City of Hart, Michigan
CITY COUNCIL AGENDA
January 10, 2023, 7:30 PM
407 State St. – Council Chamber
NOTICE OF PUBLIC MEETING
REGULAR COUNCIL MEETING

1. Call to Order
2. Roll Call – Adams, Burillo, Evans, Hodges, Klotz, Trygstad, Platt
3. Council Appointment
4. Pledge of Allegiance
5. Approval of Agenda
6. Public Comments – **Public comment on any matter that is not included on the agenda for a public hearing by the Council. We ask that you please limit your comments to 3 minutes**
    a. Correspondence, Events, Presentations
        i. Michigan Public Power Agency – 2022 Business Model Risk Assessment
7. Consent Agenda:
    a. Approval of Minutes from December 13, 2022 Council meeting.
    b. Bills, Claims, Payroll
    c. Reports of Boards, Commissions, and Committees
    d. Department Reports – Police/BioPure/Public Works/Energy/♥C&E Dvlp.
8. Action Items
    a. Resolution 2023-01 Authorize Michigan Public Power Agency Member Authorized Representative to Sign Power Purchase Agreements
    b. Resolution 2023-02 Authorize Hanson Street Construction Change Orders
    c. Resolution 2023-03 Resolve to remove former Mayor Pro-Tem Rybarz from City of Hart bank accounts and add current Mayor Pro-Tem Klotz as authorized signer
    d. Resolution 2023-04 Accept Amendment 3 proposal from Prein and Newhof to provide engineering services to add Clarifier to existing BioPure project
    e. Ordinance 23-01 *SECOND READING* - Establish Chapter 1428 International Property Maintenance Code (IPMC)
9. Discussion Items
    a. Mayoral Board and Commission Appointments
    b. Special Event Permit – Oceana County Right to Life Memorial Service
    c. Special Event Permit – Hart Winterfest
    d. Special Event Permit – Vintage Snowmobile Show and Swap Meet
10. City Manager Report
11. Communications from the Mayor and Council (Including board and committee updates.)
12. Adjournment –

Access is provided through the Michigan Relay Service for individuals with speech or hearing impairments. *https://hamiltonrelay.com/michigan/index.html*

With advance notice of seven calendar days, the City will provide interpreter services at all public meetings, including language translation and signage for the hearing impaired. Call 231-873-2488. La Ciudad proporcionará servicio de intérprete para esta reunión pública si se pide con siete días de anticipación, lo cual incluye la traducción de idioma y letreros para los con una discapacidad auditiva. Llame al 231-873-2488.

2022 BUSINESS MODEL RISK ASSESSMENT

Retail Rate Competitiveness:

Background & Importance:

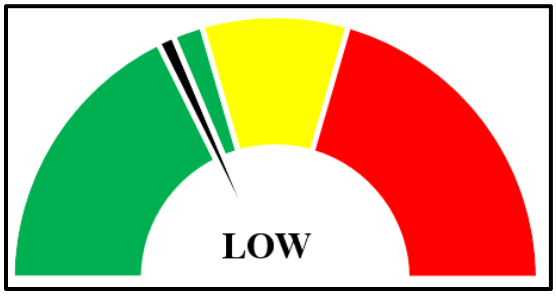
- A weighted average comparison of your utility's all-in retail rates to your neighboring utility's all-in retail rates on a cents per kWh basis.
- Rates are important in influencing your utility's ability to attract and retain customers. Their relative affordability (to the neighboring utility) can influence the willingness to raise rates and revenue flexibility, which are key credit considerations.
- Understanding your utility's rates, whether below or above the neighboring utility, provides key and actionable information that should be considered when making operational and financial decisions.

The Results:

Rate	Hart Rate*	Comparable Consumers Energy Rate*	% Difference
RE	11.5	18.4	-37.5%
CO	12.9	17.6	-26.9%
DEMAND	10.0	10.6	-4.8%

*Cents / kWh for Average Customer utilizing CY 2021 data

Risk Profile – Competitive Retail Rates:



Note: Overall risk calculated utilizing S&P Global Ratings' methodology scale for Retail Electric Market Position

Potential Next Steps:

- Develop a 5+ year Rate Strategy (if your utility does not yet have one)
- For customer classes where your utility has lower / competitive rates:
    - Educate and communicate this value proposition to your customers
    - Consider whether a small rate increase makes sense for the purpose(s) of investing in your utility's distribution system, staff, facilities, IT infrastructure/systems or enhancing your creditworthiness

Customer Concentration:

Background & Importance:

- The percentage share that key customer groups make up of your utility's total retail load (in MWhs).
- Retail sales volatility can occur if a significant portion of your utility's sales are tied to a small set of customers (or perhaps just one customer). If one or more of these customers were to leave, the loss of sales would negatively affect cash flow. This is also true during recessionary periods – but to a lesser extent.
- Understanding how the following three key customers groups contribute to your utility's total retail sales provides key and actionable information that should be considered when making operational, power supply and long-term investment decisions.

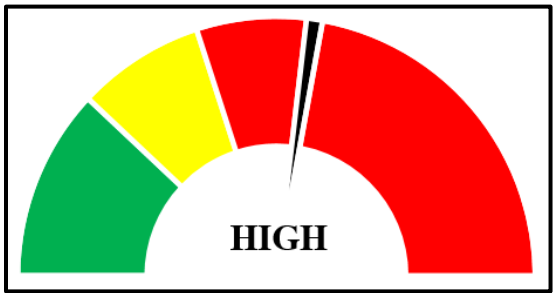
The Results:

Customer Group	% of Load*
Residential Class	18.5%
Top 10 Customers	62.8%
Top Customer	16.9%

*% of Retail Sales (MWhs) utilizing CY 2021 data

2022 BUSINESS MODEL RISK ASSESSMENT

Risk Profile – Customer Concentration:



Note: Overall risk calculated utilizing S&P Global Ratings' methodology scale for Diversity of Sales and Demographics

Potential Next Steps:

- Implement a Key Customer Accounts Program with sufficient resources and focus to maintain a relationship of mutual information sharing and benefits with each key customer
- Develop a Rate Strategy to ensure your utility's fixed and variable expenses are being recovered appropriately in your rate structure

Distributed Energy Resource ("DER") Readiness:

Background & Importance:

- Due to significant advancements in energy resource technology (such as solar), changing customer perspectives & objectives and Federal Energy Regulatory Commission ("FERC") reforms, the edge of the distribution grid (i.e. at the retail customer level) is becoming the most important part of the energy ecosystem.
- The grid edge is now where clean energy investments (solar, storage, fuel cells) meet the utility system.
- It is critical that your utility has visibility and control at the grid edge to integrate new and dynamic distributed energy resources.

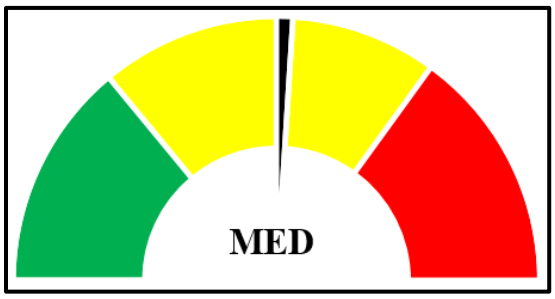
The Results:

Category Evaluated	Readiness*
Advanced Metering Infrastructure ("AMI")	4 of 4
Electric Interconnection Policy	0 of 4
Retail Rates	1 of 4

2022 BUSINESS MODEL RISK ASSESSMENT

*Utility's responses in Q1/Q2 of 2022 about whether or not key prerequisites for each Category are currently in place

Risk Profile – DER Readiness:



Note: Overall risk calculated utilizing internal MPPA scale.

Potential Next Steps:

- Perform a value audit of how effectively and extensively you are using your AMI System to benefit your customers, rate structure and financial health and how adaptable it is for coming grid edge changes
- Develop a detailed Electric Interconnection Policy in conjunction with an engineer or engineering firm.
- Include unbundling in your long-term Rate Strategy: structure the components of your rates (transmission, distribution, capacity, energy) so they reflect cost causation and move your utility to financial indifference toward DER.

CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
December 13th 2022
MINUTES – Draft

PRESENT: Mayor Vicki Platt, Councilors: (Newly Appointed) Justin Adams, (Late) Jim Evans, Dean Hodges, Amanda Klotz, and Kris Trygstad
ABSENT: Catalina Burillo
OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Energy Superintendent – Mike Schiller, Hart PD Chief – Juan Salazar, and Sharon Hallack

COUNCIL APPOINTMENT:

- Council Review of applications and discussion – Justin Adams, Travis Larson
- Motion to appoint
  - A. Klotz motioned to appoint Justin Adams to Hart City Council and supported by D Hodges
    - Ayes: 5 Nays: 0 Absent: 1

Mayor Platt called the meeting to order; following the roll call, the mayor led the Council in the pledge of allegiance.

