\$10,825.00</b>	<b>\$11,459.04</b>

; and

WHEREAS the Parks & Forestry Director and City Administrator recommend acceptance of the low bid and purchase of one (1) front-mount riding mower with hydraulic deck lift from Archbold Equipment, Adrian MI at cost not to exceed \$10,825.00; and

WHEREAS the Finance Director indicates that sufficient funds are available in the FY2013-14 Parks & Recreation Operating Budget for this purpose in the following accounts:

(101-697.00-977.000) Parks & Forestry Capital Equipment \$12,000.00

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission by this resolution hereby accepts the low bid and authorizes the Parks & Forestry Department to purchase one (1) front-mount riding mower with hydraulic deck lift from Archbold Equipment, Adrian MI at cost not to exceed \$10,825.00.

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



135E. Maumee St. Adrian, Michigan 49221

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***MEMO***

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**DATE:** August 30, 2013

**TO:** Adrian City Commission

**FROM:** Dane Nelson, City Administrator

A handwritten signature in black ink, appearing to read 'Dane Nelson', is written over the printed name.

**Re:** Lake Adrian Dam

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I have previously reported to the commission about damage to the Lake Adrian Dam. Now that the problem and damage assessment has been completed and identified, engineering services are needed to design the repairs. In particular, a plan for "dewatering" the area needs to be developed to allow for the repairs to be completed. The city has used the Spicer Group for years to do required safety inspections for the dam and spillway. Since they are so familiar with the structures, I agree with the Director of Utilities and recommend that the formal bid process be waived.



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## MEMORANDUM – UTILITIES DEPARTMENT

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DATE: August 28, 2013  
TO: Dane C. Nelson, City Administrator  
FROM: Shane A. Horn, Utilities Director  
SUBJECT: Lake Adrian Dam Floodgate Repair Proposal

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During a rain event in June we raised our floodgates at the Lake Adrian Dam in response to rising water in the reservoir. After this rain event we discovered the North floodgate would not close and remained open approximately one foot. We coordinated with Great Lakes Diving of Rockford, MI to help us locate and troubleshoot the problem. They were able to locate a section of a telephone pole that had been wedged between the floodgate and the side wall of the dam. When this gate was closed it clamped down on the telephone pole which resulted in damage to the floodgate and the connecting shaft. While the divers were on-site we were able to position large sandbags in front of the floodgate opening which drastically reduced the flow going through the gate.

We have had a relationship with Spicer Group of St. Johns, MI for a number of years as they have performed our required safety inspections on the dam and spillway structures. We have received an engineering proposal from Spicer Group to put together a set of plans and specifications and make permanent repairs to this floodgate and connecting shaft. This would require us to dewater this area with sheet piling. Spicer Group's proposal would involve the following scope of services:

- Task 1: Preliminary Design
- Task 2: MDEQ Permitting
- Task 3: Final Design
- Task 4: Bidding

I respectfully recommend that we move forward with this project and utilize the services of Spicer Group of St. Johns, MI for a total fee of \$34,000.00. We currently have budgeted \$50,000.00 in the Water Fund capital budget (496-548.00-977.588) for High Service Variable Speed Control project that can be used to fund this expense.

cc: Cindy Prue, Finance Director



August 26, 2013

Shane A. Horn  
Director of Utilities  
City of Adrian  
1250 E. Maumee St.  
Adrian, MI 49221

RE: Lake Adrian Dam ID No. 594  
Letter Agreement for Professional Services

Mr. Horn:

At your request, we propose to furnish professional engineering services in connection with the Lake Adrian Dam Repairs (hereinafter called the "project").

**Project Overview**

The project consists of the design, permitting, and construction administration phases.

The primary reason for the repairs is due to a sluice gate that failed and has subsequently been temporarily blocked using sand bags. The proposed project would include replacing the existing gate and installing a trash rack to prevent debris from clogging the gate in the future. These repairs will require a permit from the MDEQ.

**Scope of Professional Services**

We have divided our proposed services into multiple phases. The scope of our services, method of payment and the understanding of our professional relationship are more fully described below.

**Task 1: Preliminary Design Phase**

- 1) Conduct on site project meeting to review site, discuss alternatives, and determine construction project scope.
- 2) Prepare a preliminary set of dam improvement plans including plan view, longitudinal profile, sectional views, and detail drawings. Drawings will include specific details for the gate installation and trash rack design.
- 3) Perform hydrologic and hydraulic calculations required for design and permitting.
- 4) Submit preliminary plans to you for review and approval.
- 5) Meet with City of Adrian to review preliminary plans.
- 6) Revise plans based on input from city staff in preparation of an MDEQ permit application.