APPROVAL OF AGENDA:

- A. Klotz motioned to approve the agenda and was supported by J. Evans
  - Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS:

CORRESPONDENCE, EVENTS, PRESENTATIONS:

CONSENT AGENDA:

- Approval of minutes from November 22nd 2022.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
  - J. Evans motioned to approve Consent Agenda and supported by A. Klotz
    - Ayes: 6 Nays: 0 Absent: 0

ACTION ITEMS:

- Resolution 2022-54 Water Rate Study
  WHEREAS, the City of Hart owns and operates a water distribution system; and
  WHEREAS, recent City auditors highlighted the water distribution system is somewhat underfunded based on their analysis for general operational health of the utility; and
  WHEREAS, the City is planning several million dollars in water system capital improvements that will parallel work with the City's wastewater and storm water infrastructure; and
  WHEREAS, utility funds should be self-supporting, and it has been over five years since the last rate/cost of service study has been conducted;
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:
  Approve selecting Baker Tilly Municipal Advisors to conduct a water utility rate study at a cost not to exceed of $9,000.
  - J. Evans motioned to approve Resolution 2022-54 and A. Klotz supported by
    - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2022-55 Hart Energy Security Fence
  WHEREAS, the City of Hart operates a municipal electric utility; and
  WHEREAS, Hart Energy requires a secure and efficient building to store equipment and provide as a base of operations; and
  WHEREAS, it is in the best interest of the City to provide continual maintenance of City property including projects that identify security measures to protect inventory for the City and rate paying customers; and
  WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:
  Accepts competitive quotes to furnish and install a security fence from American Fence Erectors in the amount of $64,125 and Great Lakes Pet Fencing in the amount of $51,925. Council awards the work to low-bidder Great Lakes Pet Fencing and directs the City Manager to sign and execute all related documentation.
  - J. Adams Motioned to approve Resolution 2022-55 and supported by A. Klotz
    - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2022-56 Cancel December 27th, 2022, Council Meeting.
  WHEREAS; the second Council meeting in December is scheduled for December 27th, and
  WHEREAS; past precedent of the Council has been to cancel the meeting due to the close proximity to the Christmas Holiday to allow members and staff to make plans desired for travel and time with friends and family with the understanding that it can be reinstated if there is urgent business to complete; and
  WHEREAS; in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL
  The City Council's regularly scheduled December 27, 2022, meeting is canceled unless reinstated by request of two council members or the mayor to completer urgent business.
  - A. Klotz motioned to approve Resolution 2022-56 and supported by K. Trygstad
    - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2022-57 Designate 2023 City Council Meeting Dates
  WHEREAS; the City is required to review and designate any changes to the regular schedule of City Council meetings prior to the beginning of the calendar year; and
  WHEREAS; the Council meets on the 2nd and 4th Tuesday of each month unless there is a holiday, or the Council cancels a meeting; and
  WHEREAS; in 2023 there are no conflicts with City Council meetings and designated City holidays:
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:
  The City Council meeting dates for the City of Hart for 2023 will be

1/10	*5/9*	*9/12*
1/24	*5/23*	*9/26*
2/14	*6/13*	*10/10*
2/28	*6/27*	*10/24*
3/14	*7/11*	*11/14*
3/28	*7/25*	*11/28*
4/11	*8/8*	*12/12*
4/25	*8/22*	*12/26*

  - A. Klotz motioned to approve Resolution 2022-57 and supported by K. Trygstad
    - Ayes: 6 Nays: 0 Absent: 1

- Ordinance 23-01 *FIRST READING* - Establish Chapter 1428 International Property Maintenance Code (IPMC)

CITY OF HART
ORDINANCE NO. 23-01
ZONING ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF HART, MICHIGAN SPEFICICALLY TO ESTABLISH PART FOURTEEN – BUILDING AND HOUSING CODE TITLE TWO - BUILDING CODE – CHAPTER 1428 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)

At a regular meeting of the Hart City Council held at City Hall on the 10th day of January 2023, at 7:30 p.m.
PRESENT:
ABSENT:
The following ordinance was offered by _____ and supported by _____
THE CITY OF HART, COUNTY OF OCEANA, STATE OF MICHIGAN ORDAINS:

CITY OF HART CODE OF ORDINANCES, ESTABLISH PART 14, TITLE TWO, CHAPTER 1428 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC), AND ADOPT IPMC 2021 TO ESTABLISH MINIMUM REQUIREMENTS FOR THE MAINTENANCE AND IMPROVEMENT OF PROPERTIES WITHIN CITY OF HART JURISTICTION

SECTION 1. AMENDMENT THE CITY OF HART ORDIANS: Part 14 Title 2 Chapter 1428.
Adoption of code by reference.
Pursuant to the provisions of Public Act No. 179 of 1909 (MCL 117.1 et seq. MSA 5. 2071 et seq.) the 2021 edition of the International Property Maintenance Code, as published by the International Code Council. Be and is hereby adopted as the Property Maintenance Code of the City of Hart, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Hart are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Chapter 1428.
Chapter 1428.01 Code on file. Complete printed copies of which are on file and available for public use and inspection in the office of the Development Services Department of the City of Hart, being marked and designated as the International Property Maintenance Code, 2021 edition, as published by the International Code Council.
Chapter 1425.02 References in code. Reference in the code adopted in this article to "State" and "Michigan" shall mean the State of Michigan; reference to "municipality" and "Hart" shall mean the City of Hart; references to "local ordinances" shall mean the City of Hart ordinances. All references to the International Building Code, International Residential Code, International Energy Conservation Code, National Electric Code, International Existing Building Code, International Mechanical Code, and International Plumbing Code, mean the Michigan Building Code, Michigan Residential Code, Michigan Uniform Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code respectively.
Chapter 1428.03 Delete and replace with the following: Changes in the code. The following sections of the 2021 International Property Maintenance Code (IPMC) are amended or deleted as set forth and additional sections and subsections are added as indicated. Subsequent section numbers used in this section shall refer to the like numbers used in this section shall refer to like numbered sections of the 2021 International Property Maintenance Code.
The following sections are hereby revised:
Section 101.1 Insert: City of Hart Zoning Administrator and Code Enforcement Department
Section 103.1 Insert: [The amount shall be established, from time to time, by resolution of City Council and shall cover the cost of inspection(s) and the supervision resulting from the enforcement of the code]
Section 302.4 Insert: Eight (8) inches
Section 304.14 Insert: April 1 to December 1
Section 602.3 Insert: October 1 to June 1
Section 304.14 Insert October 1 to June 1

Add Section 109.4 Violation penalties: Any person who shall violate any provision of this code upon conviction shall be penalized as provided in section 202.99 of the City of Hart Code of Ordinances – General code penalty; municipal civil infractions; equitable remedies; complicity.
Chapter 1428.05 Severability Clause. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsection, clause, and phrases be declared unconstitutional.
Chapter 1428.06 Saving Clause. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Chapter 1428 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance. That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect ten (10) days from publication thereof.
SECTION 2. Effective Date. This Ordinance shall become effective ten (10) days after it's publication or ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart

AYES:_____
NAYS:_____

ORDINANCE DECLARED ADOPTED
FIRST READING: December 13th, 2022
SECOND READING: January 10th, 2023
ORDINANCE BECOMES EFFECTIVE: January 30th, 2023

DISCUSSION ITEMS:

- City Manager Performance Evaluation, Will be emailed to Council members and please have back to Mayor Platt by December 30th, 2022
- Council Retreat January 28th, 2023 – review draft agenda and seek input from Council
- Nomination and election of Mayor Pro-Tem , Mayor Platt nominated Amanda Klotz,
    - J. Evans motioned to accept nomination Amanda Klotz as Pro-Tem by Mayor Platt and supported by K. Trygstad
        - Ayes: 6 Nays: 0 Absent: 1

CITY MANAGER'S REPORT:

UPDATES:

- New Oceana County Economic Alliance Director – Curtis Burdette starting in January
- Michigan Infrastructure Council Asset Management Champion Program certification will help to develop asset management policy in the City of Hart to enhance long term budget planning as well as coordinate future regional projects with other local and state agencies
- Holiday parade had strong attendance, downtown and fairground decorations have been applauded, thanks for all the volunteers and donors who helped make it possible
- Downtown speaker system has been well received by downtown business owners, residents, and the community. This system will be used for summer events, concerts, and this year for the fireworks
- City Credit Card policy is in place as adopted by City Council in 2019 and is followed
- Informal neighborhood holiday caroling Friday December 23rd 6pm meet in parking lot #3 (behind pocket park) – song books to be provided

Legacy Topics:

- Working to have communities review intergovernmental operational agreement for property code enforcement department – Adoption of that agreement is pending – New planning consultant agency to help with the adoption of International Property Maintenance Code standards.

- Grant Funded 227 East Main property demolition pending. Site reconstruction to take place in the spring.
- The Charter review committee has finished its assessment for phase one City Charter amendments which include changing all pronouns to show gender equity and modifying the language which dictates the date and time of City Council meetings. The proposed changes are being reviewed by our City Attorney and we anticipate initiating that work in January.

  Upcoming Topics:
- Adoption of 2022-2026 Park and Rec Master Plan

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- J. Evans commented that Boards and Commissions that council members sit on should be looked at every year and term limits should be looked at.
- Mayor Platt would like the Council members to get with her about what Boards and Commissions they would like to sit on as with new Council member Justin Adams replacing Fred Rybarz it is a good opportunity to move council members around if they'd like.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at upon a motion by J. Evans and supported by K. Trygstad. The next regularly scheduled meeting will be on January 10th, 2023, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk

Grand Totals for Payroll:

Pay Code Id	Hours	OT Hours	Cur. Amnt.	YTD Amnt.
15X	0.00	33.22	1,810.86	16,278.23
2X	0.00	7.50	537.86	8,308.27
COMP	11.25	0.00	318.02	4,148.13
ETO	398.50	0.00	12,645.88	150,779.32
FUNERAL	8.00	0.00	234.40	234.40
HOURLY	1,061.50	0.00	36,483.75	833,956.46
LONG	0.00	0.00	2,500.00	3,875.00
SALARY	576.75	0.00	23,361.57	406,764.41
STANDBY	8.00	0.00	231.20	231.20

Ded/Exp Id	Cur. Amnt.	YTD Amnt.
ALERUS 401	2,212.80	45,428.16
ALERUS 401 AD	8.00	208.00
ALERUS 457	750.00	23,500.00
ALERUS 457P	2,100.41	47,792.62
ALERUS R 457%	1,309.38	14,951.54
DENTAL_EE	116.17	2,230.73
DENTAL_ER	464.63	8,919.95
FITW	8,961.86	214,624.45
GAP_EE	381.08	7,425.45
GAP_ER	1,407.82	28,653.95
GUARDIAN _EE	20.07	385.83
GUARDIAN_ER	219.58	4,245.25
INS REIM	70.66	211.98
LOAN	159.86	4,156.36
MED_EE	1,492.60	26,744.10
MED_ER	5,970.29	111,855.13
MEDICARE_EE	1,131.72	27,641.37
MEDICARE_ER	1,131.72	27,641.37
SITW	3,172.96	74,603.39
SOCSEC_EE	4,839.24	118,190.82
SOCSEC_ER	4,839.24	118,190.82
UNI46	281.20	3,177.56
UNIFM	14.85	386.10
VOL. LIFE	156.75	783.75
VOL. LIFE - CH	19.25	96.25
VOL. LIFE - SPO	62.65	308.15

Gross Pay This Period	Deduction Refund	Ded. This Period	Net Pay This Period	Gross Pay YTD	Dir. Dep.	Expense This Period
78,123.54	0.00	27,261.51	50,862.03	1,918,247.78	50,263.92	14,033.28

* = Check Adjustment

Grand Totals for Payroll:

Pay Code Id	Hours	OT Hours	Cur. Amnt.	YTD Amnt.
15X	0.00	51.00	2,567.24	2,567.24
225X	0.00	83.00	5,716.06	5,716.06
2X	0.00	51.25	3,017.63	3,017.63
COMP	4.00	0.00	224.50	224.50
ETO	298.00	0.00	9,718.26	9,718.26
HOL	522.00	0.00	18,783.42	18,783.42
HOURLY	823.50	0.00	28,121.87	28,121.87
OPT OUT	0.00	0.00	100,743.46	100,743.46
SALARY	350.50	0.00	14,637.90	14,637.90
STANDBY	9.00	0.00	378.81	378.81

Ded/Exp Id	Cur. Amnt.	YTD Amnt.
AF-ACC	122.53	122.53
AF-CANCER	49.68	49.68
AF-DENTAL	14.46	14.46
AF-LIFE	32.96	32.96
AF-PSI	46.01	46.01
AF-STD	194.95	194.95
ALERUS 401	2,247.73	2,247.73
ALERUS 401 AD	8.00	8.00
ALERUS 457	750.00	750.00
ALERUS 457P	4,366.19	4,366.19
ALERUS R 457%	1,518.44	1,518.44
DENTAL_EE	116.17	116.17
DENTAL_ER	464.63	464.63
FITW	25,501.83	25,501.83
GAP_EE	381.08	381.08
GAP_ER	1,407.82	1,407.82
GUARDIAN _EE	20.07	20.07
GUARDIAN_ER	219.58	219.58
INS REIM	70.66	70.66
LIFE	40.15	40.15
LOAN	159.86	159.86
LU465	281.20	281.20
MED_EE	1,492.60	1,492.60
MED_ER	5,970.29	5,970.29
MEDICARE_EE	2,662.29	2,662.29
MEDICARE_ER	2,662.29	2,662.29
PHONE	35.00	35.00
SITW	6,959.03	6,959.03
SOCSEC_EE	11,383.56	11,383.56
SOCSEC_ER	11,383.56	11,383.56
UNI45	251.25	251.25
UNIFM	14.85	14.85

Gross Pay This Period	Deduction Refund	Ded. This Period	Net Pay This Period	Gross Pay YTD	Dir. Dep.	Expense This Period
183,909.15	0.00	58,720.55	125,188.60	183,909.15	124,670.77	22,108.17

* = Check Adjustment

Payables Date 12.27.2022	Description	Total	General +	DPW	Energy	BPTF	Water
Adams, Matt	Reimburse Fuel Expense	$ 80.00		$ 80.00			
AirNetix	Downtown Sound System	$ 3,600.00	$ 3,600.00				
Alta	Loader Repairs	$ 355.55		$ 355.55			
Best, Richard	Deposit Refund	$ 184.63			$ 184.63		
Blue Cross Blue Shield - Medicare	Jan Ins Prem	$ 2,361.20	$ 1,652.84		$ 708.36		
Charter	Hart Commons Internet	$ 114.99			$ 114.99		
City of Hart	Utility Bills	$ 44,710.43	$ 1,552.95	$ 1,101.06	$ 2,144.47	$ 36,665.93	$ 3,246.02
City Web Central	City Website Support Renewal	$ 2,499.50	$ 2,499.50				
ETNA	Romac	$ 4,240.00				$ 4,240.00	
Fischer LP Gas	Propane	$ 1,029.27			$ 1,029.27		
Free Spirit Contruction	Balance of Roof Repairs	$ 2,075.00				$ 2,075.00	
Great Lakes Pet Fencing	Fencing @ Hart Energy - Deposit	$ 19,943.24			$ 19,943.24		
GRP Engineering	System Study & 5-year Plan	$ 3,000.00			$ 3,000.00		
HACH	Lab Supplies	$ 243.22				$ 243.22	
Hart Cemetery Commission	Disbursement	$ 113.13	$ 113.13				
Larson's	Various Supplies	$ 1,121.55	$ 169.35	$ 505.48	$ 306.04	$ 140.68	
Lawson-Fisher	FERC Licensing Requirements	$ 2,005.18			$ 2,005.18		
LEAF	Police Copier Lease Fee	$ 39.00	$ 39.00				
Linck Law	401/457 Year End Audit	$ 3,220.00	$ 3,220.00				
Linde Gas & Equip	Cylinder Rental	$ 163.08		$ 72.14	$ 90.94		
McKenna	Planning Services	$ 857.50	$ 857.50				
Medler Electric	Parts/Supplies	$ 195.58			$ 195.58		
Medler Electric	Parts/Supplies	$ 418.27			$ 418.27		
Medler Electric	Parts/Supplies	$ 825.55			$ 825.55		
Medler Electric	Parts/Supplies	$ 206.50			$ 206.50		
Mich. Assoc. of Police Chiefs	Conf. Registration - J. Salazar	$ 280.00	$ 280.00				
Mike Blackmer Electric	HVAC Service	$ 445.80				$ 445.80	
Moore, Brian	Deposit Refund	$ 186.43			$ 186.43		
MPPA	Purchased Power	$ 68,988.72			$ 68,988.72		
MPPA	Purchased Power	$ 40,133.10			$ 40,133.10		
MRWA	Training - B. Whitney	$ 105.00					$ 105.00
NYE Uniform	Cap, Gloves, Radio Case, Shirt	$ 142.77	$ 142.77				
Oceana Herald	Annual Paper Renewal	$ 71.00	$ 71.00				
Power Line Supply	Parts/Supplies	$ 3,614.11			$ 3,614.11		
Power Line Supply	Parts/Supplies	$ 886.65			$ 886.65		
Power Line Supply	Parts/Supplies	$ 0.95			$ 0.95		
Power Line Supply	Parts/Supplies	$ 147.56			$ 147.56		
Power Line Supply	Parts/Supplies	$ 184.19			$ 184.19		
Power Line Supply	Credit Memo	$ (85.00)			$ (85.00)		
Power Line Supply	Parts/Supplies	$ 248.00			$ 248.00		
Power Line Supply	Parts/Supplies	$ 260.00			$ 260.00		
Power Line Supply	Parts/Supplies	$ 65.00			$ 65.00		
Power Line Supply	Parts/Supplies	$ 287.00			$ 287.00		
Power Line Supply	Parts/Supplies	$ 21.24			$ 21.24		
Power Line Supply	Credit Memo	$ (62.00)			$ (62.00)		
Powers, Mike	Dec 22 BOR	$ 25.00	$ 25.00				
Pranger Property Mgmt	City Hall Cleaning Services	$ 152.00	$ 152.00				
Pranger Property Mgmt	Community Center Cleaning Services	$ 72.00	$ 72.00				
Ramirez, Adrian	Deposit Refund	$ 183.82			$ 183.82		
Rossiter, Steve	Dec 22 BOR	$ 25.00	$ 25.00				
Ryder, Ray	Reimburse Fuel Expense	$ 46.00	$ 46.00				
Schoedel, Liz	Reimburse Fuel Expense	$ 21.01	$ 21.01				
SHMG Occupational Health	Drug Screening	$ 39.00			$ 39.00		
Signplicity	City Signage	$ 36,526.03	$ 36,526.03				
UIS SCADA	Install 4g Modem	$ 2,160.00		$ 2,160.00			
Valley, Kash	Deposit Refund	$ 137.06			$ 137.06		
Watkins Ross	GASB Hart Retiree Medical Plan	$ 1,400.00	$ 350.00		$ 350.00	$ 350.00	$ 350.00
Wilson Chemical	Ammonia	$ 14,583.28				$ 14,583.28	
Windridge	Police Hoodies	$ 90.00	$ 90.00				
		$ -					
		$ -					
	Subtotal	$ 264,983.09	$ 51,505.08	$ 4,274.23	$ 146,758.85	$ 58,743.91	$ 3,701.02
HAND CHECKS/ACH/EFT							
Alerus	City Share 401 Retirement	$ -	$ -				
US Postmaster	Postage	$ 475.25	$ -		$ 308.91	$ 142.58	$ 23.76
AFLAC	Insurance Premium	$ -	$ -				
Guardian	Insurance Premium	$ -	$ -				
Delta Dental	Insurance Premium	$ -	$ -				
United Group	Insurance Premium	$ -	$ -				
Blue Cross Blue Shield	Insurance Premium	$ -	$ -				
	TOTAL HAND CHECKS	$ 475.25	$ -	$ -	$ 308.91	$ 142.58	$ 23.76
	Sub-Total Regular Bills/Hand Checks	*$ 265,458.34*	*$ 51,505.08*	*$ 4,274.23*	*$ 147,067.76*	*$ 58,886.49*	*$ 3,724.78*
Gross Payroll	165	$ 78,123.54					
	Sub-Total	$ 78,123.54					
	GRAND TOTAL	*$ 343,581.88*	$ 51,505.08	$ 4,274.23	$ 147,067.76	$ 58,886.49	$ 3,724.78

HART AREA FIRE

ADMINISTRATIVE BOARD

Meeting Minutes- December 1, 2022

The Hart Area Fire Administrative Board Meeting was called to order by Vice Chairman Jay McGhan at 7:00PM. Others present for the meeting were, Mike Powers, Jerry Schaner, John Williams, Mike Potter, Dale Stevenson, Jake Whelpley, Larry Doran, Chief Fuehring and undersigned.

Chairman Gary Beggs was on speaker phone for the meeting.

Others present for the meeting was Lt Mike Barefoot.

Motion was made by Schaner and supported by Potter to approve the agenda as presented. Voice Vote, all Yes. Motion carried.

Motion was made by Whelpley and supported by Doran to approve the minutes of the October 27, 2022 meeting with a change of 8 business days for the minutes to be distributed. Voice Vote, All Yes. Motion Carried.