Deliverables for Task 1 shall include:

- Preliminary set of design plans

**Task 2. Permitting Phase**

- 1) Prepare and submit a joint permit application to the Michigan Department of Environmental Quality (MDEQ) with the attached drawings, calculations, etc for review and approval by the MDEQ.
- 2) Prepare correction request submittal if required by the MDEQ. We have included the preparation of one (1) correction request submittal for this project. Additional revisions or requests for additional information will be completed at our standard hourly rates.

Deliverables for Task 2 shall include:

- MDEQ permit application (with corrections if requested)

**Task 3. Final Design Phase**

- 1) Meet with City to review MDEQ permit and discuss final design options.
- 2) Revise plans to include comments from the MDEQ, stakeholders, and your review recommendations.
- 3) Prepare specifications for dam repair.
- 4) Submit final plans and specifications to the City of Adrian.

Deliverables for Task 3 shall include:

- Complete set of Final Plans and Specifications

**Task 4. Bidding Phase**

- 1) Prepare additional bidding documents as needed to solicit bids from contractors.
- 2) Answer contractor questions and prepare addendum as necessary.
- 3) Attend bid letting and prepare bid tabulations.
- 4) Provide recommendation for award based on bids received and evaluation of contractors.

Deliverable for Task 4 shall include:

- Contractor Recommendation

**Task 5. Construction Administration Phase**

Spicer group will perform construction inspection, and administration tasks during the construction administration phase. At the completion of the construction process, Spicer Group will prepare "as-built" drawings to document the construction process.

*Lake Adrian Dam Improvements*

*August 26, 2013*

*Page 3 of 4*

- 1) Provide on-site inspection. Spicer Group will provide limited observation to ensure work is in conformance with plans and specifications.
- 2) Prepare progress payment recommendations during construction.
- 3) Prepare change orders if necessary during construction.
- 4) Provide "As-Built" drawings in accordance with construction records.
- 5) Provide the City of Adrian and the MDEQ Dam Safety unit with a final set of as-built plans.

Deliverables for Task 5 shall include:

- Final set of as-built drawings
- One copy of the final as-built plans will be submitted to the MDEQ
- Binder of inspection reports, progress payments, and change orders
- Electronic copies of plans on compact disk or other media, if requested

**Reimbursable Expenses**

All reimbursable expenses include an additional processing fee of five percent.

- A. Permit application fees.
- B. Overnight mailings, if requested.
- C. Travel and lodging expenses for attending out of town meetings.
- D. Deliverables beyond those included above.

**Additional Services Available Upon Request**

Additional services related to this project will be furnished by us after you authorize the work. Our fee for the additional services will be determined at the time they are agreed to and rendered.

**Engineering Fee Schedule**

Our proposed fee schedule follows. We will submit monthly invoices to you for our basic professional services, any additional authorized services and any reimbursable expenses. Our fees are based on our Standard Hourly Rates, and therefore the invoice amount will be based on the actual hours spent by our staff on your project billed at the hourly rate of each staff member.

**Task 1. Preliminary Design**

Standard hourly rates with the total amount estimated to be \$ 13,500.

**Task 2. MDEQ Permitting**

Standard hourly rates with the total amount estimated to be \$ 5,000.

**Task 3. Final Design**

Standard hourly rates with the total amount estimated to be \$ 11,500.

**Task 4. Bidding**

Standard hourly rates with the total amount estimated to be **\$ 4,000.**

**Task 5. Construction Administration**

**To Be Determined** upon completion of bidding process.

We have calculated these fees based on our current understanding of the project. Should we approach the amount of the fee for any reason before we are finished with the work, if the scope changes or our understanding was incorrect, we will notify you and discuss with you the option of adjusting the amount of the fee or adjusting the scope of services.

Attached with this letter is a copy of our general conditions to our basic and additional services, which are hereby incorporated into and made part of this letter agreement by reference.

If this proposal meets with your approval, please acknowledge this approval with an authorized signature below and return one of the enclosed copies to us. Upon receipt we will start work on the project promptly.

We deeply appreciate your confidence in our firm and we are looking forward to working with you and for you on this project.