Treasurer advised the auditor will be here on Monday to do the audit for the year. Payroll year for the department came in at just over $92,000 this compares with last year was 87,000 for the year. The department has responded to 220 calls with a month left to go and last year the department responded to 221 for the entire year. One of the bills is to the City of Hart which is a tax bill for the new property that we purchased. We need to request to be exempt for tax for next year. Which is sending a letter to the City to request to be exempt.

We received the bill from Hallack Construction which is for $82,177.72 this is for the work completed so far on our project. Adding that into the bills to be paid makes the total bills comes to $212,737.70. Motion was made by Doran and supported by Powers to pay the bills and accept the treasure's report. listed. Roll call vote, all yes. Motion carried.

Chief advised he had received a quote to paint the garage doors from Jesse's Painting for $585.00. He had requested other bids and had not received any back. The painter will match the paint on the existing doors and the price includes the paint. It will be completed in the spring. Motion was made by Schaner and supported by Doran. Roll call vote, all yes. Motion carried.

Chief advised we are at 220 calls for the year with a month to go. Last year we had a total of 221.

Lt Mike Barefoot has been making some inquiries for gear lockers for the addition. The are lockers that are 20 x 20 by 72 and he believes they can be assembled by the fire fighters and shipping is free if you spend over $150. Chief will try to find out from the county when the money will be released and what restrictions are on the ARPA funds.

CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
December 13th 2022
MINUTES – Draft

PRESENT: Mayor Vicki Platt, Councilors: (Newly Appointed) Justin Adams, (Late) Jim Evans, Dean Hodges, Amanda Klotz, and Kris Trygstad
ABSENT: Catalina Burillo
OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Energy Superintendent – Mike Schiller, Hart PD Chief – Juan Salazar, and Sharon Hallack

COUNCIL APPOINTMENT:

- Council Review of applications and discussion – Justin Adams, Travis Larson
- Motion to appoint
  - A. Klotz motioned to appoint Justin Adams to Hart City Council and supported by D Hodges
    - Ayes: 5 Nays: 0 Absent: 1

Mayor Platt called the meeting to order; following the roll call, the mayor led the Council in the pledge of allegiance.

APPROVAL OF AGENDA:

- A. Klotz motioned to approve the agenda and was supported by J. Evans
  - Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS:

CORRESPONDENCE, EVENTS, PRESENTATIONS:

CONSENT AGENDA:

- Approval of minutes from November 22nd 2022.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
  - J. Evans motioned to approve Consent Agenda and supported by A. Klotz
    - Ayes: 6 Nays: 0 Absent: 0

ACTION ITEMS:

- Resolution 2022-54 Water Rate Study
  WHEREAS, the City of Hart owns and operates a water distribution system; and
  WHEREAS, recent City auditors highlighted the water distribution system is somewhat underfunded based on their analysis for general operational health of the utility; and
  WHEREAS, the City is planning several million dollars in water system capital improvements that will parallel work with the City's wastewater and storm water infrastructure; and
  WHEREAS, utility funds should be self-supporting, and it has been over five years since the last rate/cost of service study has been conducted;
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:
  Approve selecting Baker Tilly Municipal Advisors to conduct a water utility rate study at a cost not to exceed of $9,000.
  - J. Evans motioned to approve Resolution 2022-54 and A. Klotz supported by
    - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2022-55 Hart Energy Security Fence
  WHEREAS, the City of Hart operates a municipal electric utility; and
  WHEREAS, Hart Energy requires a secure and efficient building to store equipment and provide as a base of operations; and
  WHEREAS, it is in the best interest of the City to provide continual maintenance of City property including projects that identify security measures to protect inventory for the City and rate paying customers; and
  WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:
  Accepts competitive quotes to furnish and install a security fence from American Fence Erectors in the amount of $64,125 and Great Lakes Pet Fencing in the amount of $51,925. Council awards the work to low-bidder Great Lakes Pet Fencing and directs the City Manager to sign and execute all related documentation.
  - J. Adams Motioned to approve Resolution 2022-55 and supported by A. Klotz
    - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2022-56 Cancel December 27th, 2022, Council Meeting.
  WHEREAS; the second Council meeting in December is scheduled for December 27th, and
  WHEREAS; past precedent of the Council has been to cancel the meeting due to the close proximity to the Christmas Holiday to allow members and staff to make plans desired for travel and time with friends and family with the understanding that it can be reinstated if there is urgent business to complete; and
  WHEREAS; in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL
  The City Council's regularly scheduled December 27, 2022, meeting is canceled unless reinstated by request of two council members or the mayor to completer urgent business.
  - A. Klotz motioned to approve Resolution 2022-56 and supported by K. Trygstad
    - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2022-57 Designate 2023 City Council Meeting Dates
  WHEREAS; the City is required to review and designate any changes to the regular schedule of City Council meetings prior to the beginning of the calendar year; and
  WHEREAS; the Council meets on the 2nd and 4th Tuesday of each month unless there is a holiday, or the Council cancels a meeting; and
  WHEREAS; in 2023 there are no conflicts with City Council meetings and designated City holidays:
  NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:
  The City Council meeting dates for the City of Hart for 2023 will be

1/10	*5/9*	*9/12*
1/24	*5/23*	*9/26*
2/14	*6/13*	*10/10*
2/28	*6/27*	*10/24*
3/14	*7/11*	*11/14*
3/28	*7/25*	*11/28*
4/11	*8/8*	*12/12*
4/25	*8/22*	*12/26*

  - A. Klotz motioned to approve Resolution 2022-57 and supported by K. Trygstad
    - Ayes: 6 Nays: 0 Absent: 1

- Ordinance 23-01 *FIRST READING* - Establish Chapter 1428 International Property Maintenance Code (IPMC)

CITY OF HART
ORDINANCE NO. 23-01
ZONING ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF HART, MICHIGAN SPEFICICALLY TO ESTABLISH PART FOURTEEN – BUILDING AND HOUSING CODE TITLE TWO - BUILDING CODE – CHAPTER 1428 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)

At a regular meeting of the Hart City Council held at City Hall on the 10th day of January 2023, at 7:30 p.m.
PRESENT:
ABSENT:
The following ordinance was offered by _____ and supported by _____
THE CITY OF HART, COUNTY OF OCEANA, STATE OF MICHIGAN ORDAINS:

CITY OF HART CODE OF ORDINANCES, ESTABLISH PART 14, TITLE TWO, CHAPTER 1428 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC), AND ADOPT IPMC 2021 TO ESTABLISH MINIMUM REQUIREMENTS FOR THE MAINTENANCE AND IMPROVEMENT OF PROPERTIES WITHIN CITY OF HART JURISTICTION

SECTION 1. AMENDMENT THE CITY OF HART ORDIANS: Part 14 Title 2 Chapter 1428.
Adoption of code by reference.
Pursuant to the provisions of Public Act No. 179 of 1909 (MCL 117.1 et seq. MSA 5. 2071 et seq.) the 2021 edition of the International Property Maintenance Code, as published by the International Code Council. Be and is hereby adopted as the Property Maintenance Code of the City of Hart, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Hart are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Chapter 1428.
Chapter 1428.01 Code on file. Complete printed copies of which are on file and available for public use and inspection in the office of the Development Services Department of the City of Hart, being marked and designated as the International Property Maintenance Code, 2021 edition, as published by the International Code Council.
Chapter 1425.02 References in code. Reference in the code adopted in this article to "State" and "Michigan" shall mean the State of Michigan; reference to "municipality" and "Hart" shall mean the City of Hart; references to "local ordinances" shall mean the City of Hart ordinances. All references to the International Building Code, International Residential Code, International Energy Conservation Code, National Electric Code, International Existing Building Code, International Mechanical Code, and International Plumbing Code, mean the Michigan Building Code, Michigan Residential Code, Michigan Uniform Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code respectively.
Chapter 1428.03 Delete and replace with the following: Changes in the code. The following sections of the 2021 International Property Maintenance Code (IPMC) are amended or deleted as set forth and additional sections and subsections are added as indicated. Subsequent section numbers used in this section shall refer to the like numbers used in this section shall refer to like numbered sections of the 2021 International Property Maintenance Code.
The following sections are hereby revised:
Section 101.1 Insert: City of Hart Zoning Administrator and Code Enforcement Department
Section 103.1 Insert: [The amount shall be established, from time to time, by resolution of City Council and shall cover the cost of inspection(s) and the supervision resulting from the enforcement of the code]
Section 302.4 Insert: Eight (8) inches
Section 304.14 Insert: April 1 to December 1
Section 602.3 Insert: October 1 to June 1
Section 304.14 Insert October 1 to June 1

Add Section 109.4 Violation penalties: Any person who shall violate any provision of this code upon conviction shall be penalized as provided in section 202.99 of the City of Hart Code of Ordinances – General code penalty; municipal civil infractions; equitable remedies; complicity.
Chapter 1428.05 Severability Clause. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsection, clause, and phrases be declared unconstitutional.
Chapter 1428.06 Saving Clause. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Chapter 1428 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance. That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect ten (10) days from publication thereof.
SECTION 2. Effective Date. This Ordinance shall become effective ten (10) days after it's publication or ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart

AYES:_____
NAYS:_____

ORDINANCE DECLARED ADOPTED
FIRST READING: December 13th, 2022
SECOND READING: January 10th, 2023
ORDINANCE BECOMES EFFECTIVE: January 30th, 2023

DISCUSSION ITEMS:

- City Manager Performance Evaluation, Will be emailed to Council members and please have back to Mayor Platt by December 30th, 2022
- Council Retreat January 28th, 2023 – review draft agenda and seek input from Council
- Nomination and election of Mayor Pro-Tem , Mayor Platt nominated Amanda Klotz,
    - J. Evans motioned to accept nomination Amanda Klotz as Pro-Tem by Mayor Platt and supported by K. Trygstad
        - Ayes: 6 Nays: 0 Absent: 1

CITY MANAGER'S REPORT:

UPDATES:

- New Oceana County Economic Alliance Director – Curtis Burdette starting in January
- Michigan Infrastructure Council Asset Management Champion Program certification will help to develop asset management policy in the City of Hart to enhance long term budget planning as well as coordinate future regional projects with other local and state agencies
- Holiday parade had strong attendance, downtown and fairground decorations have been applauded, thanks for all the volunteers and donors who helped make it possible
- Downtown speaker system has been well received by downtown business owners, residents, and the community. This system will be used for summer events, concerts, and this year for the fireworks
- City Credit Card policy is in place as adopted by City Council in 2019 and is followed
- Informal neighborhood holiday caroling Friday December 23rd 6pm meet in parking lot #3 (behind pocket park) – song books to be provided

Legacy Topics:

- Working to have communities review intergovernmental operational agreement for property code enforcement department – Adoption of that agreement is pending – New planning consultant agency to help with the adoption of International Property Maintenance Code standards.