Sincerely,



**Shawn P. Middleton, P.E., CFM**  
Principal



**James E. Ensign, P.E., CFM**  
Project Manager

**SPICER GROUP, INC**  
1400 Zeeb Drive  
St. Johns, MI 48879  
Phone: (989) 224-2355

Cell: (989) 493-0997  
mail to: jamese@spicergroup.com

CC: SGI File P012847P2013

Attachments:

- Hourly Rate Schedule

Above proposal accepted and approved:

**CITY OF ADRIAN**

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

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



**RE: UTILITIES DEPARTMENT –Water Treatment Plant – Authorization to Contract Engineering Services for Lake Adrian Dam Floodgate Repair Project**

**RESOLUTION**

WHEREAS the Lake Adrian Dam was constructed in 1941 to provide a surface water source of water for the City of Adrian; and

WHEREAS the dam was constructed with two floodgates on the bottom of the structure to help control the lake level in Lake Adrian. During a storm event in June of this year we discovered our North floodgate was lodged open approximately one foot and was left inoperable; and

WHEREAS we solicited a proposal from Spicer Group of St. Johns, MI who we have used for many years for services relating to the dam and spillway. Spicer Group would develop plans and specifications to be used to bid out a permanent repair of the floodgate and associated connecting shaft; and

WHEREAS Spicer Group’s proposal to provide services associated with preliminary engineering, MDEQ permitting, final design and bidding total \$34,000.00; and

WHEREAS the Utilities Director and City Administrator recommend approval of this resolution for authorization to engage Spicer Group of St. John’s, MI in the City’s Standard Professional Services Contract for purposes of providing engineering services for the repair of the Lake Adrian floodgate and connecting shaft at a cost not to exceed \$34,000.00.

NOW THEREFORE BE IT RESOLVED that the Adrian City Commission, by this resolution, hereby authorizes to engage Spicer Group of St. John’s, MI in the City’s Standard Professional Services Contract for purposes of providing engineering services for the repair of the Lake Adrian floodgate and connecting shaft at a cost not to exceed \$34,000.00.

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

BE IT FURTHER RESOLVED that \$34,000.00 be appropriated from the Water Fund – High Service Variable Speed Control (496-548.00-977.588) for this project.

**WATER CAPITAL PROJECTS FUND:**  
Expenditures:

496-548.00-977.588	High Serv Pump	(\$34,000.00)
496-549.00-975.578	Lake Adrian Dam Repair	\$34,000.00

On motion by Commissioner \_\_\_\_\_,  
Seconded by Commissioner \_\_\_\_\_, this  
Resolution was adopted by a \_\_\_\_\_ vote.

***MEMO***

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**DATE:** August 27, 2013  
**TO:** City Commission  
**FROM:** Sarah Osburn, City Attorney  
**RE:** Vacant Building Ordinance Fees

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The Vacant Building Ordinance is on the Agenda for adoption. The ordinance provides that fees relating to this ordinance will be set by resolution of the City Commission. A resolution has also been placed on the Agenda. The fee amounts have been left blank and a commissioner who would like to move the resolution should also include fee amounts in the motion.

The Inspection Department has the following recommendations for fees:

10-406 Registration Fee:

\$125 for a single family residence with a \$10 additional fee for each additional unit in a multi-unit property.

\$250 for commercial and industrial properties.

These amounts cover the cost of the required inspection, the recording fee, and the cost of the administration of the program.

10-412 Reuse and occupancy inspection fee:

\$100

10-414 Monitoring Fee:

\$30 a month.

This appears to be in the mid-range of fees charged by communities for this service. It would be sufficient to cover the time spent monitoring the noncompliant property.

**RE: ATTORNEY – RESOLUTION TO SET A FEE SCHEDULE FOR THE VACANT BUILDING REGISTRATION PROGRAM.**

**RESOLUTION**

WHEREAS, the City of Adrian code of ordinances Section 10-400 et seq provides for a vacant building registration program; and

WHEREAS, the City of Adrian code Section 10-406, 10-412 and 10-414 provides that the fees for registration fee, reuse and occupancy fee and monitoring fee shall be established from time to time by resolution of the city commission; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the fee schedule for the vacant building registration program shall be as follows:

- Registration fee
  - \$\_\_\_\_\_ for residential property
  - \$10 for each additional unit in multi-unit property
  - \$\_\_\_\_\_ for commercial and industrial property
- Reuse and occupancy fee
  - \$\_\_\_\_\_
- Monitoring Fee
  - \$\_\_\_\_\_ per month

On motion of Commissioner \_\_\_\_\_, supported by  
Commissioner \_\_\_\_\_, the above Resolution was  
\_\_\_\_\_ by a \_\_\_\_\_ vote.