- Grant Funded 227 East Main property demolition pending. Site reconstruction to take place in the spring.
- The Charter review committee has finished its assessment for phase one City Charter amendments which include changing all pronouns to show gender equity and modifying the language which dictates the date and time of City Council meetings. The proposed changes are being reviewed by our City Attorney and we anticipate initiating that work in January.

Upcoming Topics:

- Adoption of 2022-2026 Park and Rec Master Plan

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- J. Evans commented that Boards and Commissions that council members sit on should be looked at every year and term limits should be looked at.
- Mayor Platt would like the Council members to get with her about what Boards and Commissions they would like to sit on as with new Council member Justin Adams replacing Fred Rybarz it is a good opportunity to move council members around if they'd like.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at upon a motion by J. Evans and supported by K. Trygstad. The next regularly scheduled meeting will be on January 10th, 2023, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk

RESOLUTION 2023-01
Hart City Council
City of Hart, Michigan

Authorize Michigan Public Power Agency Member Authorized Representative to Sign Power Purchase Agreements

WHEREAS, on March 11, 2009, the Michigan Public Power Agency ("MPPA") Board of Commissioners, by action in open meeting, created the Energy Services Project ("Project"); and

WHEREAS, a Member joining the Project must execute an Energy Services Agreement ("ESA"); and

WHEREAS, Section 2 of the ESA requires the Member's Governing Body to designate a Member Authorized Representative ("MAR"); and

WHEREAS, the MAR is delegated the responsibility of binding the Member into Power Purchase Commitments ("PPC") with MPPA.

WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

The City of Hart MAR has been delegated with the authority to approve and execute PPC's with MPPA so long as the PPC's are within the term and quantity parameters of MPPA's Power Supply Risk Management Policy.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on January 10, 2023.

Ayes: __ Nays: __ Absent: __

Rob Splane

From: Robert Lalonde <rlalonde@mpower.org>
Sent: Tuesday, November 8, 2022 8:37 AM
To: AWebster; John Griffith; Ray Schmidt; Roy Atkinson; rpierce@cityofeatonrapids.com; 'David Walters'; Victor Sinadinoski; Rob Splane; 'cwest@lowell-light.org'; Mike Robbins (mrobbins@petoskey.us); S. Tutt Gorman; Electric Supervisor; Kurt Giles; Paul LaManes; Andrew Boatright (aboatright@zeelandbpw.com)
Cc: Steve Donkersloot; Patrick Bowland; Keith Parrott
Subject: MAR Authority
Attachments: MAR Resolution Sample_Hedge Policy Authorized.docx

Importance: High

Member Authorized Representatives in the Stability Hedge Plan,

In an effort to continue to reduce the amount of time necessary to receive Power Purchase Commitments returned for normal Hedge Plan purchases, I initiated conversations with some of you to get your thoughts. Some Member Authorized Representatives (MAR) have the authority to sign immediately and some need further approval from their governing bodies. Our preference is for the MAR to have that authority. I have attached a sample resolution for those that want to consider getting that approval from your governing body. I am available for any governing body meeting in which you would like for me to attend to help you attain this approval.

I will be discussing this at tomorrows BOC meeting. I look forward to the discussion.

Thank you,

Bob Lalonde | Director of Energy Supply and Market Operations

Michigan Public Power Agency
809 Centennial Way, Lansing, MI 48917
Office: 517-323-8919 x119
rlalonde@mpower.org | **www.mpower.org**

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RESOLUTION 2023-02
Hart City Council
City of Hart, Michigan

Authorize Change Order to Wigton and Hanson Street Reconstruction Project

WHEREAS, The City of Hart contract with Hallack Contracting 2022-2023 Street Program, and;

WHEREAS, During the course of the project the there was additional work needed due to various conditions, and;

WHEREAS, Hallack Contracting has submitted two change orders for the project totaling $23,354.66 bringing the total project cost to $829,083.16, and;

WHEREAS, City staff has reviewed the request and recommends approval, and;

WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

The City of Hart hereby approves the change order requests from Hallack Contracting for a total project cost of $829,083.16 and authorizes the City Manager to sign related documents.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on January 10, 2023.

Ayes: __ Nays: __ Absent: __

DocuSign Envelope ID: EA3EC4D6-A240-41D4-A361-63042039852F

CHANGE ORDER NO.: 2

Owner:	City of Hart	Owner's Project No.:	
Engineer:	Prein&Newhof	Engineer's Project No.:	2210377
Contractor:	Hallack Contracting Inc	Contractor's Project No.:	
Project:	Wigton Street and Hanson Street Reconstruction		
Date Issued:	12/19/2022	Effective Date of Change Order:	12/19/2022

The Contract is modified as follows upon execution of this Change Order:

Description:

- **Undercut the subgrade on Hanson where unsuitable clay subbase material was discovered**
- **Install four steel bollards at the entrance to the DPW Garage per DPW request**

Attachments:

- **Contract Modification Summary**
- **Subgrade Undercutting, Type II Pricing**
- **Steel Bollard Pricing**

Change in Contract Price	**Change in Contract Times [State Contract Times as either a specific date or a number of days]**
Original Contract Price: $ 787,578.50	Original Contract Times: Substantial Completion: _____ Ready for final payment: _____
~~**[Increase] [Decrease]**~~ from previously approved Change Orders No. 1 to No. **1**: $ 18,150.00	~~**[Increase] [Decrease]**~~ from previously approved Change Orders No.1 to No. **1**: Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: $ 805,728.50	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: _____
[Increase] ~~**[Decrease]**~~ this Change Order: $ 7,444.00	~~**[Increase] [Decrease]**~~ this Change Order: Substantial Completion: _____ Ready for final payment: _____
Contract Price incorporating this Change Order: $ 813,172.50	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: _____

Recommended by Engineer (if required)

By: Tyler DeNooyer, P.E. Digitally signed by Tyler DeNooyer, P.E. DN: C=US, E=tdenooyer@preinnewhof.com, O=PreinNewhof, CN="Tyler DeNooyer, P.E." Date: 2022.12.19 15:16:10-05'00'

Title: Project Engineer

Date: 12/19/2022

Accepted by Contractor

DocuSigned by: Amber Burden 8B2EEF021B01439...

By:

Title: Project Manager

Date: 12/19/2022

Authorized by Owner

By:

Title: City Manager

Date:

Approved by Funding Agency (if applicable)

By:

Title:

Date:

This document is a Modified version of EJCDC® C 941, Change Order.
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DocuSign Envelope ID: EA3EC4D6-A240-41D4-A361-63042039852F

Contract Modification

Prein&Newhof

12/19/2022 3:08 PM
FieldManager 5.3c

Contract: _2210377, Wlgton Street and Hanson Street

Cont. Mod. Number	Revision Number	Cont. Mod. Date	Electronic File Created	Net Change	Awarded Contract Amount
2		12/19/2022	No	$7,444.00	$787,578.50

Route	Managing Office	District	Entered By
	PN Muskegon	0	Tyler A DeNooyer

Contract Location
City of Hart

Short Description
CO 2

Description of Changes
- Undercut approximately 172.2 cyds of roadway due to existing soil conditions on Hanson Street
- Install four steel bollards at the entrance to the DPW Garage per DPW request

New Items

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	ItemType	Proposed Quantity	Unit	Unit Price	Dollar Value
_ Subgrade Undercutting, Type II	8507021	0111	0500	2210377	001	Extra	172.200	Cyd	20.00000	$3,444.00
Reason: CO 2										
_ Steel Bollard	8507050	0116	0505	2210377	001	Extra	4.000	Ea	1,000.00000	$4,000.00
Reason: CO 2										

Total Dollar Value: $7,444.00

Project / Category Summary

Project/Catg	Project/Category Description	Federal Number	Project Status	Finance System	Control Section	Dollar Value
2210377	Wigton Street and Hanson Street	0	CNST			
001	Original Contract					$7,444.00

Total: $7,444.00

Total Net Change Amount: $7,444.00

DocuSign Envelope ID: EA3EC4D6-A240-41D4-A361-63042039852F

Tyler DeNooyer

From: Amber Burden <amber@hallackcontracting.com>
Sent: Wednesday, August 24, 2022 4:51 PM
To: Tyler DeNooyer
Cc: Matthew R. Hulst
Subject: [External] RE: Subgrade Undercutting, Type II

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

$20/cyd

From: Tyler DeNooyer <tdenooyer@preinnewhof.com>
Sent: Wednesday, August 24, 2022 4:03 PM
To: Amber Burden <amber@hallackcontracting.com>
Cc: Matthew R. Hulst <MHulst@preinnewhof.com>
Subject: RE: Subgrade Undercutting, Type II

The total we have measured is 172.2 cyd (30' x 155' x 1').

Tyler DeNooyer, P.E.
Prein&Newhof
t. 231-798-0101
f. 231-798-0337 c. 616-481-0693
Website | Blog | LinkedIn

From: Tyler DeNooyer
Sent: Wednesday, August 24, 2022 3:54 PM
To: Amber Burden <amber@hallackcontracting.com>
Cc: Matthew R. Hulst <MHulst@preinnewhof.com>
Subject: Subgrade Undercutting, Type II

Amber,

Can you provide us a price per cubic yard for the subgrade undercutting that was required on Hanson Street due to the clay that was encountered?

Subgrade Undercutting, Type II (Cyd)

Thanks,

Tyler DeNooyer, P.E.
Prein&Newhof
t. 231-798-0101
f. 231-798-0337 c. 616-481-0693
Website | Blog | LinkedIn

DocuSign Envelope ID: EA3EC4D6-A240-41D4-A361-63042039852F

Tyler DeNooyer

From: Amber Burden <amber@hallackcontracting.com>
Sent: Monday, December 19, 2022 2:48 PM
To: Tyler DeNooyer
Cc: Matthew R. Hulst
Subject: [External] RE: Steel Bollard

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

$1000 each.

From: Tyler DeNooyer <tdenooyer@preinnewhof.com>
Sent: Monday, December 19, 2022 2:47 PM
To: Amber Burden <amber@hallackcontracting.com>
Cc: Matthew R. Hulst <MHulst@preinnewhof.com>
Subject: Steel Bollard

Amber,

As requested by the City, four steel bollards were installed in the DPW parking lot near the DPW garage entrance as part of the Wigton/Hanson Reconstruction Project. Can you please provide us with proposed pricing for the following item?

Steel Bollard – 4 ea

Thank you,

Tyler DeNooyer, P.E.
Prein&Newhof
t. 231-798-0101
f. 231-798-0337 c. 616-481-0693
Website | Blog | LinkedIn

DocuSign Envelope ID: 84D44995-3D2D-48FB-ADD5-DDF69F8AE48A

CHANGE ORDER NO.: 3

Owner:	City of Hart	Owner's Project No.:	
Engineer:	Prein&Newhof	Engineer's Project No.:	2210377
Contractor:	Hallack Contracting Inc	Contractor's Project No.:	
Project:	Wigton Street and Hanson Street Reconstruction		
Date Issued:	12/19/2022	Effective Date of Change Order:	12/19/2022

The Contract is modified as follows upon execution of this Change Order:

Description:

- Balancing Change Order

Attachments:

- Contract Modification Summary

Change in Contract Price	**Change in Contract Times [State Contract Times as either a specific date or a number of days]**
Original Contract Price: $ 787,578.50	Original Contract Times: Substantial Completion: Ready for final payment:
~~[Increase] [Decrease]~~ from previously approved Change Orders No. 1 to No. **1**: $ 25,594.00	~~[Increase] [Decrease]~~ from previously approved Change Orders No.1 to No. **1**: Substantial Completion: Ready for final payment:
Contract Price prior to this Change Order: $ 813,172.50	Contract Times prior to this Change Order: Substantial Completion: Ready for final payment:
[Increase] ~~**[Decrease]**~~ this Change Order: $ 15,910.66	~~**[Increase] [Decrease]**~~ this Change Order: Substantial Completion: Ready for final payment:
Contract Price incorporating this Change Order: $ 829,083.16	Contract Times with all approved Change Orders: Substantial Completion: Ready for final payment:

Recommended by Engineer (if required)

By: Tyler DeNooyer, P.E. Digitally signed by Tyler DeNooyer, P.E. DN: C=US, E=tdenooyer@preinnewhof.com, O=Prein&Newhof, CN=Tyler DeNooyer, P.E." Date: 2022.12.19 15:42:11-05'00'

Title: Project Engineer

Date: 12/19/2022

Accepted by Contractor

DocuSigned by:

By: Amber Burden

Title: Project Manager

Date: 12/20/2022

Authorized by Owner

By:

Title: City Manager

Date:

Approved by Funding Agency (if applicable)

By:

Title:

Date:

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Contract Modification

Prein&Newhof

12/19/2022 3:36 PM
FieldManager 5.3c

Contract: _2210377, Wlgton Street and Hanson Street

Cont. Mod. Number	Revision Number	Cont. Mod. Date	Electronic File Created	Net Change	Awarded Contract Amount
3		12/19/2022	No	$15,910.66	$787,578.50

Route	Managing Office	District	Entered By
	PN Muskegon	0	Tyler A DeNooyer

Contract Location
City of Hart

Short Description
CO 3

Description of Changes
Balancing Item Quantities

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Tree, Rem, 6 inch to 18 inch	8507050	0004	0020	2210377	001	Original	2.000	Ea	265.85000	$531.70
_ Erosion Control, Inlet Protection, Fabric Drop	8507050	0006	0030	2210377	001	Original	-1.000	Ea	85.00000	$-85.00
_ Erosion Control, Silt Fence	8507001	0007	0035	2210377	001	Original	-40.000	Ft	1.97000	$-78.80
_ Dr Structure, Rem	8507050	0008	0040	2210377	001	Original	1.000	Ea	273.69000	$273.69
_ Sanitary Sewer, Abandon	8507001	0009	0045	2210377	001	Original	-505.000	Ft	1.00000	$-505.00
_ Curb and Gutter Rem	8507001	0011	0055	2210377	001	Original	8.000	Ft	4.00000	$32.00

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Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Pavt, Rem	8507011	0012	0060	2210377	001	Original	-52.970	Syd	8.00000	$-423.76
_ HMA Surface, Rem	8507011	0013	0065	2210377	001	Original	-164.300	Syd	3.00000	$-492.90
_ Sidewalk, Rem	8507011	0014	0070	2210377	001	Original	-5.880	Syd	10.00000	$-58.80
_ Machine Grading, Modified	8507002	0015	0075	2210377	001	Original	-0.040	Sta	3,000.00000	$-120.00
_ Aggregate Base, 4 inch, Modified	8507011	0017	0085	2210377	001	Original	-52.130	Syd	6.00000	$-312.78
_ Aggregate Base, 8 inch, Modified	8507011	0018	0090	2210377	001	Original	-46.070	Syd	10.00000	$-460.70
_ Aggregate Base, 10 inch, Modified	8507011	0019	0095	2210377	001	Original	-193.000	Syd	12.50000	$-2,412.50
_ Aggregate Surface Cse, 8"	8507011	0020	0100	2210377	001	Original	-120.000	Syd	14.00000	$-1,680.00
_ Approach, Cl I, 6 inch	8507011	0021	0105	2210377	001	Original	-88.000	Syd	12.50000	$-1,100.00
_ Approach, Cl I, 8 inch	8507011	0022	0110	2210377	001	Original	-34.440	Syd	14.00000	$-482.16

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Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Approach, Cl I, 10 inch	8507011	0023	0115	2210377	001	Original	-150.000	Syd	16.00000	$-2,400.00
_ Shoulder, Cl II, 4 inch	8507011	0024	0120	2210377	001	Original	13.220	Syd	10.00000	$132.20
_ HMA, 13A	8507031	0025	0125	2210377	001	Original	3.280	Ton	100.00000	$328.00
_ HMA, Approach	8507031	0026	0130	2210377	001	Original	-37.900	Ton	135.00000	$-5,116.50
_ HMA, Parking Lot	8507031	0027	0135	2210377	001	Original	24.520	Ton	138.50000	$3,396.02
_ Driveway, Nonreinf Conc, 6 inch	8507011	0028	0140	2210377	001	Original	16.510	Syd	52.50000	$866.78
_ Driveway, Nonreinf Conc, 8 inch	8507011	0029	0145	2210377	001	Original	158.696	Syd	60.00000	$9,521.76
_ Conc Pavt, Nonreinf, 10 inch	8507011	0030	0150	2210377	001	Original	-47.240	Syd	100.00000	$-4,724.00
_ Sidewalk, Conc, 6 inch	8507010	0031	0155	2210377	001	Original	68.000	Sft	9.00000	$612.00
_ Sidewalk, Conc, 6 inch	8507010	0032	0160	2210377	001	Original	32.590	Sft	9.00000	$293.31

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Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Sidewalk Ramp, Conc, 6 inch	8507010	0033	0165	2210377	001	Original	-32.870	Sft	10.00000	$-328.70
_ Dr Structure Cover, Adj, Case 1	8507050	0035	0175	2210377	001	Original	1.000	Ea	385.00000	$385.00
_ Curb and Gutter, Conc. Det F4	8507001	0038	0190	2210377	001	Original	31.000	Ft	28.50000	$883.50
_ Pavt Mrkg, Polyurea, 18 inch, Stop Bar, White	8507001	0039	0195	2210377	001	Original	-34.000	Ft	10.00000	$-340.00
_ Pavt Mrkg, Polyurea, 6 inch, Crosswalk, White	8507001	0040	0200	2210377	001	Original	-156.000	Ft	3.50000	$-546.00
_ Pavt Mrkg, Polyurea, 4 inch, Yellow	8507001	0041	0205	2210377	001	Original	-390.000	Ft	3.50000	$-1,365.00
_ Rem Curing Compound, For Spec Mrkg	8507010	0042	0210	2210377	001	Original	89.000	Sft	6.00000	$534.00
_ Post, Steel, 3 LB	8507001	0045	0225	2210377	001	Original	-14.000	Ft	5.00000	$-70.00
_ Turf Restoration, Roadway	8507002	0046	0230	2210377	001	Original	-0.010	Sta	1,250.00000	$-12.50
_ Sewer Rem, 24 inch and Less	8507001	0048	0240	2210377	001	Original	-116.000	Ft	5.00000	$-580.00

DocuSign Envelope ID: 84D44995-3D2D-48FB-ADD5-DDF69F8AE48A

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Sewer, Cl E, 12 inch, Tr Det B, DI	8507001	0049	0245	2210377	001	Original	2.000	Ft	115.00000	$230.00
_ Sewer, Cl E, 12 inch, Tr Det B	8507001	0050	0250	2210377	001	Original	6.000	Ft	35.00000	$210.00
_ Sewer, Cl E, 15 inch, Tr Det B	8507001	0051	0255	2210377	001	Original	29.000	Ft	55.00000	$1,595.00
_ Dr Structure, Tap, 15"	8507050	0053	0265	2210377	001	Original	3.000	Ea	350.00000	$1,050.00
_ Dr Structure Cover, Type B	8507050	0056	0280	2210377	001	Original	1.000	Ea	1,000.00000	$1,000.00
_ Dr Structure Cover, Type K	8507050	0058	0290	2210377	001	Original	1.000	Ea	1,250.00000	$1,250.00
_ Sanitary Sewer, 8", Tr Det B	8507001	0059	0295	2210377	001	Original	99.000	Ft	65.00000	$6,435.00
_ Sanitary Sewer, 12", Tr Det B	8507001	0060	0300	2210377	001	Original	-1.000	Ft	85.00000	$-85.00
_ Sanitary Lateral, 6 inch	8507001	0064	0320	2210377	001	Original	-16.000	Ft	25.00000	$-400.00
_ Sanitary Sewer, Connect to Ex. 12"	8357050	0067	0335	2210377	001	Original	2.000	Ea	600.00000	$1,200.00

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Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Sanitary Sewer, CCTV	8507001	0068	0340	2210377	001	Original	85.400	Ft	2.00000	$170.80
_ Water Main, DI, 4 inch, Tr Det G	8507001	0069	0345	2210377	001	Original	4.000	Ft	65.00000	$260.00
_ Water Main, DI, 6 inch, Tr Det G	8507001	0070	0350	2210377	001	Original	14.000	Ft	70.00000	$980.00
_ Water Main, DI, 8 inch, Tr Det G	8507001	0071	0355	2210377	001	Original	34.000	Ft	75.00000	$2,550.00
_ Water Main, Bend, 45 Degree, 8 inch	8507050	0073	0365	2210377	001	Original	1.000	Ea	550.00000	$550.00
_ Water Service, Material Verification	8507050	0088	0440	2210377	001	Original	1.000	Ea	500.00000	$500.00
_ Water Service, Corporation Stop, 1 inch	8507050	0089	0445	2210377	001	Original	3.000	Ea	500.00000	$1,500.00
_ Water Service, Corporate Stop, 2 inch	8507050	0090	0450	2210377	001	Original	-1.000	Ea	1,000.00000	$-1,000.00
_ Water Service, Curb Stop and Box, 1 inch	8507050	0091	0455	2210377	001	Original	4.000	Ea	1,050.00000	$4,200.00
_ Water Serivce, Curb Stop and Box, 2 inch	8507050	0092	0460	2210377	001	Original	-1.000	Ea	1,850.00000	$-1,850.00

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Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
_ Water Service, Meter Pit	8507050	0093	0465	2210377	001	Original	1.000	Ea	1,000.00000	$1,000.00
_ Water Service, 1 inch	8507001	0094	0470	2210377	001	Original	112.000	Ft	35.00000	$3,920.00
_ Water Service, 2 inch	8507001	0095	0475	2210377	001	Original	-60.000	Ft	57.50000	$-3,450.00

Total Dollar Value: **$15,910.66**

Project / Category Summary

Project/Catg	Project/Category Description	Federal Number	Project Status	Finance System	Control Section	Dollar Value
2210377	Wigton Street and Hanson Street	0	CNST			
001	Original Contract					$15,910.66

Total: **$15,910.66**

Total Net Change Amount: **$15,910.66**

RESOLUTION 2023-03
Hart City Council
City of Hart, Michigan

Resolve to Remove Former Mayor Pro-Tem Fred Rybarz from City of Hart Bank Accounts and Add Current Mayor Pro-Tem Amanda Klotz as Authorized Signer

WHEREAS; City of Hart maintains local bank accounts to conduct daily operations; and

WHEREAS; the accounts require an authorized signer to conduct business as necessary: and

WHEREAS; the Mayor, Mayor Pro-Tem, City Manager and City Clerk/Treasurer are the generally accepted individuals as authorized signers; and

WHEREAS: the Shelby State Bank which the City holds it's investment requires formal action designating any new account signers;

WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Designates new City of Hart Mayor Pro-Tem Amanda Klotz as authorized signers on City bank accounts and authorizes the removal of former Mayor Pro-Tem Fred Rybarz from said accounts.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on January 10, 2023.

Ayes: __ Nays: __ Absent: __

RESOLUTION 2023-04
Hart City Council
City of Hart, Michigan

Accept Amendment Three Proposal from Prein and Newhof to Provide Engineering Services to Add Clarifier to Existing BioPure Project

WHEREAS, The City of Hart operates a waste water treatment system at Hart BioPure, and;

WHEREAS, The BioPure system supports the functionality of all city wastewater sewer components and provides for safe sanitary conditions for city residents, businesses, and industry partners, and;

WHEREAS, On November 8 2022, Representatives presented project details to City Council inclusive of the proposal to add a new clarifier to the BioPure project providing much needed capacity improvements to the system, and;

WHEREAS, projects costs will be covered by existing financing of State of Michigan Clean Water Revolving Funds as well as funding from the United States Economic Development Administration, and;

WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

The City of Hart hereby approves the Amendment 3 proposal from Prein and Newhof in the amount of $388,500 and authorizes the City Manager to sign related documents.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on January 10, 2023.

Ayes: __ Nays: __ Absent: __

Prein&Newhof
Engineers ▪ Surveyors ▪ Environmental ▪ Laboratory

January 6, 2023

Mr. Rob Splane, Manager
City of Hart
407 State Street
Hart, MI 49420

Re: Professional Engineering Services for BioPure Facility – Amendment 3 - Clarifier Addition
SRF FY 2023 5845-01

Dear Rob:

The city council decided to proceed with including an additional clarifier to the BioPure project being funded through the State Clean Water Revolving Fund (CWSRF) and the U. S. Economic Development Administration (EDA) at its November 8, 2022 meeting. The additional clarifier is needed to respond to the increasing flows the BioPure Facility has been receiving. We presented the anticipated cost for this at the November 8, 2022 meeting, and in a letter dated November 4, 2022. The council decided to proceed with that work.

Attached is our estimated work scope/fee and Amendment 3 for our Professional Engineering Service Agreement to include the design and construction phase for the clarifier addition. This cost was included in the estimate provided at the November 8, 2022 council meeting.

Once approved, please sign the amendment form and return a copy to us. If you have questions, please contact us.

Sincerely,

Prein&Newhof

Barbara E. Marczak

Barbara E. Marczak, P.E.

Enclosures: Estimated work effort/fee, PSA Amendment 3

Professional Hours Worksheet
City of Hart- SRF Biopure Treatment Facility ADD CLARIFIER

Task	Total Cost
Clarifier Design	
Topo Survey and Soil Boring	$7,700
Project Adminstration, Permitting and Financing	$7,600
Prelim Site Visit	$3,400
Basis of Design	$11,200
Select Equipment	$13,500
Site Design	$14,900
Clarifier process layout including clarifier piping from splitter box	$49,000
Reinforced Concrete	$19,800
Building	$29,200
RAS pumps and piping	$10,200
Inlet Splitter box Modifications	$21,500
QA	$16,100
Design Subtotals	**$204,100**
Construction Phase Services	
Contract Administration	$38,800
Shop Drawings / Submittals Review (8 total)	$18,100
Respond to RFIs (3 RFIs)	$6,200
Review IDRs	$6,800
Review Claims & Change Orders	$2,600
Start-up Assistance	$2,700
Record Drawings and Closeout Documentation	$4,800
2023/4 Rate Increase	$6,400
Construction Phase Services Subtotals	**$86,400**
Resident Inspection	
Construction Staking	$4,000
Observation	$45,900
Structural Observation - Concrete	$15,800
Structural Observation - Masonry, Plank & Misc BLDG	$15,600
Start-up Assistance (3 days)	$9,400
2023/4 Rate Increase	$7,300
Resident Inspection Subtotal	**$98,000**
GRAND TOTALS	**$388,500**

Prein&Newhof
Engineers ▪ Surveyors ▪ Environmental ▪ Laboratory

Project No. 2211159

Professional Services Agreement Amendment

Amendment Number : 3

Project Name: City of Hart SRF Wastewater Improvements

P&N Representative: Barbara Marczak, P.E.

Client: City of Hart

Client Representative: Robert Splane, City Manager

AGREEMENT: The Agreement Amendment modifies the original agreement for professional services dated: November 23, 2021

Client hereby requests and authorizes a change in services in accordance with the following:

SCOPE OF SERVICES MODIFICATION:

Additional design services and Constrruction Phases Services for BioPure Claifier Addition – see letter dated 01/06/2022.

SCHEDULE OF SERVICES MODIFICATION:

November 8, 2022 through December 31, 2024.

BUDGET MODIFICATION:

Original Budget: $444,200
Amendment 1: $265,000
Amendement 2: $695,800
Amendment 3: $388,500
Revised Budget: $1,793,500

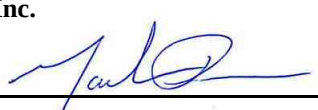
METHOD OF COMPENSATION:

- ☐ **Lump Sum for Defined Scope of Services**
- ☒ **Hourly Billing Rates plus Reimbursable Expenses**
- ☐ **Other:**

ADDITIONAL PROVISIONS (IF ANY):

Modified Terms and Conditions – Limitation of Liability increased to $1,000,000

Prein&Newhof
Engineers ▪ Surveyors ▪ Environmental ▪ Laboratory

Prepared by:		**Accepted for:**	
Prein&Newhof, Inc.		**Client**_____	
By:		**By:**	
Print Name:	Mark Prein	**Print Name:**	
Title:	Vice President	**Title:**	
Date:	January 6, 2023	**Date:**	

CITY OF HART
ORDINANCE NO. 23-01
ZONING ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF HART, MICHIGAN SPEFICICALLY TO ESTABLISH PART FOURTEEN – BUILDING AND HOUSING CODE TITLE TWO – BUILDING CODE – CHAPTER 1428 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)

At a regular meeting of the Hart City Council held at City Hall on the 10th day of January 2023, at 7:30 p.m.

PRESENT:

ABSENT:

The following ordinance was offered by _____ and supported by _____:

THE CITY OF HART, COUNTY OF OCEANA, STATE OF MICHIGAN ORDAINS:

CITY OF HART CODE OF ORDINANCES, ESTABLISH PART 14, TITLE TWO, CHAPTER 1428 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC), AND ADOPT IPMC 2021 TO ESTABLISH MINIMUM REQUIREMENTS FOR THE MAINTENANCE AND IMPROVEMENT OF PROPERTIES WITHIN CITY OF HART JURISTICTION

SECTION 1. AMENDMENT THE CITY OF HART ORDAINS: Part 14 Title 2 Chapter 1428.
Adoption of code by reference.
Pursuant to the provisions of Public Act No. 179 of 1909 (MCL 117.1 et seq., MSA 5.2071 et seq.), the 2021 edition of the International Property Maintenance Code, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Hart, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore ; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Hart are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Chapter 1428.
Chapter 1428.01 Code on file. Complete printed copies of which are on file and available for public use and inspection in the office of the Development Services Department of the City of Hart, being marked and designated as the International Property Maintenance Code, 2021 edition, as published by the International Code Council.
Chapter 1428.02 References in code. Reference in the code adopted in this article to “state” and “Michigan” shall mean the State of Michigan; reference to “municipality” and “Hart” shall mean the City of Hart; reference to the “municipal charter” shall mean the Charter of the City of Hart; and references to “local ordinances” shall mean the City of Hart ordinances. All references to the International Building Code, International Residential Code, International Energy Conservation Code, National Electric Code, International Existing Building Code, International Mechanical Code, and International Plumbing Code, mean the Michigan Building Code, Michigan Residential Code,

Michigan Uniform Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code respectively.
Chapter 1428.03 Delete and replace with the following: Changes in the code. The following sections of the 2021 International Property Maintenance Code (IPMC) are amended or deleted as set forth and additional sections and subsections are added as indicated. Subsequent section numbers used in this section shall refer to the like numbers used in this section shall refer to like numbered sections of the 2021 International Property Maintenance Code.
The following sections are hereby revised:
Section 101.1. Insert: City of Hart, Oceana County, State of Michigan Section
103.1. Insert: City of Hart Zoning Administrator and Code Enforcement Department
Section 104.1. Insert: [The amount shall be established, from time to time, by resolution of city council and shall cover the cost of inspection(s) and the supervision resulting from the enforcement of the code]
Section 302.4. Insert: Eight (8) inches
Section 304.14. Insert: April 1 to December 1
Section 602.3. Insert: October 1 to June 1
Section 304.14. Insert: October 1 to June 1
Add Section 109.4 Violation penalties: Any person who shall violate any provision of this code upon conviction shall be penalized as provided in section 202.99 of the City of Hart Code of Ordinances – General code penalty; municipal civil infractions; equitable remedies; complicity
Chapter 1428.04 Repeal of conflicting ordinances. That the codified ordinance and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.
Chapter 1428.05 Severability Clause. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.
Chapter 1428.06 Saving Clause. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Chapter 1428 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance. That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect ten (10) days from publication thereof.
SECTION 2. Effective Date. This Ordinance shall become effective ten (10) days after it's publication or ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart

AYES: __
NAYS: __

ORDINANCE DECLARED ADOPTED

FIRST READING: December 13, 2022

SECOND READING: January 10, 2023

ORDINANCE BECOMES EFFECTIVE: January 30, 2023

CITY OF HART

407 S. State St., Hart, MI 49420
Ph: 231-873-2488 Fax: 231-873-0100

SPECIAL EVENTS PERMIT

THE CITY IS NOT RESPONSIBLE FOR BY-STANDERS AT YOUR EVENT.

DATE OF APPLICATION: DECEMBER 12, 2022

NAME OF EVENT: Oceana County Right to Life Memorial Service and Silent March

DATE OF EVENT: January 21, 2023 TIME: 10 A.M. TO 1 pm

RAIN DATE OF EVENT: **MUST PROVIDE** January 22, 2023 — then noon - 3 pm

LOCATION AND/OR ROUTE OF EVENT: Silent march (walking) from St. Gregory's Catholic Church east on Johnson Street to State St. N. on State St. (stopping at the Courthouse lawn for prayer) - continue to Main St. - Then west to Peach St. South returning to St. Gregory's

DESCRIPTION OF EVENT: Memorial service for documented aborted babies and a silent march/prayer.

SPECIAL NEEDS: NONE

NAME OF ORGANIZATION OR SPONSOR: Oceana County Right to Life

ADDRESS: 311 Johnson Street E.
HART, Michigan 49420

CONTACT PERSON: Susan R. Stace

PHONE: 231.903.9997 FAX: NONE

EMAIL: susanstace@yahoo.com

X Susan R. Stace December 12, 2022

SIGNATURE OF EVENT COORDINATOR/SPONSOR **DATE**

ALL CURRENT COVID-19 STATE MANDATED RESTRICTIONS MUST BE ADHERED TO. IT IS YOUR RESPONSIBLITY TO SCHEDULE THE LOGISTICS MEETING WITH THE CITY DEPARTMENTS INDICATED IF YOUR APPROVED PERMIT INDICATES THAT A MEETING IS NEEDED. PLEASE NOTE THAT A 7 - 10 DAY ADVANCE NOTICE WILL BE NEEDED TO SCHEDULE THE MEETING.

POLICE: 873-2488, DPW: 873-3100, HYDRO: 873-5367, EMS: 873-8240

SECTIONS BELOW TO BE COMPLETED BY THE CITY

PROOF OF LIABILITY INSURANCE FOR STREET SOLICITATION: YES OR NO

LOGISTICS MEETING NEEDED: YES OR NO

DEPT. ATTENDING: DPW POLICE EMS HYDRO

PERMIT NUMBER: APPROVED BY CITY COUNCIL/CITY MANAGER

DATE OF APPROVAL/DENIAL: YES OR NO

CONDITIONS:

CITY REPRESENTATIVE'S SIGNATURE:

CITY OF HART

407 S. State St., Hart, MI 49420

Ph: 231-873-2488 Fax: 231-873-0100

SPECIAL EVENTS PERMIT

THE CITY IS NOT RESPONSIBLE FOR BY-STANDERS AT YOUR EVENT.

DATE OF APPLICATION: 12/20/22

NAME OF EVENT: HART WINTERFEST

DATE OF EVENT: 02/03/2023 - 02/04/2022 TIME: 11am TO 9 PM

RAIN DATE OF EVENT: **MUST PROVIDE** NO RAIN DATE

LOCATION AND/OR ROUTE OF EVENT:

Downtown Hart - Soup Walk Saturday

Broomball - Parking lot N. of La Probadita

DESCRIPTION OF EVENT:

Soup walk Saturday from 11am-2pm 2/4/23. Community memebers walking to downtown restaurants for a soup sample. 6:30--9pm broomball tournament Friday 2/3/23 in the parking lot N. of La Probatia

SPECIAL NEEDS:

Parking lot closed off @ 5:30pm reopen at 9pm

NAME OF ORGANIZATION OR SPONSOR: City of Hart

ADDRESS: 407 S. State St. Hart, MI 49420

CONTACT PERSON: Erin Stotler

PHONE: 616-232-5479 FAX:

EMAIL: events@cityofhart.org

X Erin Stotler *Erin Stotler*

SIGNATURE OF EVENT COORDINATOR/SPONSOR **DATE** 12/20/2022

IT IS YOUR RESPONSIBLITY TO SCHEDULE THE LOGISTICS MEETING WITH THE CITY DEPARTMENTS INDICATED IF YOUR APPROVED PERMIT INDICATES THAT A MEETING IS NEEDED. PLEASE NOTE THAT A 7 - 10 DAY ADVANCE NOTICE WILL BE NEEDED TO SCHEDULE THE MEETING.

POLICE: 873-2488, DPW: 873-3100, HYDRO: 873-5367, EMS: 873-8240

SECTIONS BELOW TO BE COMPLETED BY THE CITY

PROOF OF LIABILITY INSURANCE FOR STREET SOLICITATION: YES OR NO

LOGISTICS MEETING NEEDED: YES OR NO

DEPT. ATTENDING: DPW POLICE EMS HYDRO

PERMIT NUMBER: APPROVED BY CITY COUNCIL/CITY MANAGER

DATE OF APPROVAL/DENIAL: YES OR NO

CONDITIONS:

CITY REPRESENTATIVE'S SIGNATURE:

CITY OF HART

407 S. State St., Hart, MI 49420

Ph: 231-873-2488 Fax: 231-873-0100

SPECIAL EVENTS PERMIT

THE CITY IS NOT RESPONSIBLE FOR BY-STANDERS AT YOUR EVENT.

DATE OF APPLICATION: 12/20/2022

NAME OF EVENT: VINTAGE SNOWMOBILE SHOW & SWAP MEET

DATE OF EVENT: 02/04/2023 TIME: 9:00 AM TO 3:00 PM

RAIN DATE OF EVENT: **MUST PROVIDE** NO RAIN DATE

LOCATION AND/OR ROUTE OF EVENT:

OCEANA COUNTY FAIRGROUNDS, 1025 S STATE ST, HART, MI

DESCRIPTION OF EVENT:

Vintage snowmobile show & swap meet open to public, food trucks

SPECIAL NEEDS:

no special needs from City of Hart

NAME OF ORGANIZATION OR SPONSOR: OCEANA COUNTY FAIRGROUNDS

ADDRESS: 1025 S STATE ST, HART, MI

CONTACT PERSON: KEVIN HALLACK

PHONE: 231-923-9279 FAX:

EMAIL: kmhallac@gmail.com

X

SIGNATURE OF EVENT COORDINATOR/SPONSOR **DATE** 12/20/22

IT IS YOUR RESPONSIBLITY TO SCHEDULE THE LOGISTICS MEETING WITH THE CITY DEPARTMENTS INDICATED IF YOUR APPROVED PERMIT INDICATES THAT A MEETING IS NEEDED. PLEASE NOTE THAT A 7 - 10 DAY ADVANCE NOTICE WILL BE NEEDED TO SCHEDULE THE MEETING.

POLICE: 873-2488, DPW: 873-3100, HYDRO: 873-5367, EMS: 873-8240

SECTIONS BELOW TO BE COMPLETED BY THE CITY

PROOF OF LIABILITY INSURANCE FOR STREET SOLICITATION: YES OR NO

LOGISTICS MEETING NEEDED: YES OR NO

DEPT. ATTENDING: DPW POLICE EMS HYDRO

PERMIT NUMBER: APPROVED BY CITY COUNCIL/CITY MANAGER

DATE OF APPROVAL/DENIAL: YES OR NO

CONDITIONS:

CITY REPRESENTATIVE'S SIGNATURE: