



City of Hartford  
County of Van Buren, State of Michigan

## Commission Business Meeting Agenda

Monday, April 24, 2023 at 7:30 PM

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### APPROVAL OF AGENDA

### GUESTS

### PUBLIC COMMENT

### COMMUNICATIONS

- [1.](#) I & M - Notice of Hearing April 27, 2023
- [2.](#) I & M Notice of Hearing May 10 2023 @ 9:30am
- [3.](#) Michigan State Police - News Release HazMat Teams
- [4.](#) Van Buren County Road Commission - News Release Work Zone Safety
- [5.](#) Area Agency on Aging Event May 24, 10am
- [6.](#) Hartford Council For Recreation Meeting Minutes - 2023 March

### REPORT OF OFFICERS BOARDS & COMMITTEES

#### Police & Ordinance

- [7.](#) HPD 2023 March

#### Fire Department

- [8.](#) HFD - Board
- [9.](#) HFD - 2023March - Chief

#### Ambulance

- [10.](#) AMB - 2023March

#### Van Buren County

- [11.](#) VBC - December 2022 Winter Storm Report

#### Public Works

[12.](#) DPW - 2023 March

Wastewater Treatment Plant

[13.](#) WWTP - 2023 April

Treasurers, Investment & List of Bills

[14.](#) List of Bills - 2023 April 24

City Manager

[15.](#) CM - 2023 April 14 - Weekly Update

[16.](#) PZ - 2023 April 10

**APPROVAL OF COMMISSION MINUTES**

[17.](#) 2023 March 27 Business Meeting

[18.](#) 2023 April 4 Special Meeting

[19.](#) 2023 April 5 Special Joint Meeting

[20.](#) 2023 April 11 Special Business Meeting

**APPROVAL OF REPORTS**

**GOALS/OBJECTIVES**

[21.](#) SWOT Analysis - Strengths

**OLD BUSINESS**

[22.](#) Streetscape - USDA RDBG - Request to Amend

[23.](#) Employee Handbook - Update

[24.](#) Application for Special Use Engagement at 301 Bowie Street

[25.](#) Request for Proposals - Recreational Marijuana Licenses

[26.](#) Procurement Policy

27. Fee Schedule - Committee Report

**NEW BUSINESS**

28. Set Public Hearing Date June 13, 2023 - Sewer Rate's

29. Set Public Hearing Date June 13, 2023 - Water Rate's

[30.](#) Ely Park Request Special Event - Picnic in the Park with Police & Fire June 2, 2023

- [31.](#) Consider - Med Leaf Commercial adult Use Recreational Marihuana Facility Provisioning/Retail Center Renewal Application
- [32.](#) 2023/2024 Preliminary Budget - Discussion
- [33.](#) Planning Commission Compliance
34. City Manager Review/Goals

#### **INTRODUCTION OF RESOLUTIONS OR AMENDMENTS**

- [35.](#) 2nd Reading & Consider Adoption - Amendment to Code of Ordinances Section 94 Soil, Waste & Fill Material Section 94.05 Permit Fee
- [36.](#) 2nd Reading & Consider Adoption - Amendment to Code of Ordinances Section 150 Buildings & Building Regulations Section 150.52 Fees
- [37.](#) 2nd Reading & Consider Adoption - Amendment to Chapter 52 Sewer Use Ordinance
- [38.](#) 2nd Reading & Consider Adoption - Amendment to Code of Ordinances Anti Blight Ordinance 304-07
- [39.](#) 2nd Reading & Consider Adoption - Amendment to Code of Ordinances Section 52 Sewers Section 52.08 Rates & Charges
- [40.](#) 2nd Reading & Consider Adoption - Amendment to Ordinance no. 314-17 Permit & Regulate Mobile Food Vehicle Vendors
- [41.](#) 2nd Reading & Consider Adoption - Proposed Ordinance No. 323-2023 To Establish A Code of Conduct & Ethics
- [42.](#) 2nd Reading & Consider Adoption - Proposed Ordinance No. 322-2023 To Require Liquor Licenses & Permits
- [43.](#) 1st Reading - Proposed Amendment Chapter 151.290 Planning Commission Transfer of Zoning Power

#### **ADJOURNMENT**

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION  
NOTICE OF HEARING  
FOR THE ELECTRIC CUSTOMERS OF  
INDIANA MICHIGAN POWER COMPANY  
CASE NO. U-21377

RECEIVED  
APR 06 2023  
CITY OF HARTFORD

- Indiana Michigan Power Company requests Michigan Public Service Commission for a certificate of necessity pursuant to MCL 460.6s and related accounting authorizations for the construction of the Lake Trout solar generation facility, which will provide 245 megawatt of solar generation and to be located in Blackford County, Indiana.
- The information below describes how a person may participate in this case.
- You may call or write Indiana Michigan Power Company, Benton Harbor Service Center, 2425 Meadowbrook Rd., Benton Harbor, MI 49022, (800) 311-6424 for a free copy of its application. Any person may review the documents at the offices of Indiana Michigan Power Company or on the Commission’s website at: michigan.gov/mpscdockets.
- A pre-hearing will be held:

**DATE/TIME:** Thursday, April 27, 2023 at 9:00 AM

**BEFORE:** Administrative Law Judge Katherine Talbot

**LOCATION:** Video/Teleconferencing

**PARTICIPATION:** Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8096, or by email at mpscedockets@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider Indiana Michigan Power Company’s (I&M) March 27, 2023 application requesting the Commission to grant the following: 1) a Certificate of Necessity (CON) that the size, fuel type, and other design characteristics of the proposed Lake Trout Project represents the most reasonable and prudent means of meeting I&M’s power need; 2) a CON that the estimated purchase or capital costs of and the financing plan for the Lake Trout Project, including, but not limited to, the costs of siting and licensing the Project and the estimated cost of power from the Lake Trout Project, will be recoverable in rates from I&M’s customers; 3) the requested accounting and ratemaking approvals; and 4) I&M such other and further relief as is just and reasonable.

All documents filed in this case shall be submitted electronically through the Commission’s E-Dockets website at: michigan.gov/mpscdockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by April 21, 2023. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Indiana Michigan Power Company's attorney, Richard J. Aaron, 201 Townsend St., Ste. 900, Lansing, MI 48933.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-21377**. Statements may be emailed to: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1929 PA 69, as amended, MCL 460.501 et seq.; 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.

U-21377

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION  
NOTICE OF HEARING  
FOR THE ELECTRIC CUSTOMERS OF  
INDIANA MICHIGAN POWER COMPANY  
CASE NO. U-21053**

- Indiana Michigan Power Company requests Michigan Public Service Commission for reconciliation of its power supply cost recovery plan (Case No. U-21052) for the twelve months ending December 31, 2022.
- The information below describes how a person may participate in this case.
- You may call or write Indiana Michigan Power Company, Benton Harbor Service Center, 2425 Meadowbrook Rd., Benton Harbor, MI 49022, (800) 311-6424 for a free copy of its application. Any person may review the documents at the offices of Indiana Michigan Power Company or on the Commission’s website at: michigan.gov/mpscedockets.
- A pre-hearing will be held:

**DATE/TIME:** Wednesday, May 10, 2023 at 9:30 AM

RECEIVED

**BEFORE:** Administrative Law Judge Katherine Talbot

APR 19 2023

**LOCATION:** Video/Teleconferencing

CITY OF HARTFORD

**PARTICIPATION:** Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8096, or by email at [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov) in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider Indiana Michigan Power Company’s (I&M) March 31, 2023 application requesting the Commission to: 1) approve I&M’s 2022 Power Supply Cost Recover (PSCR) reconciliation as proposed for the twelve-month period ending December 31, 2022; 2) authorize I&M to roll-in the net actual power supply cost under-recovery from customers consisting of principal and interest of \$10,850,664 and otherwise find I&M’s power supply costs to be reasonable and prudently incurred; and 3) grant I&M other and additional relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscdockets](http://michigan.gov/mpscdockets). Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov).

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by May 3, 2023. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Indiana Michigan Power Company's attorney, Jason T. Hanselman, 201 Townsend St., Ste. 900, Lansing, MI 48933.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-21053**. Statements may be emailed to: [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov). Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

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The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in various Commission proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 1982 PA 304, as amended, MCL 460.6j et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, and R 792.10401 through R 792.10448.

**Roxann Isbrecht**

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**From:** Michigan State Police <MichStatePolice@govsubscriptions.michigan.gov>  
**Sent:** Monday, April 17, 2023 2:48 PM  
**To:** Roxann Isbrecht  
**Subject:** News Release: Michigan HazMat Teams Prepare for Hazardous Material Threats



## MICHIGAN STATE POLICE

*A PROUD tradition of SERVICE through EXCELLENCE, INTEGRITY, and COURTESY*

### **Michigan HazMat Teams Prepare for Hazardous Material Threats**

**FOR IMMEDIATE RELEASE:**

**April 17, 2023**

**LANSING, MICH.** To learn how to better prepare for chemical disasters, hazmat teams from across the state are assembling with local emergency managers and other first responders for the second annual Michigan State Police (MSP) Michigan HazMat Responder Conference at Crystal Mountain Resort in Thompsonville, from April 17 – 19.

“Dealing with hazardous materials is a dangerous job,” said Capt. Kevin Sweeney, deputy state director of Emergency Management and commander of the MSP/Emergency Management and Homeland Security Division (EMHSD). “Our goal in bringing these teams together is to enhance capabilities across the state to respond effectively and safely to all hazmat incidents.”

The need for HazMat team training and coordination was demonstrated on a large scale in Michigan’s Upper Peninsula last fall. On Oct. 6, 2022, an industrial fire sparked at a paper plant and a neighboring warehouse on the Menominee River in the city of Menominee. Multiple local teams worked together to successfully contain toxic chemicals, protect the local drinking water supply, and keep residents informed.

“Responding to railroad incidents is an important topic this year,” Captain Sweeney said. “There is no doubt that rail safety and the ability to respond to hazmat situations involving trains are at the forefront for us now and will continue to be well into the future.”

The MSP offers resources and training through the Emergency Management and Homeland Security Training Center located in Dimondale, Mich. Its programs focus on hazardous materials response, offering classroom and hands-on training for first responders and the private sector. This conference is designed to be an extension of the training center.

For more information on how to prepare before, during, and after an emergency or disaster, visit [www.michigan.gov/miready](http://www.michigan.gov/miready) or follow MSP/EMHSD on Twitter at [@MichEMHS](https://twitter.com/MichEMHS).

###



*The Michigan State Police, Emergency Management and Homeland Security Division is responsible for coordinating state and federal resources to assist local government in response and relief activities in the event of an emergency or disaster, as well as coordinating homeland security initiatives and various federal grants.*

**FOR ADDITIONAL INFORMATION:**

Lauren Thompson-Phillips, MSP/EMHSD Public Information Officer, 517-216-0103

Note: The conference runs from 8 a.m. to 4:30 p.m., April 17-19. Media is invited to attend but are encouraged to RSVP to Wendy Galbreath, 517-449-8956

- [NR-007 HazMat Conference.pdf](#)



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This email was sent to cityclerk@cityofhartfordmi.org using GovDelivery Communications Cloud on behalf of: Michigan State Police · P.O. Box 30634 · Lansing, MI 48909

**NEWS RELEASE**

**BETTER HIGHWAYS: SAVE LIVES, SAVE TIME, SAVE MONEY**

Lawrence, Michigan		2023-06	
DATE:	April 18, 2023	CONTACT:	Bret Witkowski, Managing Director Van Buren County Road Commission 325 W. James St., Post Office Box 156 Lawrence, Michigan 49064 PHONE: (269) 674-8011
RELEASE:	Immediately		

**WORK ZONE SAFETY IS A TOP OF MIND PRIORITY**  
**AS ROAD CONSTRUCTION SEASON BEGINS**

Orange barrels, cones and signs are popping up across the state like flowers in springtime signaling the start of a new construction season. For Michigan drivers, orange cones are a signal to be extra cautious when navigating work zones. Patience can run thin, or drivers can be tempted by distractions, but both can lead to crashes, injuries and deaths for road workers and motorists. In fact, most people killed in work zones are motorists!

For the Van Buren County Road Commission, work zone safety is a major concern. “It only takes a split second of distraction to change lives forever,” said Bret Witkowski, Managing Director of the Van Buren County Road Commission. “When approaching a work zone, motorists should always slow down, follow posted signs, be alert, and remain calm. Risky driving behavior affects more than just the driver - everyone’s lives and families are at stake.”

“We can fix our roads and bridges safely if we all work together,” added Bret Witkowski. “Work zone safety begins with workers who are dedicated to safety. If we all work together, we can achieve zero deaths on our roads and work zones!”

When driving through work zones, even the smallest mistake can be deadly. These simple tips could save your life in a work zone:

- **Expect Changes** - Work zone speed limits are usually reduced. Traffic lanes may change, and workers, vehicles or equipment may enter the traffic lane unexpectedly.
- **Minimize Distractions** - Don’t use cell phones or engage in distracting activities. Lives are at stake.
- **Obey Workers and Signs** - Road crews know what is best for moving traffic safely. Follow all signs and instructions to merge, slow down or stop.
- **Don’t Speed or Tailgate** - Fines double for speeding in a Michigan work zone. Slow down! Keep a safe distance between you and the vehicle ahead of you.
- **Pay Attention** - Vehicles may slow, stop, or change lanes unexpectedly. Watch for brake lights and be prepared to react to traffic.
- **Be Patient and Calm** - Work zones are a necessary step to improve our roads and make your future drive better!

Work Zones need everyone’s undivided attention. Watch for our Road Commission crews, and private sector employees. **“You Play a Role in Work Zone Safety. Work with Us.”**

# Are you raising a family member's child?

Come learn about **Kinship Care** and resources that can help!

Kinship Care is a support system for families raising a family member's child. In this **FREE** class, we'll cover what and who we are, and how we can support you and your family.

RECEIVED

APR 19 2023

CITY OF HARTFORD

**What:** What is Kinship Care?

**When:** 10-11 a.m. Wednesday, May 3, 2023

**Where:** Campus for Creative Aging, 2920 Lakeview Ave., St. Joseph, MI

**Registration:** Online at [campusforcreativeaging.org](https://campusforcreativeaging.org) or scan the code below.



Plus! Join us at 10 a.m.  
Wednesday, May 24  
as we kick off our  
2023 Speaker Series with  
**Cybersafety for Caregivers.**

REGION IX  
  
**Area Agency on Aging, Inc.**  
SPECIALISTS IN AGING  
*Offering Choices for Independent Lives*



**INTERLOCAL BOARD OF COMMISSIONERS & HARTFORD COUNCIL FOR RECREATION**

**Thursday, March 16, 2023**

**7:00 PM Hartford High School Library**

**THE BOARD MEETS THE 3RD THURSDAY OF THE MONTH**

7:05 Meeting called to order

Present: Jason May, Joe Morsaw, Bianca Deckard, Megan Mireles, Sandy Barchett, Andy Bachman

Absent: Rick Hall

Public present: Angela Glover, Craig Moore, Hannah Moore, Nicole Sewell, Neil and Kailee Friday, Michelle Mattimore, Krystin Rhinehart, Veronica Wolf, Jesus and Amber Guajardo, Lindsey Weeden, Brad Geesaman.

Approved February Minutes:

Motion: Joe Morsaw

Second: Megan Mireles

4-0

Status of contract workers and positions:

A. Jeff Christner will be back as our Park Director for 2023

B. Kellan Nichols will be back as head umpire along with Jerrod Birmele.

C. Concessions- Fishes not interested, Angela Glover expressed interest. Motion for vote: Megan, Second Joe. All in favor 4-0.

Honor accounts set up. Will close Huntington after online sign ups close and Janell can meet Bianca there.

Budget: Honor accounts only

Concession account: \$1,400.00

League of Miracles: \$256.40

General Fund: \$4,599.00

Bills to pay: Water, Electric, Boys Bball jerseys, trophies for boys and girls basketball.

To add: Concession profit and sign ups

Audit- 2019- completed

Baseball/softball:

213 Registered participants

Need to order balls.

Online spirit wear store being set up by Hannah Moore going until April 9th.  
Indoor clinics set for March 18th and 25th.  
Practices starting April 10th for baseball and April 11th for softball.  
Lindsay Morsaw willing to order jerseys for us again this year.  
Picture day is set for April 25th and April 26th.  
Popcorn fundraiser headed up by Bianca Deckard.

Season going 5/1/23-6/14/23  
Football/cheer: out of season, revisit in spring to set sign up days and prices.  
7 new Helmets came in.

Basketball:  
Girls-Award night to come.  
Boys-Awards night to come.

League of Miracles update: Fundraiser at Coloma Lanes, March 18 from 1:30-5:30.  
Need practice times and games for spring baseball season

Old Business-  
Clinics for coaches and umpers  
Set a meeting day in stone for 2023  
AED- signed up to receive one.  
501(c)3- progress, we have an EIN  
Sponsorships

Mr. Geesaman gave update that clubhouse is included in the facilities assessment as it is need of a new roof.  
Report coming.  
New Business-  
Renaming of the park  
Logo restructuring  
Bulletin board on concessions  
Communication specialist: Neil Friday  
Clean up day April 15 at 11:00

Public comments: ideas for more open communication with coaches and parents.

Next meeting- April 20, 2023 at 7:30pm at Indian Pride Park

Meeting Adjourned- 8:20 4-0



**Hartford Police Department**  
19 West Main Street - Hartford, Michigan. 49057

**Police Report for Month of MARCH 2023**

<b>Total Duty Hours</b>	<b>469</b>	<b>Foot Patrol Hours</b>	<b>5</b>
<b>Arrests</b>	<b>10</b>	<b>Felony</b>	<b>2</b>
<b>B&amp;E's</b>	<b>0</b>	<b>Misdemeanor</b>	<b>8</b>
<b>Arrest Warrants Issued</b>	<b>6</b>	<b>Traffic Citations Issued</b>	<b>15</b>
<b>Homicide</b>	<b>0</b>	<b>Robbery</b>	<b>0</b>
<b>Sex Crimes</b>	<b>0</b>	<b>Trespassing</b>	<b>4</b>
<b>Assaults</b>	<b>3</b>	<b>UDAA (stolen auto)</b>	<b>0</b>
<b>Burglary</b>	<b>0</b>	<b>Larceny</b>	<b>2</b>
<b>Frauds</b>	<b>2</b>	<b>Property Destruction/Vandalism</b>	<b>3</b>
<b>NFS Checks</b>	<b>0</b>	<b>Juvenile Del</b>	<b>2</b>
<b>OUIL</b>	<b>1</b>	<b>Drug Investigations</b>	<b>0</b>
<b>Civils</b>	<b>7</b>	<b>Public Peace</b>	<b>4</b>
<b>Lost Property</b>	<b>5</b>	<b>Found Property</b>	<b>5</b>
<b>Suspicious Person(s)/Vehicle(s)</b>	<b>6</b>	<b>Alarms</b>	<b>8</b>
<b>Health/Safety</b>	<b>7</b>	<b>Traffic Crash</b>	<b>6</b>
<b>Assist to other Agencies</b>	<b>5</b>	<b>Michigan State Police</b>	<b>3</b>
<b>Van Buren Co Sheriff</b>	<b>13</b>	<b>FIRE/EMS</b>	<b>16</b>
<b>Other Local Agencies</b>	<b>4</b>	<b>Persons</b>	<b>4</b>

**HARTFORD POLICE DEPARTMENT MONTH OF MARCH STATS. AS ALWAYS IF YOU HAVE ANY QUESTIONS PLEASE FEEL FREE TO CONTACT ME. CHIEF MICHAEL W. PRINCE.**

**Hartford Fire Board Meeting  
April 10, 2023  
March Business**

Contents

Page 1	Meeting Agenda
Page 2	Proposed Meeting Minutes of March 13, 2023 Board Meeting, Special Meeting April 5, 2023 & Joint City/Township/Fire Board Meeting April 5, 2023
Page 3	Treasurer's Report
Page 4	Income & Expense and Expenses by Vendor Summary
Page 5	Payroll Summary
Page 6	Balance Sheet and Deposit Detail
Page 7	Budget Performance Report
Page 8	Call Report
Page 9	Chief Harting's Reports
Page 10	Assistant Chief McGrew Report

Hartford Fire Board  
Agenda  
Monday, April 10, 2023 7:00 PM

- I. Call to Order, Pledge
- II. Roll call: Jerry Birmele, Chad Hunt, Helen Sullivan, Carlos Ledesma, Ron Sefcik
- III. Public Comment: Limited to three minutes per person
- IV. Approval of the Agenda as amended. Motion by \_\_\_\_\_ Second by \_\_\_\_\_ Motion \_\_\_\_\_ Yeas:\_\_\_ Nays:\_\_\_\_\_
- V. Approval of previous Special meeting minutes from April 5, 2023: Motion by \_\_\_\_\_ Second \_\_\_\_\_ Motion \_\_\_\_\_ Yeas:\_\_\_ Nays:\_\_\_\_\_
- VI. Approval of previous Joint meeting minutes from April 5, 2023: Motion by \_\_\_\_\_ Second \_\_\_\_\_ Motion \_\_\_\_\_ Yeas:\_\_\_ Nays:\_\_\_\_\_
- VII. Approval of previous meeting minutes from March 13, 2023: Motion by \_\_\_\_\_ Second \_\_\_\_\_ Motion \_\_\_\_\_ Yeas:\_\_\_ Nays:\_\_\_\_\_
- VIII. Approval of March Treasurer’s report: Motion By \_\_\_\_\_ Second by \_\_\_\_\_ to approve Treasurer’s report as presented. Motion \_\_\_\_\_ Yea:\_\_\_\_\_ Nay:\_\_\_\_\_
  - a. Accounts Payable: Amount **\$24,247.13** Motion by \_\_\_\_\_ Second \_\_\_\_\_ by roll call vote Motion \_\_\_\_\_ Yea:\_\_\_\_\_ Nay:\_\_\_\_\_
- IX. Review: Income & Expense; Payroll; Balance sheet & Deposit Detail; Budget
- X. Fire calls
- XI. Unfinished Business:  
NONE
- XII. New Business:
  - i. Approve the hiring of Kirkland Love as a probationary member as recommended by the membership review committee. Motion by \_\_\_\_\_ Second \_\_\_\_\_ to hire Kirkland Love as a probationary member contingent on successful completion and passing of pre-employment medical physical and drug screen. Motion \_\_\_\_\_ Yea:\_\_\_\_\_ Nay:\_\_\_\_\_
  - ii. Approve the hiring of Tyler High as a probationary member as recommended by the membership review committee. Motion by \_\_\_\_\_ Second \_\_\_\_\_ to hire Tyler High as a probationary member contingent on successful completion and passing of pre-employment medical physical and drug screen. Motion \_\_\_\_\_ Yea:\_\_\_\_\_ Nay:\_\_\_\_\_
  - iii. Approve the hiring of Sara High as a probationary member as recommended by the membership review committee. Motion by \_\_\_\_\_ Second \_\_\_\_\_ to hire Sara High as a probationary member contingent on successful completion and passing of pre-employment medical physical and drug screen. Motion \_\_\_\_\_ Yea:\_\_\_\_\_ Nay:\_\_\_\_\_



- iv. Approval to sponsor Chaplin Doug Tipkin to attend CISM training being offered by Van Buren County Sheriff's Department in the amount of \$175.00. Motion by \_\_\_\_\_ Second \_\_\_\_\_ to sponsor Chaplin Doug Tipkin for CISM training. Motion \_\_\_\_\_ Yea: \_\_\_\_\_ Nay: \_\_\_\_\_
- v. Approve Hartford Fire Department New Policy Order 134 Elevator Operations and Procedures (Woodside Appartments). Motion by \_\_\_\_\_ Second \_\_\_\_\_ to approve Policy Order 134. Motion \_\_\_\_\_ Yea: \_\_\_\_\_ Nay: \_\_\_\_\_
- vi. Update Hartford Fire Department Policy Order 123 Tanker Operations. Motion by \_\_\_\_\_ Second \_\_\_\_\_ to approve Policy Order 123. Motion \_\_\_\_\_ Yea: \_\_\_\_\_ Nay: \_\_\_\_\_
- vii. Motion to change status of Former Firefighter Ken Briley from resignation status to retired status effective April 10th 2023
- viii. Motion to re-appoint Jerry Birmele as the at-Large Representative to the Hartford Fire Board for a term of 6 years. Motion by \_\_\_\_\_ Second \_\_\_\_\_ Motion \_\_\_\_\_
- ix. Discussion of Employee HandBook updates

Reports:

- a. Fire Chief
- b. Assistant Fire Chief
- c. Board

Motion by \_\_\_\_\_ second by \_\_\_\_\_ to adjourn at \_\_\_\_\_ pm.

**Hartford Fire Board**  
Special Meeting Agenda  
Wednesday, April 5, 2023 6:45 PM

**Members Present upon roll call:** Jerry Birmele, Chat Hunt, Helen Sullivan, Carlos Ledesma, Ron Sefcik, Chief Harting

**Others Present:** Carole Kiernan, Assistant Chief Kevin McGrew

Chairman Sefcik called the meeting to order at 6:45 pm

Public Comment was opened at 6:46 pm. Closed at 6:46 pm

Approval of the Agenda. Motion by Sefcik Second by Hunt Motion Approved Yeas: 5 Nays: 0

Business:

- A. Accept the Kenneth E. Jordan and Judith A. Jordan Joint Trust Bequest assigning the Hartford Fire Board Treasurer, Carlos Ledesma, the person with the authority to sign a receipt for the distribution at the appropriate time. Motion by Sefcik Second by Hunt Motion Approved by unanimous Roll Call Vote.

Motion by Sefcik second by Sullivan to adjourn at 6:48 pm.

Respectfully submitted,

Gerald Birmele, Secretary

**Hartford Fire Board**  
Joint Budget Meeting Agenda  
Wednesday, April 5, 2023 7:00 PM

Call to Order, Pledge

**Members Present upon roll call:** Jerry Birmele, Chad Hunt, Helen Sullivan, Carlos Ledesma, Ron Sefcik, Chief Harting

**Others present:** Carole Kiernan, Assistant Chief McGrew, Hartford City Commission Members, Hartford City Manager, Sonya Vitale and Township Board Members

Chairman Sefcik called the meeting to order at 7:00 pm

Discussion and vote by City and Township on Proposed 2023/2024 Budget  
The Budget was Approved by the City and Township.

Discussion:

Interlocal agreement  
501c3  
Attorney for the Fire Department

Motion by Birmele second by Sefcik to adjourn at 7:15 pm.

Respectfully submitted,

Gerald Birmele, Secretary

**HARTFORD FIRE BOARD MEETING**  
**Minutes of Fire Board Meeting March 13, 2023**

**Members Present upon roll call:** Ron Sefcik; Chad Hunt; Helen Sullivan; Jerry Birmele; Carlos Ledesma; Chief Harting. Absent:

**Others Present:** Carole Kiernan, Assistant Chief Kevin McGrew,

Chairman Sefcik called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Public comment opened at 7:01. No public comments, closed at 7:01.

The proposed agenda for the Fire Board meeting of March 13, 2023 was presented. Motion by Birmele; Second by Ledesma; to approve the agenda as presented. Yeas: 5, Nays 0; Motion: Approved

The proposed organizational minutes of the February 13, 2023 Fire Board meeting were presented. Motion by Hunt; Second by Sefcik to accept the minutes as presented. Yeas: 5, Nays 0 Motion: Approved

The proposed minutes of the February 13, 2023 Fire Board meeting were presented. Motion by Sefcik; Second by Hunt to accept the minutes as presented. Yeas: 5, Nays 0 Motion: Approved

The February Treasurer's report was presented. Motion by Birmele; Second by Ledesma; to accept Treasurer's report as presented. Yeas: 5, Nays 0 Motion: Approved

Bills were presented for approval in the amount of \$ **22,518.78** Motion by Hunt; Second by Birmele; to pay bills in amount of \$ **22,518.78**. Motion Approved upon roll call vote of members present. Yeah: Birmele, Hunt, Sullivan, Ledesma, Sefcik Nays: 0 Motion: Approved

**Unfinished Business:**

**None**

**New Business:**

1. Set Joint Meeting of Fire Board, Hartford City Commission and Hartford Township. After Board discussion, all agreed the meeting should be set for Wednesday, April 5, 2023.

**Fire Chief's Report:**

**Meetings Attended:**

- Township
- VBC Medical Control
- City

**Information:**

**Minutes of Fire Board Meeting March 13, 2023**

- Attended EMS Instructors Conference in Traverse City
- Medical Control – New Protocols tentative start date is July 1, 2023
- Had a meeting with the City Manager – discussed Fire Dept. operation and needs.
- CPR will be offered April 19

Respectfully Submitted,  
*Robbie Harting*

Robbie Harting-Fire Chief

**Assistant Fire Chief's Report:**

**Meetings Attended:**

- City
- Township

**Information:**

- Submitted Grant to Marathon Petroleum for \$6,000 to start an ice rescue program.
- Mailbox for all members installed in Radio room
- Updated MABAS Box cards
- New SCBA Bottles in service
- Attended Leadership Seminar
- Spring Tornado Drills conducted at schools
- Gathering Quotes for nozzle system underneath vehicles to cool batteries ca. 2200.00
- Adaptor plug to disable electric vehicles quotes being explored ca. 850.00

Respectfully Submitted,  
*K. McGrew*

Kevin McGrew-Assistant Fire Chief

**Other Board Business:**

Many different copies of the agreement exist—we need to get 1 copy

Motion by Sefcik; second by Hunt to close meeting at 7:22 pm. Yeas: 5, Nays: 0 Motion: Approved

Respectfully submitted,

Gerald Birmele, Secretary

**HARTFORD FIRE BOARD MEETING**  
**Minutes of Fire Board Meeting April 10, 2023**

**Members Present upon roll call:** Ron Sefcik; Chad Hunt; Helen Sullivan; Jerry Birmele; Carlos Ledesma; Chief Harting. Absent:

**Others Present:** Carole Kiernan, Assistant Chief Kevin McGrew,

Chairman Sefcik called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Public comment opened at 7:01. No public comments, closed at 7:01.

The proposed agenda for the Fire Board meeting of April 10, 2023 was amended and presented. Motion by Birmele; Second by Ledesma; to approve the agenda as amended. Yeas: 5, Nays 0; Motion: Approved

The proposed minutes of the Special meeting of April 5, 2023 were presented. Motion by Hunt Second Sefcik Motion Approved Yeas: 5 Nays: 0

The proposed minutes of the Joint meeting minutes from April 5, 2023 were presented. Motion by Ledesma Second Hunt Motion Approved Yeas:5 Nays: 0

The proposed minutes of the March 13, 2023 Fire Board meeting were presented. Motion by Birmele; Second by Sefcik to accept the minutes as presented. Yeas: 5, Nays 0 Motion: Approved

The March Treasurer's report was presented. Motion by Sefcik; Second by Ledesma; to accept Treasurer's report as presented. Yeas: 5, Nays 0 Motion: Approved

Bills were presented for approval in the amount of **\$24,247.13** Motion by Sefcik; Second by Hunt; to pay bills in amount of **\$24,247.13**. Motion Approved upon roll call vote of members present. Yeah: Sefcik, Hunt, Birmele, Sullivan, Ledesma Nays: 0 Motion: Approved

**Unfinished Business:**

**None**

**New Business:**

- i. Approve the hiring of Kirkland Love as a probationary member as recommended by the membership review committee. Motion by Hunt Second Sefcik to hire Kirkland Love as a probationary member contingent on successful completion and passing of pre-employment medical physical and drug screen. Motion Approved Yea: 5 Nay: 0
- ii. Approve the hiring of Tyler High as a probationary member as recommended by the membership review committee. Motion by Sefcik Second Ledesma to hire Tyler High as a probationary member contingent on successful completion and passing of pre-employment medical physical and drug screen. Motion Approved Yea:5 Nay: 0
- iii. Approve the hiring of Sara High as a probationary member as recommended by the membership review committee. Motion by Hunt Second Birmele to hire Sara High as a probationary member

contingent on successful completion and passing of pre-employment medical physical and drug screen.  
Motion Approved Yea: 5 Nay: 0

**Minutes of Fire Board Meeting April 10, 2023**

- iv. Approval to sponsor Chaplin Doug Tipkin to attend CISM training being offered by Van Buren County Sheriff's Department in the amount of \$175.00. Motion by Birmele Second Hunt to sponsor Chaplin Doug Tipkin for CISM training. Motion Approved Yea: 5 Nay: 0
- v. Approve Hartford Fire Department New Policy Order 134 Elevator Operations and Procedures (Woodside Appartments). Motion by Birmele Second Ledesma to approve Policy Order 134. Motion Approved Yea: 5 Nay: 0
- vi. Update Hartford Fire Department Policy Order 123 Tanker Operations. Motion by Hunt Second Sefcik to approve Policy Order 123. Motion Approved Yea: 5 Nay: 0
- vii. Motion to change status of Former Firefighter Ken Briley from resignation status to retired status effective April 10th 2023 Motion Sefcik by Second Hunt Yea: 5 Nay: 0
- viii. Motion to re-appoint Jerry Birmele as the at-Large Representative to the Hartford Fire Board for a term of 6 years. Motion by Hunt Second Sefcik Motion: Approved Yea: 5 Nay: 0
- ix. Discussion of Employee HandBook updates presentation by Assistant Chief McGrew

**Fire Chief's Report:**

**Meetings Attended:**

- Township
- VBC Medical Control
- VBC FF Training Committee

**Information:**

- Completed State Application for EMS license renewal.
- Completed Fire Safety Inspection at Catholic Church
- Apparatus annual maintenance completed.
- Attended Senior Citizen Luncheon at Federated Methodist Church- Tornado Safety Talk

Respectfully Submitted,



Robbie Harting

Minutes of Fire Board Meeting April 10, 2023

Robbie Harting-Fire Chief

**Assistant Fire Chief's Report:**

**Meetings Attended:**

- City
- Township

**Information:**

- Attended Health & Safety Seminar
- Tool Project
- Van Buren County Fair Schedule
- Handbook and Policy Updates
- Conducted Interviews & testing for potential new hires
- Presentation to Senior Citizens on Weather incidents
- Smoke Alarm Program re-started after receiving shipment

Respectfully Submitted,

*K. McGrew*

Kevin McGrew-Assistant Fire Chief

**Other Board Business:**

Motion by Hunt; second by Sefcik to close meeting at 7:48 pm. Yeas: 5, Nays:0 Motion: Approved

Respectfully submitted,

Gerald Birmele, Secretary

## Treasurer's Report for meeting on April 10, 2023 For the month ending March 31, 2023

## Cash Balances

**Operations – General Fund**

Reconciled Cash Balances of Prior Month ended February 28, 2023–Huntington \$ 122,596.20

**XXX** Deposits

City of Hartford – Contribution	\$ 11,484.76
Township of Hartford – Contribution	\$ 14,036.94
Pride Care	\$ 255.00
Township Ass't Chief Grant (Feb & Mar)	\$ 1600.00
Bangor Township Cost Recovery	\$ 456.72
Interest	\$ 36.12
Grant-CSX	\$ 3,000.00
Incident Reports	\$ 20.00
Insurance payout on chief's truck 101	\$ 7,119.86
Total Deposits	<b>\$ 38,009.40</b>

**Total Balance of General Fund** **\$ 160,605.60**

**XXX** Expenditures for approval:

Vendors payable	\$ 7,466.26
Grant Expense	\$ 0.00
Payroll released March 2023 (9,971.75 – 1,928.78)	\$ 8,042.97
Bank Fees	\$ 96.25
MI & Fed Tax Withholdings	\$ 2,691.65
505.4 Capital Building Improvement	\$ 5,950.00

**Total Expenditure** **\$ 24,247.13**

**General Fund Balance March 31, 2023** **\$ 136,358.47**

**Capital Equipment**

Reconciled Cash Balance as of March 31, 2023–Millage Fund \$ 167,601.42

Reconciled Cash Balance as March 31, 2023–Maintenance Fund \$ 13,348.70

Reconciled Cash Balance as of March 31, 2023—Donations & Contributions \$ 8081.72

Cash Balances for month March 31, 2023 **\$ 325,390.31**

**Invested Capital Equipment**

Huntington Investment #TCL6358 – Millage Fund Investment February 28, 2023 \$ 9,733.49

Huntington Investment #TCL6901 Investment February 28, 2023 **\$ 89,347.06**

**Hartford Fire Board  
April 10, 2023 Meeting  
Income & Expense and Expenses by Vendor Summary  
March Business**

**Expense by Vendor**

	<u>Mar 23</u>
A T & T	-406.12
	-
Back Roads Services	4,360.55
Benton Harbor Dept of Public Safety	-80.00
Carlos Ledesma	-60.00
Chad Hunt	-60.00
City of Hartford {2}	-269.91
Comcast	-230.27
Consumers Energy	-324.00
First Bankcard	-550.17
Helen Sullivan	-60.00
HelpNet	-186.00
Indiana Mich Power	-388.00
	-
IRS Online Payment	3,113.02
Jerry Birmele	-60.00
Kellogg Hardware	-60.63
Ron Sefcik	-60.00
ShellFleet Plus Card	-435.45
VFIS	3,237.86
	-
<b>TOTAL</b>	<b>7,466.26</b>

<b>500 Payroll</b>	
500.1 Fire Chief	4,498.50
500.2 Firefighters/Medics	2,683.25
500.3 Support Staff	620.00
500.4 Chief Retirement	269.91
500 Payroll - Other	870.00
<b>Total 500 Payroll</b>	<b>8,941.66</b>
<b>502 Utilities</b>	
502.1 Internet-Telephone	230.27
502.2 Electric	388.00
502.3 Natural Gas	324.00
502.4 First Net-AT&T	406.12
<b>Total 502 Utilities</b>	<b>1,348.39</b>
<b>505 Building Maintenance</b>	
505.1 Bldg Supplies/Maintenanc	146.86
<b>Total 505 Building Maintenance</b>	<b>146.86</b>
<b>506 Fuel</b>	
506.1 Unleaded Gas	435.45
<b>Total 506 Fuel</b>	<b>435.45</b>
<b>508 Vehicle Maintenance</b>	
508.1 Ladder #1841	1,269.40
508.2 Tanker #1831	1,318.70
508.3 Heavy Rescue #1871	1,077.51
508.4 Rescue Pickup #1869	476.95
508.5 Jeep #1860	217.99
<b>Total 508 Vehicle Maintenance</b>	<b>4,360.55</b>
<b>511 Office</b>	
511.1 Office Equipment	238.84
511.3 Office Supplies	1.74
<b>Total 511 Office</b>	<b>240.58</b>
<b>512 Insurance</b>	
512.6 Automobile	-7,119.86
<b>Total 512 Insurance</b>	<b>-7,119.86</b>
<b>513 Payroll Taxes</b>	<b>3,113.02</b>
<b>515 Equipment &amp; Equip Maint</b>	
515.7 Eqt Maintenance Other	120.76
<b>Total 515 Equipment &amp; Equip Maint</b>	<b>120.76</b>
<b>516 Training</b>	
516.2 Firefighter I & II	80.00
<b>Total 516 Training</b>	<b>80.00</b>
<b>519 Subscriptions &amp; Dues</b>	
519.1 HelpNet	186.00

**Grant Expense     None**

**Income & Expense**

	<u>Mar 23</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
401 Hartford Township	14,036.94
402 Hartford City	11,484.76
404 Interest	78.20
409 Fire Report Request	20.00
411 Hartford City Millage	6,027.39
412 Hartford Township Millage	20,283.23
420 Bangor 1st Resp Reimburse	456.75
Donation	8,094.73
Grant Receivables	3,000.00
Hartford Township Grants	1,600.00
Other Revenues	255.00
<b>Total Income</b>	<b>65,337.00</b>
<b>Gross Profit</b>	<b>65,337.00</b>
<b>Expense</b>	

**Hartford Fire Board  
April 10, 2023 Meeting  
Income & Expense and Expenses by Vendor Summary  
March Business**

Total 519 Subscriptions & Dues	186.00
527 Bank Fees	111.25
528 Bd Members Compensation	300.00
Insurance	3,882.00
Payroll Tax Expense	2,062.87
Uncategorized Expenses	102.60
<b>Total Expense</b>	<b>18,312.13</b>
<b>Net Ordinary Income</b>	<b>47,024.87</b>
<b>Net Income</b>	<b>47,024.87</b>

**Hartford Fire Board  
April 10, 2023 Meeting  
Payroll Summary  
March Business**

	TOTAL	
	Hours	Rate Mar 23
<b>Employee Wages, Taxes and Adjustments</b>		
Salary	2.00	4,498.50
Assistant Fire Chief	2.00	500.00
Fire Board Office	38.75	620.00
Gas Leaks/CO	7.00	107.75
Good Intent	3.00	47.00
Grant Pay	1.00	800.00
Grass Fire	3.00	47.00
Lift Assist	6.00	96.00
Med Assist	55.50	898.75
Mutual Aid	33.50	526.00
Other	12.00	187.75
PI Accident	2.50	38.50
Shift Coverage	58.00	870.00
Training	39.00	612.75
Vehicle Inspection	8.00	121.75
	<u>271.25</u>	<u>9,971.75</u>
Dental-Vision		0.00
Firefighters Assn Dues		-414.22
First Net AT&T		-65.40
Health Insurance		0.00
		<u>-479.62</u>
Adjusted Gross Pay	271.25	9,492.13
<b>Taxes Withheld</b>		
		-678.18
		-144.60
		-618.27
		-487.73
		0.00
		0.00
		0.00
Total Taxes Withheld		<u>-1,928.78</u>
Net Pay	<u>271.25</u>	<u>7,563.35</u>
<b>Employer Taxes and Contributions</b>		
Company FICA		618.27
Company Med		144.60
Retirement Fund		269.90
MI - Obligation Assessment		0.00
Total Employer Taxes and Contributions		<u>1,032.77</u>

**Hartford Fire Board Meeting  
April 10, 2023  
Balance Sheet & Deposit Detail  
March Business**

Item 8.

**BALANCE SHEET**

	Mar 31, 23
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
102 Regular Check Hunt..3427	119,469.56
105 CD Fund Equity..C...288	0.38
106 Millage Fund Hunt..3456 108 Maintenance Hunt....3469	167,601.42
Chemical Financial Advisors Donation &c Huntington #4992	13,345.30
Huntington Advisors #901	69,932.47
Huntington TLC006358	8,081.72
	89,347.06
	9,733.49
<b>Total Checking/Savings</b>	477,511.40
<b>Total Current Assets</b>	477,511.40
<b>TOTAL ASSETS</b>	477,511.40
<b>LIABILITIES &amp; EQUITY</b>	0.00

**Deposit Detail**

	Type	Num	Date	Name	Account	Amount
	Deposit		03/01/2023		102 Regular Check Hunt..3427	11,484.76
					402 Hartford City	-11,484.76
TOTAL						-11,484.76
	Deposit		03/01/2023		Donation &c Huntington #4992	8,094.73
				Berrien Community Foundation	Donation	-2,647.37
				Berrien Community Foundation	Donation	-5,447.36
TOTAL						-8,094.73
	Deposit		03/15/2023		102 Regular Check Hunt..3427	14,046.94
					409 Fire Report Request	-10.00
					401 Hartford Township	-14,036.94
TOTAL						-14,046.94
	Deposit		03/17/2023		102 Regular Check Hunt..3427	21,883.23
					412 Hartford Township Millage	-20,283.23
					Hartford Township Grants	-1,600.00
TOTAL						-21,883.23
	Deposit		03/25/2023		102 Regular Check Hunt..3427	711.75
					420 Bangor 1st Resp Reimburse	-456.75
	Payment		03/17/2023	Pride Care Ambulance	Undeposited Funds	-255.00

**Hartford Fire Board Meeting  
April 10, 2023  
Balance Sheet & Deposit Detail  
March Business**

Item 8.

TOTAL					-711.75
	Deposit	03/27/2023		106 Millage Fund Hunt..3456	20,283.23
				102 Regular Check Hunt..3427	-20,283.23
TOTAL					-20,283.23
	Deposit	03/31/2023		108 Maintenance Hunt....3469	3.07
				404 Interest	-3.07
TOTAL					-3.07
	Deposit	03/31/2023		102 Regular Check Hunt..3427	10.00
	Payment	03/27/2023	Region IV Area Agency on Aging	Undeposited Funds	-10.00
TOTAL					-10.00
	Deposit	03/31/2023		102 Regular Check Hunt..3427	10,119.86
			VFIS	512.6 Automobile	-7,119.86
				Grant Receivables	-3,000.00
TOTAL					-10,119.86
	Deposit	03/31/2023		106 Millage Fund Hunt..3456	6,027.39
				411 Hartford City Millage	-6,027.39
TOTAL					-6,027.39
	Deposit	03/31/2023		106 Millage Fund Hunt..3456	37.02
				404 Interest	-37.02
TOTAL					-37.02
	Deposit	03/31/2023		102 Regular Check Hunt..3427	36.12
				404 Interest	-36.12
TOTAL					-36.12
	Deposit	03/31/2023		Donation &c Huntington #4992	1.99
				404 Interest	-1.99
TOTAL					-1.99
	Paycheck	AC	03/31/2023	102 Regular Check Hunt..3427	0.00
		H		500.2 Firefighters/Medics	16.00
			Flemming, Ryan C.	500.2 Firefighters/Medics	16.00
				Payroll Liabilities	-8.18
				Payroll Tax Expense	1.99
				Payroll Liabilities	-1.99
				Payroll Liabilities	-1.99
				Payroll Tax Expense	0.47
				Payroll Liabilities	-0.47
				Payroll Liabilities	-0.47
				Payroll Liabilities	-21.36
TOTAL					0.00
	Paycheck	AC	03/31/2023	102 Regular Check Hunt..3427	0.00
		H		500.2 Firefighters/Medics	13.75
			Harting, Brandiwyne A		

**Hartford Fire Board Meeting  
April 10, 2023  
Balance Sheet & Deposit Detail  
March Business**

*Item 8.*

	500.2 Firefighters/Medics	13.75
	410 Firefighters Assn Dues	-24.22
	Payroll Tax Expense	1.71
	Payroll Liabilities	-1.71
	Payroll Liabilities	-1.71
	Payroll Tax Expense	0.40
	Payroll Liabilities	-0.40
	Payroll Liabilities	-0.40
	Payroll Liabilities	-1.17
TOTAL		0.00



**Hartford Fire Board**  
**Profit & Loss Budget Performance**  
March 2023

Item 8.

	<u>Mar 23</u>	<u>Budget</u>	<u>Jul '22 - Mar 23</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
303 Investment Market Changes	0.00		-5,053.75		
401 Hartford Township	14,036.94	15,313.02	134,441.67	137,817.18	183,756.24
402 Hartford City	11,484.76	10,208.68	95,253.41	91,878.12	122,504.16
404 Interest	78.20		432.91		
409 Fire Report Request	20.00	4.16	60.00	37.52	50.00
411 Hartford City Millage	6,027.39		35,921.36		
412 Hartford Township Millage	20,283.23		28,872.30		
420 Bangor 1st Resp Reimburse	456.75	718.15	8,258.00	6,463.42	8,617.87
521 Cost Recovery Reimbursement	0.00	756.89	1,277.17	6,812.01	9,082.68
DNR Grant	0.00		1,044.85		
Donation	8,094.73		8,094.73		
Grant Receivables	3,000.00		3,000.00		
Hartford Township Grants	1,600.00	800.00	7,200.00	7,200.00	9,600.00
Investment Income	0.00		1,177.22		
Other Revenues	255.00		2,715.00		
<b>Total Income</b>	<u>65,337.00</u>	<u>27,800.90</u>	<u>322,694.87</u>	<u>250,208.25</u>	<u>333,610.95</u>
<b>Gross Profit</b>	65,337.00	27,800.90	322,694.87	250,208.25	333,610.95
<b>Expense</b>					
<b>500 Payroll</b>					
500.1 Fire Chief	4,498.50	4,498.50	40,389.63	40,486.50	53,982.00
500.10 Chief Health Benefits	0.00	1,916.66	7,850.75	17,250.02	23,000.00
500.2 Firefighters/Medics	2,683.25	5,833.33	28,880.02	52,500.01	70,000.00
500.3 Support Staff	620.00	750.00	6,296.00	6,750.00	9,000.00
500.4 Chief Retirement	269.91	333.33	2,429.19	3,000.01	4,000.00
500.5 Shift Coverage	0.00	1,200.00	0.00	10,800.00	14,400.00
500 Payroll - Other	870.00		9,660.00		
<b>Total 500 Payroll</b>	<u>8,941.66</u>	<u>14,531.82</u>	<u>95,505.59</u>	<u>130,786.54</u>	<u>174,382.00</u>
<b>501 Professional, Insur.&amp; Legal</b>					
501.1 Legal Expenses	0.00	250.00	0.00	2,250.00	3,000.00
501.2 Professional - Audit	0.00	583.33	3,350.00	5,250.01	7,000.00
<b>Total 501 Professional, Insur.&amp; Legal</b>	<u>0.00</u>	<u>833.33</u>	<u>3,350.00</u>	<u>7,500.01</u>	<u>10,000.00</u>
<b>502 Utilities</b>					
502.1 Internet-Telephone	230.27	241.66	2,070.16	2,175.02	2,900.00
502.2 Electric	388.00	450.00	3,627.48	4,050.00	5,400.00
502.3 Natural Gas	324.00	125.00	2,686.00	1,125.00	1,500.00
502.4 First Net-AT&T	406.12	375.00	3,409.97	3,375.00	4,500.00
502.5 EPS Door Security	0.00	50.00	448.74	450.00	600.00
<b>Total 502 Utilities</b>	<u>1,348.39</u>	<u>1,241.66</u>	<u>12,242.35</u>	<u>11,175.02</u>	<u>14,900.00</u>
<b>503 Mileage</b>					
503.1 Mileage - other	0.00	8.33	0.00	75.01	100.00
<b>Total 503 Mileage</b>	<u>0.00</u>	<u>8.33</u>	<u>0.00</u>	<u>75.01</u>	<u>100.00</u>
<b>505 Building Maintenance</b>					

Hartford Fire Board  
**Profit & Loss Budget Performance**  
March 2023

Item 8.

	<u>Mar 23</u>	<u>Budget</u>	<u>Jul '22 - Mar 23</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
505.1 Bldg Supplies/Maintenanc	146.86	250.00	4,228.04	2,250.00	3,000.00
505.3 Grounds Maintenance	0.00	41.66	67.48	374.94	499.92
505.4 Capital Bldg Improvement	0.00	333.33	0.00	3,000.01	4,000.00
505.5-Trash	0.00	27.08	243.75	243.76	325.00
<b>Total 505 Building Maintenance</b>	<b>146.86</b>	<b>652.07</b>	<b>4,539.27</b>	<b>5,868.71</b>	<b>7,824.92</b>
<b>506 Fuel</b>					
506.1 Unleaded Gas	435.45	366.66	4,164.60	3,300.02	4,400.00
506.2 Diesel	0.00	250.00	3,322.59	2,250.00	3,000.00
<b>Total 506 Fuel</b>	<b>435.45</b>	<b>616.66</b>	<b>7,487.19</b>	<b>5,550.02</b>	<b>7,400.00</b>
<b>508 Vehicle Maintenance</b>					
508.1 Ladder #1841	1,269.40	258.33	19,961.59	2,325.01	3,100.00
508.2 Tanker #1831	1,318.70	175.00	5,649.79	1,575.00	2,100.00
508.3 Heavy Rescue #1871	1,077.51	175.00	1,532.51	1,575.00	2,100.00
508.4 Rescue Pickup #1869	476.95	33.33	476.95	300.01	400.00
508.5 Jeep #1860	217.99	33.33	217.99	300.01	400.00
508.6 Explorer #1810	0.00	33.33	45.12	300.01	400.00
508.7 Pick-Up #1801	0.00	33.33	372.60	300.01	400.00
508.8 #1802	0.00	33.33	2,994.90	300.01	400.00
<b>Total 508 Vehicle Maintenance</b>	<b>4,360.55</b>	<b>774.98</b>	<b>31,251.45</b>	<b>6,975.06</b>	<b>9,300.00</b>
<b>511 Office</b>					
511.1 Office Equipment	238.84	166.66	238.84	1,500.02	2,000.00
511.2 Equipment Repairs	0.00	12.50	0.00	112.50	150.00
511.3 Office Supplies	1.74	125.00	508.20	1,125.00	1,500.00
511.4 Printing	0.00	16.66	0.00	150.02	200.00
511.5 Software/Upgrades	0.00		1,400.94	1,200.00	1,200.00
511.6 Copy Maintenance	0.00	30.00	279.00	270.00	360.00
<b>Total 511 Office</b>	<b>240.58</b>	<b>350.82</b>	<b>2,426.98</b>	<b>4,357.54</b>	<b>5,410.00</b>
<b>512 Insurance</b>					
512.1 Worker's Comp	0.00	500.00	5,038.25	4,500.00	6,000.00
512.10 Accident & Sickness Ins	0.00	1,833.33	2,684.00	16,500.01	22,000.00
512.6 Automobile	-7,119.86		-7,119.86		
512 Insurance - Other	0.00		11,466.00		
<b>Total 512 Insurance</b>	<b>-7,119.86</b>	<b>2,333.33</b>	<b>12,068.39</b>	<b>21,000.01</b>	<b>28,000.00</b>
<b>513 Payroll Taxes</b>	<b>3,113.02</b>		<b>24,946.06</b>		
<b>515 Equipment &amp; Equip Maint</b>					
515.1 Ladder #1841	0.00	58.33	68.83	525.01	700.00
515.10 Firefighting Foam	0.00	83.33	0.00	750.01	1,000.00
515.11 Ford Truck	0.00	8.33	0.00	75.01	100.00
515.12 Air Tanks	0.00	237.50	3,066.28	2,137.50	2,850.00
515.2 Tanker #1831	0.00	58.33	68.88	525.01	700.00
515.3 Heavy Rescue #1871	0.00	475.00	3,602.68	4,275.00	5,700.00
515.4 Rescue Pickup #1869	0.00	16.66	35.94	150.02	200.00
515.5 Jeep #1860	0.00		0.00	0.00	0.00
515.6 Explorer #1810	0.00	45.83	404.00	412.51	550.00

**Harford Fire Board**  
**Profit & Loss Budget Performance**  
March 2023

Item 8.

	<u>Mar 23</u>	<u>Budget</u>	<u>Jul '22 - Mar 23</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
515.7 Eq Maintenance Other	120.76	116.66	1,184.72	1,050.02	1,400.00
515.8 Small Equipment Maintenanc	0.00	33.33	170.74	300.01	400.00
515.9 Medical Supplies	0.00	208.33	791.78	1,875.01	2,500.00
<b>Total 515 Equipment &amp; Equip Maint</b>	<b>120.76</b>	<b>1,341.63</b>	<b>9,393.85</b>	<b>12,075.11</b>	<b>16,100.00</b>
515.13 Ford Truck 1802	0.00	8.33	76.08	75.01	100.00
<b>516 Training</b>					
516.1 Fire Chief Training	0.00	166.66	587.00	1,500.02	2,000.00
516.2 Firefighter I & II	80.00	283.33	1,584.98	2,550.01	3,400.00
516.3 Medic	0.00	83.33	40.00	750.01	1,000.00
516.4 Fire Officer Classes	0.00	166.66	1,035.00	1,500.02	2,000.00
516.5 Drivers Training	0.00	16.66	0.00	150.02	200.00
<b>Total 516 Training</b>	<b>80.00</b>	<b>716.64</b>	<b>3,246.98</b>	<b>6,450.08</b>	<b>8,600.00</b>
<b>518 Physicals</b>					
518.1 Annual Physicals	0.00	666.66	6,693.75	6,000.02	8,000.00
518.2 New Employee Physicals	0.00	25.00	0.00	225.00	300.00
<b>Total 518 Physicals</b>	<b>0.00</b>	<b>691.66</b>	<b>6,693.75</b>	<b>6,225.02</b>	<b>8,300.00</b>
<b>519 Subscriptions &amp; Dues</b>					
519.1 HelpNet	186.00	66.66	744.00	600.02	800.00
519.11 West MI Assn of Fire Chi	0.00	8.33	100.00	75.01	100.00
519.13 S MEMSIC	0.00	6.25	75.00	56.25	75.00
519.3 FirePrograms	0.00	166.66	1,968.34	1,500.02	2,000.00
519.4 IAFC	0.00	20.83	0.00	187.51	250.00
519.5 MI State Firefighters Asn	0.00	8.33	75.00	75.01	100.00
519.6 NFPA	0.00	25.00	0.00	225.00	300.00
519.9 MPSCS	0.00	8.33	0.00	75.01	100.00
519 Subscriptions & Dues - Other	0.00		230.00		
<b>Total 519 Subscriptions &amp; Dues</b>	<b>186.00</b>	<b>310.39</b>	<b>3,192.34</b>	<b>2,793.83</b>	<b>3,725.00</b>
<b>525 Personal Equipment</b>					
525.1 Duty Gear	0.00	583.33	4,230.46	5,250.01	7,000.00
525.2 Personal Equipment	0.00	233.33	1,857.08	2,100.01	2,800.00
525.3 Small Equipment	0.00	133.33	136.60	1,200.01	1,600.00
<b>Total 525 Personal Equipment</b>	<b>0.00</b>	<b>949.99</b>	<b>6,224.14</b>	<b>8,550.03</b>	<b>11,400.00</b>
526 FEMA Grant	0.00	208.33	0.00	1,875.01	2,500.00
527 Bank Fees	111.25	30.00	826.50	270.00	360.00
528 Bd Members Compensation	300.00	350.00	2,220.00	3,150.00	4,200.00
<b>529 Mandatory Annual Testing</b>					
529.1 Personal Veh Inspections	0.00	41.66	0.00	375.02	500.00
529.2 Fire Extinguishers	0.00	41.66	493.00	375.02	500.00
529.3 Hoses	0.00	250.00	2,791.60	2,250.00	3,000.00
529.4 Ladders	0.00	116.66	1,306.50	1,050.02	1,400.00
529.8 Air Compressor	0.00	83.33	920.00	750.01	1,000.00
529.9 Flow Testing Air Packs	0.00	91.66	1,020.00	825.02	1,100.00
<b>Total 529 Mandatory Annual Testing</b>	<b>0.00</b>	<b>624.97</b>	<b>6,531.10</b>	<b>5,625.09</b>	<b>7,500.00</b>
530 Generator					

Hartford Fire Board  
**Profit & Loss Budget Performance**  
March 2023

Item 8.

	<u>Mar 23</u>	<u>Budget</u>	<u>Jul '22 - Mar 23</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
530.1 Maintenance	0.00	20.83	0.00	187.51	250.00
530.2 Maintenance Contract	0.00	58.33	494.55	525.01	700.00
<b>Total 530 Generator</b>	<u>0.00</u>	<u>79.16</u>	<u>494.55</u>	<u>712.52</u>	<u>950.00</u>
531 Auxiliary					
531.1 Auxiliary Supplies	0.00	20.83	0.00	187.51	250.00
<b>Total 531 Auxiliary</b>	<u>0.00</u>	<u>20.83</u>	<u>0.00</u>	<u>187.51</u>	<u>250.00</u>
Insurance	3,882.00		3,882.00		
Payroll Tax Expense	2,062.87		19,114.80		
Reconciliation Discrepancies	0.00		-10.03		
Uncategorized Expenses	102.60		116.51		
<b>Total Expense</b>	<u>18,312.13</u>	<u>26,674.93</u>	<u>255,819.85</u>	<u>241,277.13</u>	<u>321,301.92</u>
<b>Net Ordinary Income</b>	<u>47,024.87</u>	<u>1,125.97</u>	<u>66,875.02</u>	<u>8,931.12</u>	<u>12,309.03</u>
Other Income/Expense					
Other Expense					
Grant Expenditures	0.00		42.20		
<b>Total Other Expense</b>	<u>0.00</u>		<u>42.20</u>		
<b>Net Other Income</b>	<u>0.00</u>	<u>0.00</u>	<u>-42.20</u>	<u>0.00</u>	<u>0.00</u>
<b>Net Income</b>	<u><u>47,024.87</u></u>	<u><u>1,125.97</u></u>	<u><u>66,832.82</u></u>	<u><u>8,931.12</u></u>	<u><u>12,309.03</u></u>

March 2023 CALLS						
+	#	TIME	Address	People	COST	TYPE OF CALL
1-Mar	098	2:17	Bangor Twp	6	\$ 446.00	Mutual Aid
1-Mar	099-City	6:08	Wendell Ave.	7	\$ 16.00	Med-Sick Person
1-Mar	100-Twp	14:01	60th St.	5	\$ 47.00	Grass Fire
1-Mar	101-Twp	19:00	CR 687	3	\$ 32.00	Med-Chest Pain
4-Mar	102-Twp	1:43	CR 687	1	\$ 17.00	Lift Assist
4-Mar	103-City	21:24	Maple St.	1	\$ 17.00	Med-Difficulty Breath
5-Mar	104	11:52	Red Arrow Highway	3	\$ 48.00	Med-Chest Pain
5-Mar	105-City	12:35	Engle Way	3	\$ -	Med-Medical Alarm
5-Mar	106-Twp	13:20	CR 687	3	\$ 48.00	Med-Medical Alarm
5-Mar	107-City	18:48	Bennett Ave	2	\$ 32.00	Lift Assist
5-Mar	108-City	23:09	Maple Hill	2	\$ 32.00	Med-Chest Pain
6-Mar	109-City	0:42	Lincoln St.	2	\$ 32.00	Gas Leak
6-Mar	110-City	8:39	Center St.	2	\$ -	Med-Seizure
7-Mar	111-City	0:07	Woodside Dr.	3	\$ 49.00	Other-Fire Alarm
7-Mar	112-Twp	10:54	66th Ave.	3	\$ 16.00	Med-Difficulty Breath
7-Mar	113-Twp	11:36	CR 687 & 48th	3	\$ 16.00	Other-Low Wire
8-Jun	114-City	15:28	Vanderlyn Dr.	3	\$ 47.00	Good Intent
8-Mar	115-City	18:22	East St.	2	\$ 31.00	Med-Suicidal
9-Mar	116-City	5:50	Olds St.	1	\$ 17.00	Med-Chest Pain
10-Mar	117-City	8:32	Vanderlyn Dr.	2	\$ -	Med-Suicidal
11-Mar	118-City	9:17	Shepard St.	3	\$ 49.00	Med-Cuts
11-Mar	119-Twp	18:37	CR 687	3	\$ 49.00	Med-Suicidal
12-Mar	120-City	4:37	Olds St.	2	\$ 33.00	Med-Diabetic Issues
12-Mar	121	19:46	Red Arrow Highway	2	\$ 33.00	Med-Seizure
13-Mar	122	8:03	Red Arrow Highway	5	\$ 54.50	PI Accident
13-Mar	123	8:29	I-94	5	\$ -	PI Accident
13-Mar	124-Twp	13:18	CR 687	1	\$ -	Med-Blood Pressure I
14-Mar	125-Twp	4:57	CR 372	1	\$ 17.00	Med-Difficulty Breath
14-Mar	126-City	21:21	Main St.	2	\$ 33.00	Med-Difficulty Breath
14-Mar	127-City	23:45	Wendell Ave.	1	\$ 40.00	Med-OD
15-Mar	128-City	2:46	Mary St.	2	\$ 33.00	Lift Assist
16-Mar	129-City	14:34	Paras Hill Dr.	2	\$ 17.00	Med-Chest Pain
16-Mar	130-Twp	20:31	CR 372	2	\$ 33.00	Med-Seizure
17-Mar	131-City	9:25	Main St.	2	\$ -	Med-Frost Bite
17-Mar	132-Twp	10:49	591/2 St.	2	\$ -	Other-Low Wire
17-Mar	133-Twp	20:24	CR 687	1	\$ 17.00	Med-Medical Alarm
18-Mar	134-City	19:05	Main St.	2	\$ 33.00	Med-Fall
20-Mar	135-Twp	20:35	CR 687	4	\$ 64.00	Med-Chest Pain
22-Mar	136-City	7:54	Main St.	2	\$ 16.00	Med-Burn
22-Mar	137-City	9:23	Wendell Ave.	3	\$ 32.00	Other-Stuck in Elevat
23-Mar	138-Twp	9:05	64th Ave.	3	\$ 16.00	Med-Bleeding
23-Mar	139-Twp	10:55	60th St.	3	\$ 16.00	Other-Lift Assist
23-Mar	140-City	18:01	Main St.	1	\$ 16.00	Med-Sick Person
24-Mar	141-City	17:47	Maple St.	3	\$ 47.00	Med-Lift Assist
24-Mar	142-Twp	19:04	CR 687	6	\$ 90.75	Other-Vacuum Fire

24-Mar	143-Twp	21:23	62nd St	2	\$	32.00	Med-Mental Eval.
24-Mar	144-Twp	22:31	CR 687	3	\$	48.00	Med-Mental Eval.
26-Mar	145	3:12	Bangor Twp	2	\$	33.00	Med-Difficulty Breath
26-Mar	146-City	14:27	Maple St.	3	\$	48.00	Lift Assist
27-Mar	147-Twp	17:02	CR 687	1	\$	17.00	Med-Altered
27-Mar	148-City	19:31	Church St.	2	\$	30.75	Med-Unable to Stand
29-Mar	149-City	10:47	Wendell Ave.	3	\$	16.00	Med-Possible CVA
30-Mar	150-City	14:07	Woodside Dr.	3	\$	16.00	Med-Possible CVA
31-Mar	151-Twp	8:59	65th St.	2	\$	-	Med-Chest Pain
31-Mar	152-City	17:41	Shepard St.	5	\$	75.75	Gas Leak

<b>Total Costs for Fire Calls</b>				\$ 1,998.75			
Chief's Salary				\$ 4,498.50			
Administrative Cost (Support Staff)				\$ 620.00			
Trainings/Inspection Costs				\$ 734.50			
<b>Total Costs for Fire Calls</b>				<b>\$ 7,851.75</b>			
<b>Total Calls this m</b>	<b>55</b>	<b>Total March Calls</b>		<b>Fiscal Year Totals</b>		Grass Fire	1
Total Calls for 2022	685	City Calls	29	City Calls	208	Med Assist	38
Total Ca for 2021	794	Twp Calls	20	Twp Calls	186	PI Accident	2
Total Ca for 2020	698	I-94 Calls	1	I-94 Calls	19	Mutual Aid	1
Total Ca for 2019	673	Other	2	Other	40	Other	6
Total Ca for 2018	552	Red Arrow Calls	3	Red Arrow	35	Gas Leak/CO2	2
Total Ca for 2017	345			Total f/y	488	Fire	0
Total Ca for 2016	303					Vehicle Fire	0
Total Ca for 2015	333					Lift Assist	4
Total Ca for 2014	312					Good Intent	1
Total Ca for 2013	292						
Respectfully submi		Priority 3 Calls	SHADED				

# Fire Chiefs Report

April 2023

## INFORMATION:

1. Meetings Attended:
  - Township
  - VBC Medical Control
  - VBC FF Training Committee
2. Completed State Application for EMS license renewal.
3. Completed Fire Safety Inspection at Catholic Church
4. Apparatus annual maintenance completed.
5. Attended Senior Citizen Luncheon at Federated Church- Tornado Safety Talk

**Robbie Harting – Fire Chief**

## Assistant Chief Report

April

### Information

- **Attended Health & Safety Seminar**
- **Tool Project**
- **Van Buren County Fair Schedule**
- **Handbook and Policy Updates**
- **Conducted Interviews & testing for potential new hires**
- **Presentation to Senior Citizens on Weather incidents**
- **Smoke Alarm Program re-started after receiving shipment**

Meetings Attended: City Meeting  
Township Meeting

Respectfully submitted

K.McGrew

Kevin McGrew-Asst. Fire Chief



# Hartford Fire Department

Hartford, MI

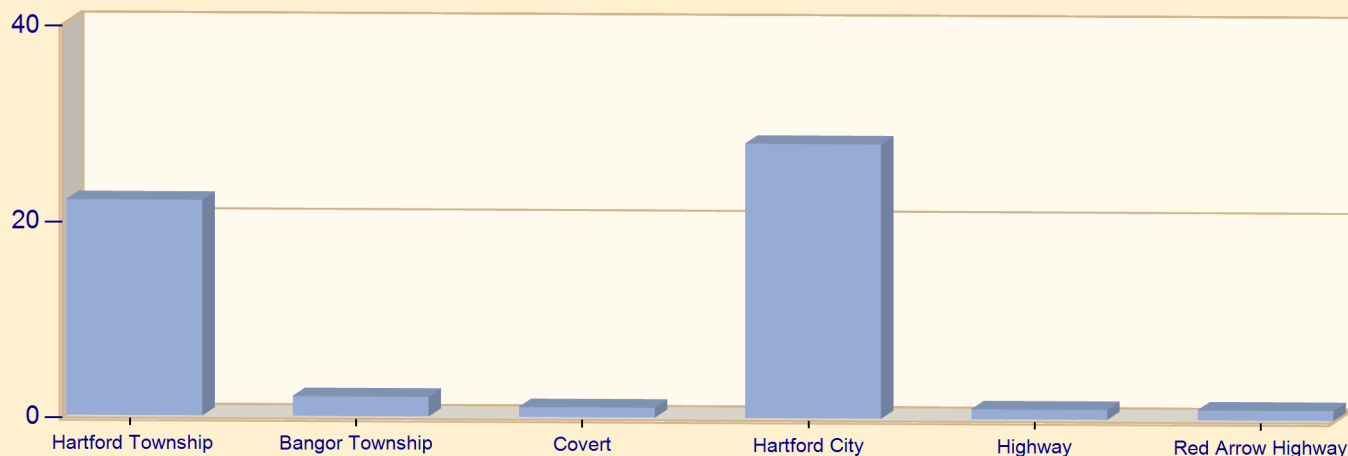
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Item 9.

## Incident Type Count per Zone for Date Range

Start Date: 03/01/2023 | End Date: 03/31/2023



ZONES	INCIDENT TYPE	COUNT
<b>Hartford Township - Hartford</b>		
	143 - Grass fire	1
	311 - Medical assist, assist EMS crew	4
	321 - EMS call, excluding vehicle accident with injury	12
	324 - Motor vehicle accident with no injuries.	1
	442 - Overheated motor	1
	444 - Power line down	1
	500 - Service Call, other	1
	611 - Dispatched & cancelled en route	1
	<i>Total Incidents for Hartford Township - Hartford:</i>	22
<b>Bangor Township - Bangor</b>		
	111 - Building fire	1
	311 - Medical assist, assist EMS crew	1
	<i>Total Incidents for Bangor Township - Bangor:</i>	2
<b>Covert - Covert</b>		
	321 - EMS call, excluding vehicle accident with injury	1
	<i>Total Incidents for Covert - Covert:</i>	1
<b>Hartford City - Hartford</b>		
	311 - Medical assist, assist EMS crew	9
	321 - EMS call, excluding vehicle accident with injury	11
	353 - Removal of victim(s) from stalled elevator	1

Zone information is defined on the Basic Info 3 screen of an incident.  
Only REVIEWED incidents included.



ZONES	INCIDENT TYPE	COUNT
	412 - Gas leak (natural gas or LPG)	2
	500 - Service Call, other	1
	554 - Assist invalid	1
	611 - Dispatched & cancelled en route	2
	735 - Alarm system sounded due to malfunction	1
	<i>Total Incidents for Hartford City - Hartford:</i>	28
<b>Highway - I 94</b>		
	611 - Dispatched & cancelled en route	1
	<i>Total Incidents for Highway - I 94:</i>	1
<b>Red Arrow Highway - Red Arrow Highway</b>		
	311 - Medical assist, assist EMS crew	1
	<i>Total Incidents for Red Arrow Highway - Red Arrow Highway:</i>	1
<b>Total Count for all Zone:</b>		<b>55</b>

Item 9.

Zone information is defined on the Basic Info 3 screen of an incident.  
Only REVIEWED incidents included.



# Hartford Fire Department

Hartford, MI

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Item 9.

## Incident Count per User-Defined Fields for Date Range

Start Date: 03/01/2023 | End Date: 03/31/2023

ANSWERS	# INCIDENTS
<b>USER-DEFINED FIELD: Dispatch Priority (Required)</b>	
1	28
2	18
3	9

<b>USER-DEFINED FIELD: Lift Assist (Required)</b>	
No	49
Yes	6

Only User-Defined values selected in the CUSTOM field of an incident Included. Only REVIEWED incidents included in count.



# Hartford Fire Department

Hartford, MI

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Item 9.

## Response Percentage per Station per Personnel for Incident Types for Personnel

Personnel: All Personnel | Incident Type(s): All Incident Types | Start Date: 03/01/2023 | End Date: 03/31/2023

Personnel	Calls Attended	% of Calls for Selected Incident Types
<b>Station: Hartford Fire Department</b>		
Fry, Steven	9	16.4%
McGrew, Kevin	47	85.5%
VanDeWiele, Cary	3	5.5%
Bodary, Brandon	22	40.0%
Eastman, Scott	7	12.7%
Flemming, Lisa	2	3.6%
Harting, Robbie	17	30.9%
Hunt, Cole	8	14.5%
Reed, Kevin	1	1.8%
Roberts, Khelun	12	21.8%
Sharpe, Ian	7	12.7%
Weberg, Scott	11	20.0%
<b>Total Incidents for Station Hartford Fire Department</b>	<b>55</b>	

**Total Incidents for all Stations**

**55**

Displays the number and percentage of Incidents attended by each Personnel for each Station in the agency over the selected Date Range. Only Reviewed incidents are included.



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Page # 1 of 1

44

# Hartford Fire Department

Hartford, MI

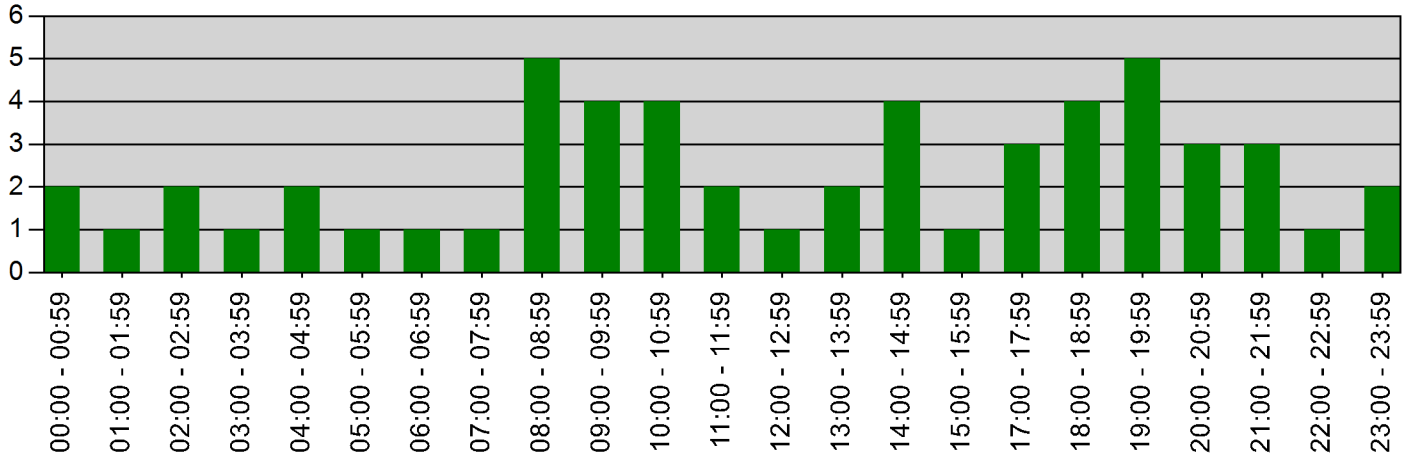
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Item 9.

## Incidents per Hour for Incident Type Range for Date Range

Start Incident Type: 100 | End Incident Type: 911 | Start Date: 03/01/2023 | End Date: 03/31/2023



HOUR	# of CALLS
00:00 - 00:59	2
01:00 - 01:59	1
02:00 - 02:59	2
03:00 - 03:59	1
04:00 - 04:59	2
05:00 - 05:59	1
06:00 - 06:59	1
07:00 - 07:59	1
08:00 - 08:59	5
09:00 - 09:59	4
10:00 - 10:59	4
11:00 - 11:59	2
12:00 - 12:59	1
13:00 - 13:59	2
14:00 - 14:59	4
15:00 - 15:59	1
17:00 - 17:59	3
18:00 - 18:59	4
19:00 - 19:59	5
20:00 - 20:59	3
21:00 - 21:59	3
22:00 - 22:59	1
23:00 - 23:59	2
<b>TOTAL:</b>	<b>55</b>

Only REVIEWED incidents included.



# Hartford Fire Department

Hartford, MI

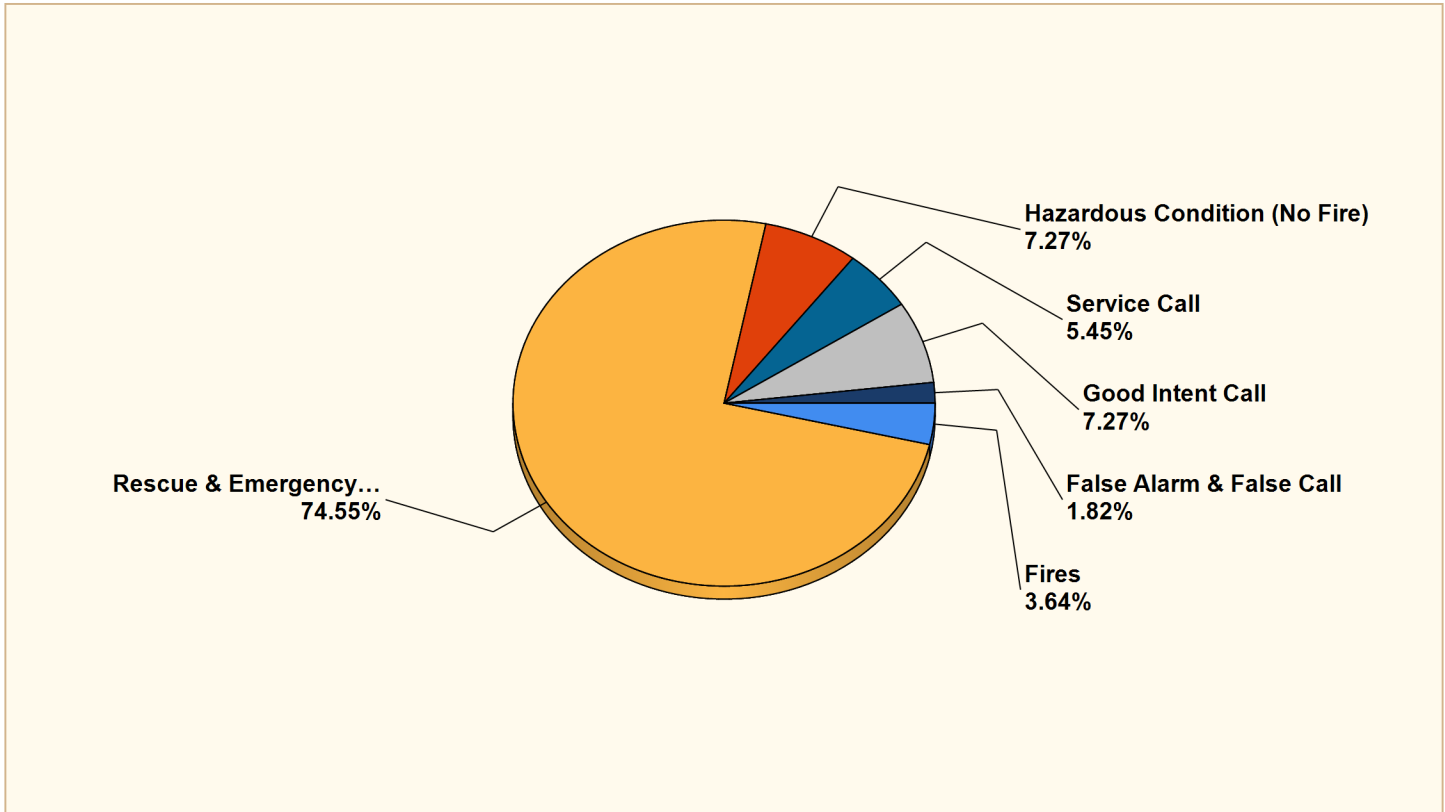
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Item 9.

## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 03/01/2023 | End Date: 03/31/2023



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	2	3.64%
Rescue & Emergency Medical Service	41	74.55%
Hazardous Condition (No Fire)	4	7.27%
Service Call	3	5.45%
Good Intent Call	4	7.27%
False Alarm & False Call	1	1.82%
<b>TOTAL</b>	<b>55</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

Item 9.

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	1	1.82%
143 - Grass fire	1	1.82%
311 - Medical assist, assist EMS crew	15	27.27%
321 - EMS call, excluding vehicle accident with injury	24	43.64%
324 - Motor vehicle accident with no injuries.	1	1.82%
353 - Removal of victim(s) from stalled elevator	1	1.82%
412 - Gas leak (natural gas or LPG)	2	3.64%
442 - Overheated motor	1	1.82%
444 - Power line down	1	1.82%
500 - Service Call, other	2	3.64%
554 - Assist invalid	1	1.82%
611 - Dispatched & cancelled en route	4	7.27%
735 - Alarm system sounded due to malfunction	1	1.82%
<b>TOTAL INCIDENTS:</b>	<b>55</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.

# Hartford Fire Department

Hartford, MI

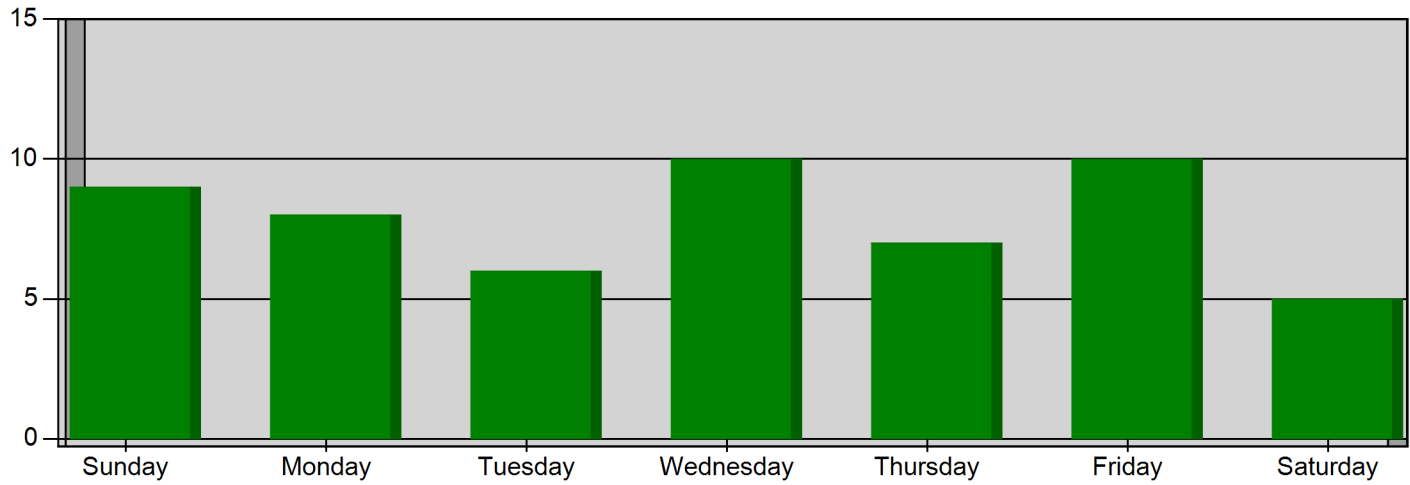
This report was generated on 4/3/2023 9:55:18 AM



Item 9.

## Incidents by Day of the Week for Date Range

Start Incident Type: 100 | End Incident Type: 911 | Start Date: 03/01/2023 | End Date: 03/31/2023



DAY OF THE WEEK	# INCIDENTS
Sunday	9
Monday	8
Tuesday	6
Wednesday	10
Thursday	7
Friday	10
Saturday	5
<b>TOTAL</b>	<b>55</b>

Only Reviewed incidents included.







April 3, 2023

Mr. Yemi Akinwale, City Manager  
Hartford City  
19 West Main Street  
Hartford, MI 49057

Dear Mr. Akinwale,

I am pleased to provide you with our average response times for the month of March 2023. There were ten (10) priority one calls in March with an average response time of 10:22 minutes.

There were thirteen (13) priority two calls run in March with an average response time of 9:14 minutes.

There were four (4) priority three call in March with the average response time of 14:41 minutes.

There was a total of twenty-seven (27) calls run in the month of March with an average response time of 10:26 minutes.

There was an extended response time for run number 7629 due to a delay by a train that stopped on the tracks. There was no alternative route that would have shortened the response time.

There was an extended response time for run number 8008 due to the crew having a hard time finding the correct lot number. It was dark and there was low visibility according to the crew.

If you have any questions, comments, and/or concerns, please feel free to contact myself or Glenn at the office.

Sincerely,

Jimmy Wills  
Pride Care Ambulance  
O: 269.343.3267  
F: 269.343.6503

Proudly Serving Southwest Michigan – Berrien, Cass, Kalamazoo, Van Buren Counties  
5088 Meredith  
Kalamazoo, MI 49002  
Business Office (269) 343.2224 Fax (269) 343.6503  
[www.pridecare.com](http://www.pridecare.com)

# **December 2022 Winter Storm Report**

**(Updated with Information from the February 2023 Storm)**

**Van Buren County Township Supervisor's Meeting**

**March 23rd, 2023**

**Van Buren County Conference Center**

Deputy Raymond W. Hochsprung

Emergency Management Coordinator

Van Buren County Sheriff's Office

Office of Domestic Preparedness/Emergency Management

## Introduction

For those of you who have not met me, I am Deputy Ray Hochsprung with the Van Buren County Sheriff's Office. I have served with the Van Buren County Sheriff's Office since November 2004, and for the majority of those 18+ years was a Road Patrol Deputy. In that capacity I was also assigned to the Lawrence Village Contract Position during the Summers of 2005 and 2006, the South Haven Township Contract Position from October 2010 to February 2011, and the Keeler Township Contract Position from June 2007 to October 2010 and again from January 2016 to August 2022. In early August 2022, I became the Emergency Management Coordinator of Van Buren County.

## Warnings and Preparations

During the evening of December 20<sup>th</sup>, Emergency Managers across the state were notified by their Michigan State Police District Emergency Management Coordinators that due to a forecast of a Severe Winter Storm for later that week, an incident was being opened in our statewide emergency management computer system. This is so everyone could carry any local activity, Emergency Operations Center activations, and emergency declarations under the same incident for State or Federal assistance.

The following morning there were Van Buren County Local Emergency Planning Committee and Local Planning Team meetings in which we discussed the possibility of the severe weather and steps we could take to mitigate any issues that arose. The local Red Cross official was present, and I also met with them after the meetings. Possible sites for warming station activations (if needed) were discussed, and afterwards I spoke with contact persons at each of these locations to confirm their viability and availability.

The National Weather Service in Grand Rapids provided updates and briefings in the interim, and the available warming center activation locations were updated throughout the week. During the afternoon of the 22<sup>nd</sup>, I was interviewed by WWMT News 3 regarding government preparations for the storm, confirmed that VBCRC would have plows working that weekend, contacted the MSP 5<sup>th</sup> District Coordinator, and set up the EOC in case there was need for activation.

## December 2022 Winter Storm Incident

On 12/23/22 at approximately 2:30 PM, I was contacted by Van Buren County Central Dispatch regarding a large traffic crash on I-94 near Lawrence involving 5 Semi-Trucks and 10 passenger vehicles. The Michigan State Police were the primary agency on this incident, and

Dispatch did confirm with them that they were requesting the activation of our EOC to assist. While responding to the EOC, contact was made with Lt. Evans (EOC Police Services), Sheriff Abbott (EOC Chief of Operations), our Red Cross official, MSP Lt. Collins (EOC MSP/EMHSD 5th District Liaison), and Lt. Chad Hunt (arranged transportation assistance for stranded motorists). I was advised that the Red Cross were unable to assist in this incident due to staff having vehicles not suited to the increasingly poor weather/road conditions.

Upon arrival to the EOC, I was advised that multiple portions of I-94 were closed in Berrien and Van Buren Counties due to multiple traffic accidents, including the incident that prompted the activation of the EOC. Chief Anchor (Lawrence Fire Department) was having motorists from the large crash staged at McDonalds Towing in preparation for transport to a warming center. Lt. Hunt and C/O Kozel transported stranded motorists from the scene and McDonald's Towing to the warming centers at Lawrence Fire Department and Township Hall. After confirming availability of hotel rooms, C/O Kozel and Lt. Hunt transported individuals to hotels in Paw Paw and Watervliet from the warming centers.

Later in the afternoon/early evening, there were multiple reports of occupied vehicles stranded in snow drifts in the central and eastern area of Hamilton Township. Contact was made with VBCRC Operations Director Brucks (EOC Public Works) to request VBCRC plow support for True's wreckers in the area. Director Brucks and another plow operator responded to the area and was able to clear the roadways for True's wreckers. After clearing this area, VBCRC plows had to go out of service due to the drivers being in service since around 2:00 AM and needing to be back in service and plowing at 4:00 AM the next morning. There were still multiple occupied stranded vehicles, so contact was made with Lt. Collins requesting additional plows from MDOT. There were existing mutual aid agreements between VBCRC and neighboring counties, but those counties appeared to be in a similar predicament. Lt. Collins was able to reach his contacts in MDOT, but MDOT was also short of resources due to the extreme weather.

Deputy Rowse obtained a department snowmobile and Sgt. Weers retrieved the SWAT "Humvee" due to the worsening conditions. Sgt. Weers and Dep. Rowse were able to rescue multiple motorists using these vehicles, and Deputies Justin Blankenship and Taylor Freelove were able to rescue some with their patrol vehicles. The rescued individuals were transported to several of the now activated warming centers. Deputy Chief Bush (DHFD) activated the Decatur-Hamilton Fire Department warming center to receive the south county motorists. Dispatch updated log entries for the stranded vehicles with the warming centers the occupants were taken to. Due to the worsening conditions, lack of snowplows due to necessary crew rest, and unwillingness or fatigue of wrecker drivers, the unoccupied vehicles were left where they were stranded.

There was an issue as to lack of cots/blankets at most of the warming centers. Due to the extreme weather conditions, it is likely that resources would have been difficult or impossible to retrieve and deliver. The only direct logistical support other than arranging for transport or retrieval from a stranded vehicle I was able to provide was 2 cases of bottled water requested by

and delivered by the Paw Paw Police Department to the Freshwater Church warming center. Stores and businesses in the area had allegedly closed due to the severe weather conditions.

In the early morning hours of 24<sup>th</sup>, the situation appeared to have stabilized but the road and weather conditions had not improved. Dispatch had a list of unoccupied stranded vehicles and vehicles that are occupied but have adequate fuel/heat and their operators have opted to wait for the wreckers. As of 4:25 AM on the 24<sup>th</sup>, there were currently 4 stranded motorists at the old Lawrence Township Hall, 4 at the Decatur-Hamilton Fire Department with 1 in route, 1 at the Keeler Fire Department, 3 at Freshwater Church, and 1 at the Bangor train station warming centers.

During the afternoon of the 24<sup>th</sup>, Lt. Hunt and I went around to the warming centers that still had 9 stranded motorists to transport them to hotels. Of the 9 people we were advised of that afternoon, all but 4 were able to continue their travels or find stable accommodations. Those 4 people were transported to the Baymont Inn in Paw Paw.

### **December Storm After-Action Report**

An after-action report for the EOC activation was completed in which I noted what was successful, unnecessary, and preparations we could make for what went wrong. We are developing a list of items we can keep on hand in case we are unable to have Red Cross assistance, unable to retrieve their trailer, or our resources at our storage barns are unable to be reached. The usefulness of having military surplus vehicles and snowmobiles is without question, as I feel that they definitely saved lives that day. Dispatch, Law Enforcement, Fire, Road Commission, and Corrections all worked together and went above and beyond to overcome the issues we encountered.

### **Update - February 2023 Storm Incident**

On February 21<sup>st</sup>, 2023, I received warnings from Michigan State Police Emergency Management and briefings from National Weather Service about another severe winter storm likely to pass through our area (same as the December storm). Back during the preparations for the December Storm, I had confirmed with my contacts at the available locations for warming centers if we could use them in the future as well. These locations were contacted on the 21<sup>st</sup> to confirm that they were all still available.

All Law Enforcement and Fire command, Van Buren County Dispatch, the Pokagon Tribal Police Director of Emergency Management, American Red Cross, the MSP 5<sup>th</sup> District Emergency Management Coordinator, and Road Commission were sent a copy of the briefing and the lists of available locations for warming centers. In addition, the local power companies

were sent the list of locations so that they could prioritize power restoration in those areas. This was based on a request from one of those companies during the December storm. The contact persons at these companies forwarded them to their operations staff.

On February 22<sup>nd</sup>, I remained in the office throughout the night to monitor the situation as well as send updates to public safety command staff. There were a few crashes, multiple trees down, and multiple power outages that night due to the ice storm. A Paw Paw Firefighter was fatally injured by power lines falling due to a branch falling on lines. With power outage areas being reported on several power company websites and by emergency responders, I was able to go through my lists of vulnerable adults and Adult Foster Care homes in those locations to confirm that they had adequate heat and backup power or water.

Once the storm had passed through there were (approximately) trees down in 48 locations, lines down in 47 locations, 5 traffic crashes, 2 injuries from traffic crashes, and 1 fatality from downed power lines. As of the evening of the 23<sup>rd</sup> I&M/AEP had 17, Consumers had 6291, and MEC had 46 customers without power. On the 22<sup>nd</sup>, one of the AFC homes had to relocate to the Lawrence Twp warming center due to the outages, but were able to relocate to a hotel a few hours later. VBEMS transported 2 more to this warming center on the 23<sup>rd</sup>, but were able to relocate to a hotel on the morning of the 24<sup>th</sup>.

There was a VBCSO ODP/EM supply of cots that were located on the 24<sup>th</sup>, and those with a large amount of bottled water that was procured was pre staged at the Bangor Fire Dept and Lawrence Twp Hall due to the Consumers outage in that area estimated to last throughout the weekend. As of the morning of the 27<sup>th</sup>, 35% of Consumers' customers in Van Buren County were still out of power. None of those pre-staged supplies or warming centers (after the 24<sup>th</sup>) had to be utilized. I am also keeping a supply of cots and water in my assigned work vehicle so I can deliver them to whatever warming center/shelter would need them.

Since these events, the Decatur VFW has offered their facility as an available warming center/shelter, and that site would be an excellent location for a large scale shelter in cooperation with the American Red Cross.

Thank You for Your Time,

Deputy Raymond W. Hochsprung

VBCSO ODP/EM

3/23/2023

# HARTFORD PUBLIC WORKS DEPARTMENT

DAN STAUNTON SUPT.



4/3/2023

## MAINTENANCE DEPARTMENT

Serviced all the equipment that required servicing  
Repaired all the equipment that required repairing  
Haul snow as needed.  
Plow snow as needed,  
Cleaned off all storm drains  
Clean park.  
Empty trash cans.

## WATER DEPARTMENT

Water turn off	<u>1</u>
Water turn on	<u>1</u>
Water meter repairs	<u>2</u>
Water leaks repaired	<u>0</u>
Water meters read by request	<u>4</u>
Water services replaced to water main	<u>0</u>

Collected monthly water samples and delivered to Paw Paw Lab  
Sent monthly reports to the Michigan Department of Health  
Ran auxiliary well generator once a week

## MAJOR AND LOCAL STREETS

Cold patching as needed.  
Plow snow as needed.

## SEWER SYSTEM

Sewer mains rodded	<u>4</u>
Sewer services dug up and repaired	<u>0</u>

Replaced 4 stop signs.

## LIFT STATIONS

Lift stations are running very well at this time  
Generators are run once a week for testing  
Bar screens are cleaned twice a week

## Iron Removal Plant

Run back up generator once a week.

# HARTFORD PUBLIC WORKS DEPARTMENT

Iron Removal Plant.  
Dan Staunton.



4/3/2023

## WATER QUALITY AVERAGE FOR THE MONTH

### Raw Water

Iron	<u>1.51</u> ppm
Manganese	<u>0.149</u> ppm
pH	<u>7.1</u>

### Finished Water

Iron	<u>0</u> ppm
Manganese	<u>0</u> ppm
Chlorine	<u>1</u> ppm
Phosphates	<u>1.3</u> ppm
Flouride	<u>0.9</u> ppm
pH	<u>7.2</u>

### Chemicals used

	<b>Total Lbs</b>
Chlorine	<u>121</u>
Phosphates	<u>208</u>
Flouride	<u>195</u>

### Average Daily Use

	<u>3.9</u>
	<u>6.7</u>
	<u>6.2</u>

## WATER PUMPED FOR THE MONTH

Backwash water 5.645 Million Gallons

176,000 Gallons

## WATER BACTI SAMPLES FOR THE MONTH

19 W. Main St.	<u>ND</u>
525 E. Main St.	<u>ND</u>
200 Beachwood St.	<u>ND</u>



Activities Report  
City of Hartford Wastewater Treatment Plant  
April 6th, 2023

The WWTP crew has been decanting off the sludge holding tanks.

A new door was installed on the lean-to.

Skirting was installed where the walls of the lean-to meet the ground.

The second sludge transfer pump was shipped out to be rebuilt.

Effluent phosphorus levels continue to be acceptable. The ferric system is still giving the crew a hard time. The lower the tank gets the harder it is to deliver the ferric.

The WWTP crew sampled effluent from AMHawks pretreatment system. The phosphorus concentration was found to be <8 mg/L

The WWTP crew sampled effluent from the AMHawk plant. The phosphorus concentration was found to be 32.44 mg/L

Sampling kits for mercury testing were ordered and received from Trace Labs. The crew found that the bottle containing the field blank solution was leaking. Trace is going to supply a new kit. Second quarter mercury sampling will occur this month.

The WWTP crew is preparing to sample the AMHawk plant for their second quarter sampling event. This quarter we only test for phosphorus and pH. This testing can be done in-house.

The DMR report for the month of March is in progress.

Derek Haroldson, with EGLE, was contacted with a question about the status of Application HPE-WXTR-EQ0XY — Digital EGLE/USACE Joint Permit Application (JPA) for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams. Derek said he spoke with an engineer from Wightman on January 20<sup>th</sup> and is waiting for new information.

Back in February I heard from Thomas Miller, with EGLE, who said Hartford's new draft NPDES permit would likely be available to us in mid to late March. I spoke with Thomas Miller about an unrelated issue for another community last week and he said he was way behind schedule as his department is operating on 1/3 staff right now. For now, I believe we can just wait patiently.

Peter Ludeman contacted me about a marijuana grow he is intending to operate in the City of Hartford. I shared information with Peter about how marijuana facilities can impact the wastewater treatment plant.



APRIL 24, 2023  
LIST OF BILLS

PAY TO	DESCRIPTION	SUBTOTAL	CHECK TOTAL
1 AMERIGAS	PROPANE FOR WWTP LAB AND CONTROL BUILDING		2,147.27
2 MICHAEL BANIC	OCCUPANCY INSPECTIONS 4/19/2023		45.00
3 BLOOMINGDALE COMMUNICATIONS	PHONE & INTERNET SERVICES FOR APRIL 2023 PLUS RE PROGRAM VOICE MAILBOXES (\$240.00)		602.60
4 BLUE CARE NETWORK OF MI	MAY 2023 HEALTH INSURANCE		11,225.79
5 BS&A SOFTWARE	TAX SYSTEM ANNUAL SERVICE/SUPPORT FEE 5/1/23-4/30/24		769.00
6 DECATUR LUMBER COMPANY	CHOP SAW & BLADE PLUS WEED CUTTER HEAD FOR DPW		1,412.97
7 DELTA DENTAL	MAY 2023 DENTAL INSURANCE		632.54
8 EPS SECURITY	ALARM SYSTEM MONITORING AGREEMENT 5/1-7/31/2023		375.00
9 FBI-LEEDA	COMMAND LEADERSHIP TRAINING FOR LIEUTENANT IVY		795.00
10 FLEMING BROTHERS OIL CO	GASOLINE FOR MARCH 2023		1,024.34
11 FRONTIER	LIFT STATION PHONE 4/7-5/6/23		49.75
12 HARTFORD BUILDING AUTHORITY	MAY 2023 CITY HALL LEASE PAYMENT		4,166.67
13 HARTFORD FIRE BOARD	MAY 2023 CONTRACTUAL PAYMENT		11,484.76
14 IAPE	EVIDENCE MANAGEMENT TRAINING FOR LIEUTENANT IVY		395.00
15 KOTZ SANGSTER WYSOCKI P.C.	LEGAL SERVICES - LABOR & EMPLOYMENT		4,775.00
16 MACNLOW ASSOCIATES	LEGAL UPDATE TRAINING FOR SERGEANT LUCAS & LIEUTENANT IVY		300.00
17 MI ASSOC OF MUNICIPAL CLERKS	SUMMER CONFERENCE & MASTER CLASS FOR ROXANN		575.00
18 MI ASSOC. OF CHIEFS OF POLICE	NEW CHIEF'S SCHOOL FOR CHIEF PRINCE	1,195.00	
	ANNUAL MEMBERSHIP FOR SERGEANT LUCAS	100.00	
	ANNUAL MEMBERSHIP FOR LIEUTENANT IVY	100.00	1,395.00
19 MICHIGAN OFFICE SOLUTIONS INC	POLICE COPIER MAINTENANCE 4/24-7/23/2023	215.10	
	CITY HALL COPIER MAINTENANCE 4/18-7/17/2023 PLUS OVERAGE	1,498.75	
	CHARGES FROM 1/18-4/17/2023		1,713.85
20 MILLER THERMOMETER	FLAGS		901.80
21 TOM NEWNUM	CLEAN CITY HALL 4/12/2023	50.00	
	CLEAN CITY HALL 4/19/2023	50.00	100.00
22 SPECTRUM HEALTH LAKELAND	DRUG TESTING FOR NEW HIRE		35.00
23 ANGELA STORY	ASSESSING SERVICES FOR APRIL 2023		1,233.33
24 TRACE ANALYTICAL LABORATORIES	IRP WATER SAMPLE TESTING - 4/3/2023	119.75	
	WWTP HG SAMPLES TESTING - 4/4/2023	267.00	386.75
25 UNUM LIFE INSURANCE CO OF AMERICA	MAY 2023 LIFE & DISABILITY INSURANCE		524.55
26 VANBUREN CONSERVATION DISTRICT	2023 HOUSEHOLD HAZARDOUS WASTE - HOST EVENT		500.00
27 VILLAGE OF PAW PAW	FEBRUARY 2023 LAB ANALYSIS		120.00
28 ANDREW WARNER	10.75 HOURS AS OPERATOR AT WWTP (3/26-4/8/2023)		537.50
29 WATER SOLUTIONS UNLIMITED	CHEMICALS FOR IRP	1,420.00	
	CHEMICALS FOR WWTP	781.74	2,201.74
30 WEST MI CRIMINAL JUSTICE	HARTFORD POLICE DEPARTMENT MEMBERSHIP		
	(35% OF PA 302 FUNDS)		226.88
31 WIGHTMAN & ASSOCIATES, INC.	PROJECT 202307 - DWAM GRANT APPLICATION	2,140.00	
	PROJECT 150147 - GENERAL ENGINEERING - (WATER & WWTP TESTING AND CONSULTING)	878.58	3,018.58
<b>TOTAL OF CHECKS TO BE WRITTEN FOR APRIL 24, 2023</b>		<b>\$</b>	<b>53,670.67</b>
3/6/2023 LUMEN	LONG DISTANCE TELEPHONE BILL FOR DPW PHONE		0.27
3/9/2023 STURGIS BANK & TRUST	WIRE IN FEE FOR DRAW FROM JR LEIN REVENUE BOND		10.00
3/22/2023 UNITED STATES POSTAL SERVICE	CERTIFIED LETTERS TO AM HAWK		16.26
3/24/2023 CHRISTMAS LIGHTS, ETC	CHRISTMAS LIGHTS AND FASTENERS FOR DOWNTOWN HARTFORD		1,472.94
3/24/2023 ALPHABRODER	CITY LOGO SHIRTS FOR STAFF & COUNCIL		438.23
3/28/2023 UNITED STATES POSTAL SERVICE	MAIL STREETSCAPE PROJECT PAPERWORK		19.60
3/30/2023 UNITED STATES POSTAL SERVICE	MAIL CERTIFIED LETTER TO JUSTIN RYAN		8.13
4/3/2023 LUMEN	LONG DISTANCE TELEPHONE BILL FOR DPW & WWTP PHONES		0.18
4/5/2023 UNITED STATES POSTAL SERVICE	MAIL PLANNING COMMISSION MEETING PACKETS		8.94
4/14/2023 EASY ID CARD	ID CARDS FOR POLICE DEPARTMENT & CITY MANAGER (P.O. #14248)		
<b>TOTAL DEBIT CARD TRANSACTIONS</b>		<b>\$</b>	<b>1,974.55</b>
<b>TOTAL GROSS PAYROLL MAR 15, 2023 THROUGH APR 11, 2023 (4 WEEKS)</b>		<b>\$</b>	<b>65,783.53</b>
<b>GRAND TOTAL FOR APRIL 24, 2023</b>		<b>\$</b>	<b>121,428.75</b>



CITY MANAGER’S WEEKLY UPDATE  
April 14, 2023

**HUMAN RESOURCES UPDATES** We continue to have one employee out on leave.

**HPD:** I had an initial interview with a retired police officer out of central Indiana this week, who is interested in the Code Enforcement position. He will be moving to the area and thinks Hartford would be a nice fit. He will be coming in to interview with the Chief next Friday.

We continue to look for a PT police officer.

**DPW:** Our new part time staff member, Shaun Sweet, is starting on Monday.

The new full time staff member is expected to start on April 24<sup>th</sup>.

**WWTP:** We continue to look for a Class C Operator at the WWTP. This is posted on Indeed.

**CLERK’S OFFICE:** We have offered a local Hartford native the part time Deputy Clerk position. We are conducting final background checks but expect her to start barring any issues May 1<sup>st</sup>.

**REMINDER:** As a gentle reminder to all Commissioners, you should please direct your requests for staff support to me and not to individual members of the staff. This includes department heads as well as line staff. This is outlined in the City’s Charter under Section 3.9 *Restrictions Upon Commission*. This section states: *The Commission and its members shall deal with City Officers, employees and volunteers, who are subject to the direction and supervision of the City Manager, solely through the City Manager and neither the Commission nor its members shall give orders to a City Officer, employee or volunteer publicly or privately.*

**BUDGET** Roxann has thoroughly reviewed the budget, Pam is working on her final review and we are still waiting for final numbers for ACT51. We have estimated income from taxpayers as if we are going to get the same amount we received last year.

This is a THIRD draft- this time I have included percentages of the total budget for consideration; again, we do not have actual numbers for our ACT51 (Major and Local Street Funds).

Here is a short synopsis of the THIRD DRAFT Expected Revenues and Expenses

FUND	PROPOSED REVENUE	% OF TOTAL BUDGET	PROPOSED EXPENSES	% OF TOTAL BUDGET	NET GAIN/LOS
GEN FUND	\$1,366,325.00	43.79%	\$1,637,890.77	43.30%	\$(271,565.77)
MAJOR ST	\$300,000.00	9.62%	\$137,257.00	3.69%	\$ 162,743.00
LOCAL ST	\$103,000.00	3.30%	\$100,175.00	2.69%	\$ 2,825.00
COMP IMP	\$110,000.00	3.53%	\$110,000.00	2.96%	\$-
DDA	\$13,764.00	0.44%	\$2,400.00	0.06%	\$ 11,364.00
BLD DEPT	\$63,500.00	2.04%	\$51,948.00	1.40%	\$ 11,552.00
BLD AUTH	\$63,500.00	2.04%	\$45,000.00	1.21%	\$ 18,500.00
SEWER*	\$621,350.00	19.92%	\$ 1,085,645.71	29.17%	\$ (464,295.71)
WATER*	\$478,515.00	15.34%	\$612,427.00	16.45%	\$ (133,912.00)
<b>TOTALS</b>	<b>\$3,119,954.00</b>		<b>\$3,782,743.48</b>		<b>\$(662,789.48)</b>

\* These numbers include depreciation

For comparison, here is what the current Amended Budget is for this Fiscal Year 2022/2023.

FUND	UNAUDITED REVENUE	% OF ADJUSTED BUDGET	UNAUDITED EXPENSES	% OF ADJUSTED BUDGET	NET GAIN/LOS
GEN	\$1,456,119.00	42.16%	\$1,450,952.00	43.23%	\$ 5,167.00
MAJOR ST	\$301,150.00	8.72%	\$ 299,454.00	8.92%	\$ 1,696.00
LOCAL ST	\$133,142.00	3.85%	\$ 127,900.00	3.81%	\$ 5,242.00
COM IMP	\$276,000.00	7.99%	\$ 229,000.00	6.82%	\$ 47,000.00
DDA	\$12,000.00	0.35%	\$ 12,000.00	0.36%	\$-
BLD DEPT	\$21,098.00	0.61%	\$ 21,098.00	0.63%	\$-
BLD AUTH	\$50,000.00	1.45%	\$48,000.00	1.43%	\$ 2,000.00
SEWER*	\$639,315.00	18.51%	\$ 650,637.00	19.39%	\$(11,322.00)
WATER*	\$565,337.00	16.37%	\$ 517,077.00	15.41%	\$ 48,260.00
<b>TOTALS</b>	<b>\$3,454,161.00</b>		<b>\$3,356,118.00</b>		<b>\$ 98,043.00</b>

\*These numbers do not budget for depreciation, which is anticipated to come in at roughly \$450,000 for this FY upon audit adjustment.

**USDA STREETScape GRANT:** I spoke with our grant representative from the USDA. She stated that we can request an extension and felt we could ask for a year without any issue at all. When I brought up the work on sidewalks strongly suggested that we should avoid sidewalk work except spot repair/replacement otherwise we will have to comply with construction requirements which she highly encourages us to avoid. She said we can submit a request to amend our project scope, budget *and* budget narrative, the latter of which would allow us to use the Wightman invoices as match. She said the streetscape portion of the project was meant to be a “sprucing up” of the downtown and not a full-blown streetscape project. Here is a brief review of the project budget, subject to change after review by the Council:

\*If we opt to use funds to plant flowers, we need to let our landscape artist know asap so that she can have available stock.

Activity #	Task	RDBG Funds	Match	Total Project Costs
1	Repaving S Parking Lot	\$99,000	\$21,000	\$120,000
2	Removal of 9 Overgrown Trees		\$1,200	\$1,200
3	Purchase and Install 8 Park Benches		\$24,000	\$24,000
4*	Plant Flowers in 9 flower boxes & planters		\$5,000	\$5,000
5	Purchase & replace 20 trash receptacles		\$9,977	\$9,977
6	Repair 4 Sections of Broken Sidewalks		\$5,000	\$5,000
7	Remove of 9 Planters		\$2,700	\$2,700
<b>TOTALS</b>		<b>\$99,000</b>	<b>\$68,877</b>	<b>\$167,877</b>

**SOUTH PARKING LOT** Danny and I participated in the preconstruction meeting today 4/14/23.

**RED MED BOX** A copy of where Red Med Boxes are located in Van Buren County is attached to this email. This does not include the updated Hartford Township site.

**AMBULANCE SERVICES UPDATE** The Manager from Bangor phoned to say that VBEMS expects to have a contract by June 1. I let him know we need one in hand at least by the 26<sup>th</sup> of May if not by 22<sup>nd</sup> so that Council could take action at their meeting that day. He agreed to reach out and work to push the contracting date up. I plan to write my letter, as authorized by Council and send it via registered overnight mail no later than April 25<sup>th</sup>.

**DEMO- 215 SHEPARD** The demo of the gas service has been issued. We are finalizing the paperwork now with Consumer's Energy. I have heard from the demo contractor approved by the Council as well. It sounds like they are prepared to do the work, I am waiting on a final agreement.

**RFP LEGAL SERVICES** The Request for proposals was sent out to the Van Buren County Bar Association members as well as being posted by notice to the Tri-City Reporter and to the City's website.

**STRAWBERRY FESTIVAL** I met with Patty from the Chamber of Commerce. She manages the Strawberry Festival. She provided a map of the event set-up. It is attached to this email. We discussed:

- **Waste Management-** The Boy Scouts will be onsite throughout the Festival picking up trash. Additionally, there will be receptacles throughout the Festival grounds and a Best Way dumpster at the West of Ely Park
- **Restrooms-** The Festival will utilize the publicly available restrooms at Ely Park. Additionally, they are bringing in 2 standard port-a-johns. Stephanie will make sure that there is hand sanitizer in or near those port-a-johns.
- **First Aid-** The Festival has a small First Aid kit at the Chamber Tent. I encouraged Stephanie to reach out to Chief Harting to ask to have the HFD bring their kit onsite as well.
- **Food Vendors-** The VBC Health Department works closely with the Chamber and food vendors to ensure compliance with their standards.
- **Carnival Rides-** Per Patty, there has not been any reports of the rides ever causing damage to the grass or grounds at Ely Park and there will only be 1 mechanical ride this year. Carnival rides will begin set-up around noon on Friday of the event and will tear down the day of the event.
- **Camping-** Carnival Game Vendors will begin camping at Ely Park on Friday and stay onsite throughout the weekend. I have alerted Chief Prince and asked him to share all details with his staff.
- **Fire Extinguishers-** Patty will have an extinguisher in the Chamber tent and expects all food vendors to comply with Health Department requirements for onsite fire safety protocols.
- **City Services-** Patty works directly with Danny to get electric, water and cleaning support for the restrooms, which are cleaned at least twice during the weekend.

**KEYS:** Mr. Kellogg expressed to Danny that he was not prepared to come onsite and rekey the locks. I have received two proposals from area locksmiths and will be having the locks changed by the lowest proposer.

**RUDELLE'S:** Per Chief Prince, Officer Vande Voren followed up at Rudelle's and learned that there were 3 cars there needing LEIN work, 1 of which was a HPD impound. While onsite, however, Officer Vande Voren went ahead and took care of the LIEN work on all 3 vehicles.

**MAPLE HILL VILLAGE:** There was a significant water leak at Maple Hill Village over the last weekend. Per Danny, they were leaking enough water that the City was pumping over 400k gallons when we normally pump 275k gallons. I contacted the property owner, who contacted a contractor and the work to repair the leak took place within 48-hours of notification by the City. As this level of water usage is not sustainable during a leak like this, I did work out with the property maintenance manager that we can call him directly when we are alerted to these situations, even on the weekend. Danny was supplied his phone number.

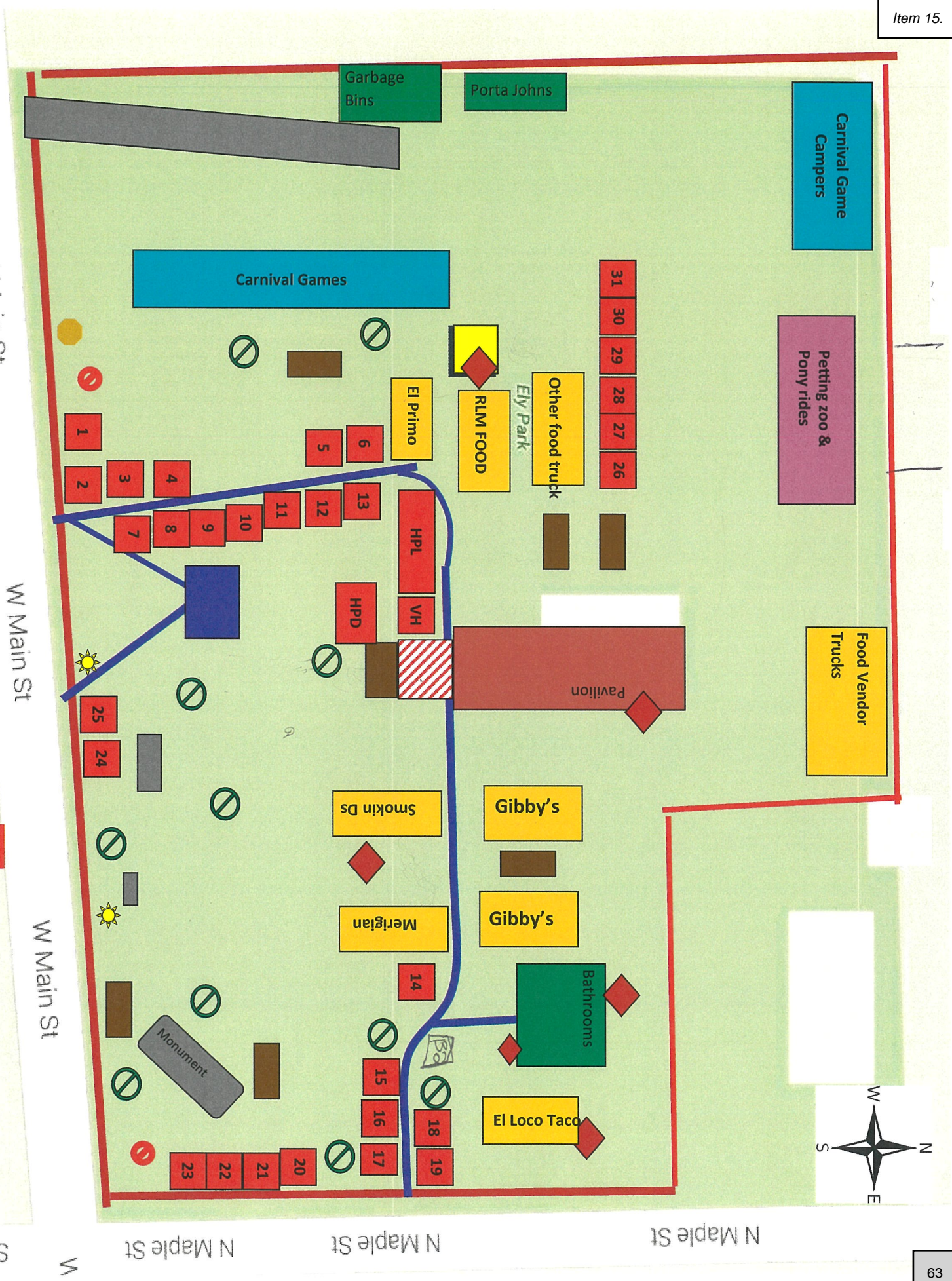
**FIRE BOARD** I heard from the Township Supervisor this week about working with an attorney on the 501 status. He recommended an attorney to work with that he knows worked on a similar project and wanted to know when I wanted to meet with him and the attorney. I responded with the name of an attorney I know that has worked on a number of projects like this who is willing to represent the Fire Board on this matter and asked him when he wanted to meet. He responded "ok" and has not gotten back with me yet. No further communication has occurred on the Interlocal Agreement.

**BODY WORN CAMERA POLICY** Chief Prince was able to secure a copy of the Zeeland PD's Body Worn Camera (BWC) policy and is working to fit it for HPD's department, BWC system and order of command before presenting this to Council for consideration of approval. We hope to bring this for review on the 24<sup>th</sup>.

**WWTP** The large sludge haul started today 4/14/23. They hope to have it completed by Monday.

The Van Buren/Cass County Health Department has requested to place mosquito trapping boxes at the WWTP site near the Paw Paw River to track mosquitos and ticks for Eastern equine encephalitis and Lyme disease. I am waiting to hear back from them on this process.

- = Tree
- = Bench or table
- = electric
- = Monument
- = food vendor
- = vendor
- = Fire Hydrant
- = Light post



## Properly dispose of expired or unused medications At one of our Red Med Box Locations

The Van Buren County Sheriff's Office in conjunction with the Van Buren Substance Abuse Task Force is now providing permanent drop boxes as a way to dispose of prescription and over the counter medications, vitamins, and other supplements.

Liquids, patches, sharps, and lancets cannot be accepted.

### Hometown Bangor Pharmacy

3 W. Monroe Street  
Bangor, MI 49013

### Decatur Village Hall

114 N. Phelps St.  
Decatur, MI 49045

### Hometown Gobles Pharmacy

206 S. State Street  
Gobles, MI 49055

### ~~Hartford Police Department~~

~~19 W. Main Street~~  
Hartford, MI 49057

### Medicine Tree Pharmacy

56109 Village Center Circle  
Mattawan, MI 49071

### Bronson Outpatient Pharmacy

451 Health Parkway  
Paw Paw, MI 49079

### Family Fare Pharmacy

847 S. Kalamazoo Street  
Paw Paw, MI 49079

### Paw Paw Village Pharmacy

322 E. Michigan Ave.  
Paw Paw, MI 49079

*HARTFORD Township  
61310 CROST  
269.621.4658*

### Van Buren Community Mental Health

801 Hazen St.  
Paw Paw, MI 49079

### Van Buren County Sheriff's Office

205 S. Kalamazoo Street  
Paw Paw, MI 49079

### Bronson South Haven ER

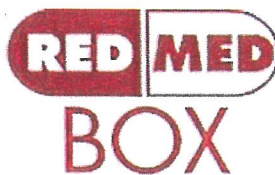
955 S. Bailey Ave.  
South Haven, MI 49090

### Moore Family Pharmacy

08337 M-14 Highway Unit 2  
South Haven, MI 49090

### South Haven City Police Department

90 Blue Star Highway  
South Haven, MI 49090



SPONSORED BY:



Van Buren Co Sheriff's Office



Van Buren Co Substance Abuse Task Force



County of Van Buren Michigan Paw Paw



Van Buren Intermediate School District

For an updated copy of Red Med Box locations visit [vbcasmh.com](http://vbcasmh.com).



**City of Hartford Planning Commission**  
**Regular Meeting, Hartford City Hall**  
**April 10th, 2023 Minutes**

**Called to Order:** 7:30p.m. by T. Kling

**Members Present:** J. Kling, T. Kling, A. Morales, & N. Spoula

**Members Absent:** S. Ackerman & J. Fuller

**Also Present:** Sanya Vitale, City Manager, and Public Attendee, Sandra Banda

**Approval of the Agenda:** Motion made by A. Morales, seconded by N. Spoula, to approve the April 10<sup>th</sup>, 2023 agenda as written. All present in favor, motion carried.

**Approval of the Minutes:** Motion made by N. Spoula, seconded by A. Morales, to approve the December 12<sup>th</sup>, 2022 meeting minutes as written. All present in favor, motion carried.

**Public Comments Not on the Agenda:** Sanya Vitale, City Manager, Updates –

\*Sanya formally introduced herself. She has over 20 years of experience in nonprofit & government operations & administration. She has a Master of Public Administration with a concentration in Government Policy & Planning. Her specialties are in Community Development, Zoning & Planning, Grant & Contract Research, just to name a few. She was previously a Zoning Official for the City of Niles & Zoning Administrator there for 6 years, along with many other held positions. We are very happy to welcome her and look forward to working with her. Her knowledge of Zoning & Planning will be very helpful.

\*S. Parking Lot behind Kellog's – Meeting being held Fri. 4/14/23 – current plan is to have completed before Strawberry Festival but could be after.

\*Street Scape - update the deteriorating flower boxes on Main St. – discussion to be held at City Council meeting Tues. 4/11/23.

\*Clark & Linden streets project – expected completion late June or July at the latest.

\*Waste-water Treatment plant – Repairs under way.

\*Sewer projects are mostly completed

\*Lead Service Line Testing – cost \$6.5 to \$7.5 Mil – hoping for a grant to cover cost.

\*An upcoming comprehensive overhaul of our current Planning & Zoning needs to take place for us to be compliant. In 2006/2008 new Michigan Planning & Zoning & Enabling Acts were put into place, and we should have transitioned a while ago, by 2011. Our by-laws will have to change a little once the transition to the above Acts takes place. For now, we're okay, keep slowly working towards transition. Sanya provided a copy of our current By-Laws & Procedure for us to review.

\*As a body, we are responsible for writing/updating our Master Plan every 5 years.

\*We need a comprehensive review of our Zoning Ordinances. We can borrow from another similar community to use as a guide. Standards need to be a bit stricter, such as addressing blight ordinance.

\*Only 1 Planning member can be on the Zoning Board of Appeals.

**Public Hearing:** None

**Old Business:**

\*A. Morales asked for update on 5 W. Main - it's being finished up this week – Land Bank did not sign agreement to create apartments – hopefully owner will reach out, issue a request for proposal.

\*The City Hall roof will be completed as soon as the weather stays warmer.

\*T. Kling brought up replacing water line to residence – Sanya stated that copper pipes must be used.

**New Business:****Election of Officers:**

Briefly discussed current positions. Sanya pointed out that one person cannot hold two positions. Available positions are Chairman, Vice Chairman, and Secretary.

A. Morales made a motion to nominate/keep Tim Kling as Chairman, seconded by N. Spoula. Per roll call, all present in favor, motion carried.

T. Kling made a motion to nominate Nancy Spoula as Vice Chairman, seconded by A. Morales. Per roll call, all present in favor, motion carried.

N. Spoula made a motion to nominate/keep Jenine Kling as Secretary, seconded by A. Morales. Per roll call, all present in favor, motion carried.

**Site Plan Review – 27 West Main Street:**

Sandra Banda, owner of Taqueria Y Mariscos El Primo LLC restaurant on 27 West Main St., is requesting to add an outdoor extension of the restaurant & bar by creating an outdoor patio w/gazebo, concrete floor, tables, & fence. She has received a Letter of Exemption from the Van Buren County Drain Commissioner, work being done under an acre will not affect the natural environment. A 6-foot fence will be placed on the north and south sides and she will keep the grassy area. Sandra would like to have low background music, not too noisy. The patio will close at 10:00pm. She hopes to have completed by June, this summer for sure. She did have a question regarding signage. Per Sanya, no temporary signage or flags can be placed out front, but an Open sign is okay. Sanya also shared that the City is looking at vacating the side walk and following up on liquor license & permits. Sandra answered all questions raised. All looked good and everyone felt it will be a nice upgrade for the restaurant, and pleasant setting for their patrons. After reviewing the site plan to verify it met all requirements, T. Kling opened the floor for a nomination to be made.

A. Morales made a motion to approve the Site Plan for 27 West Main St. as presented, seconded by J. Kling. Per roll call, all present in favor, motion carried.

T. Kling signed the application for the Site Plan & Review.

**Review of Planning Commission By-Laws:**

Briefly went over the By-Laws handout. As stated previously, they will need to change a little to comply with the current Michigan Planning & Zoning and Enabling Acts. We will work towards this.

**Donna Langston Resignation:**

Donna submitted a notice of resignation on March 28, 2023. She's enjoyed the position for many years and now has decided it's time to step down. T. Kling shared that he had given her a call to thank her, on behalf of all of us, for her many years of service and that we will miss her. He suggested that a letter be sent to her from the City thanking her as well. Sanya said that would be nice and will make sure it gets sent out.

**Other business:**

Added note: Planning Commissioners are supposed to be reappointed every few years by the City Council.

Zoning Board of Appeals – used for Variances and appeals.

**Adjournment:**

Motion made by A. Morales, seconded by N. Spoula, to adjourn the meeting. All present in favor, motion carried.

Meeting adjourned by T. Kling at 8:26 P.M.

Respectfully submitted by: Jenine Kling, Secretary

CITY OF HARTFORD  
PROPOSED BUSINESS MEETING MINUTES  
MARCH 27, 2023

Item 17.

Commissioners Present: Ramon Beltran; Jane Danger; Helen Sullivan; Terry Tibbs; Mayor Richard A. Hall  
Commission Members Absent: Frank Dockter; John Miller;

Staff Present: Rodney-Isbrecht; Shultz; Vitale

Mayor Richard A. Hall called the business meeting to order at 7:30pm.

Pledge of Allegiance was said.

Motion by Commissioner Sullivan, supported by Commissioner Tibbs, as presented.

Motion carried 5 – 0

**Guests:**

- Mickey Bittner Wightman’s updates on projects: **Clark/Linden** construction to begin with good weather; **South Parking Lot** award contract; **DWAM, Drinking Water Service Line Inventory; Drinking Water SRF**, application due June 1; **WWTP SRF** contract a waiting on materials, contract b to begin in June, contract c about 75% complete; **Township Water Main Extension Project**, bid opening on March 1<sup>st</sup> and is 100% grant.
- Sandra Bandara, 27 West Main Street asking for permission to open an outdoor patio on her property adjacent to the restaurant however there is a City sidewalk between her two properties. The City Manager has asked the City Attorney to review the request and vacating the sidewalk.
- Devin Locker, spoke to the Commission on applying for a Class A Micro Business license.

**Public Comment:**

- Michael Menck 38 Marion Ave, apologized to the Commission, Mayor and City Manager, the Blight Complaint has been addressed but still concerned about noise at 517 West Main Street.

**Communications:**

- Hartford Speedway – 2023 Race Schedule, Commission commended the operation.
- City Hall Closed – April 7 in Observance of Good Friday
- Decatur Township Public Hearing – April 25, 2023 @ 6pm - Use of Off-Road Vehicles –
- Van Buren Sportsmen Club – Easter Egg Hunt Ely Park April 1 or Rain Date of April 8 @ 1:00pm
- Chamber After Hours April 17, 6pm at Rabbit Hole Comics
- Hartford City Hall Newsletter is available at the City’s website or at City Hall
- Joint Meeting April 5, 7pm at the Fire Department

**Reports of Officers, Boards & Committees; Routine Monthly Reports from Departments:**

- A. **Police & Ordinance** – Chief Prince – Not in Attendance - Family Emergency
- B. **Fire Department** – Assistant Chief McGrew – Starting in April, monthly testing of siren, CPR Classes, Smoke Detectors are now available
- C. **Ambulance** – Report on file
- D. **Van Buren County** – Mike Chappell – Not in Attendance
- E. **Public Works** – Justin Ryan, Superintendent – Not in Attendance
- F. **Wastewater Treatment Plant** – Report on file
- G. **Treasurers, Investment & List of Bills** – \$925,806.29
- H. **City Manager** – Attended Training; Wightman Infrastructure Updates; City Hall Roof Project; WWTP, Contracted Operator, Maintenance, Brush & Leaf disposal, AmHawk IPP; DPW, address signs in downtown, short staff & seeking two part time employees; Water/IRP; Police Department, promotions.

CITY OF HARTFORD  
PROPOSED BUSINESS MEETING MINUTES  
MARCH 27, 2023

Item 17.

inventory, audit, and training; Attorney Update; Marijuana Facilities; 5 West Main St; 215 Shepard & 106 South Center Street Fire update; Budget;

**Approval of Commission Minutes:**

Motion by Commissioner Tibbs, supported by Commissioner Sullivan, to approve the minutes of the February 27, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 4 – 1 (Beltran)

Motion by Commissioner Beltran, supported by Commissioner Tibbs, to approve the minutes of the March 15, 2023 special business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 5 – 0

Motion by Commissioner Beltran, supported by Commissioner Danger, to approve the minutes of the March 15, 2023 special closed business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 5 – 0

**Approval of Reports:**

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to accept the February 2023 departmental reports as presented and place them on file.

Motion carried 5 – 0

**Goals/Objectives:** None Discussed

**Old Business:**

- Trash Can Proposal

Discussion: Council approved the purchase of 10 trash cans at the February meeting, before they were ordered a less expensive model was found allowing to double the amount of trash cans to be ordered for close to the same cost.

Motion by Commissioner Tibbs, supported by Commissioner Danger, to approve the purchase of 20 garbage cans in the amount of \$468.85 each.

Motion carried 5 – 0

- Ambulance Contract

Ambulance Contract Discussion: The current contract is within the 90-day window to negotiate; The City Manager is recommending extending the contract with Pride Care for six months with a 30-day written notice and an optional additional six-month extension. RFP/Ambulance Services was posted: One response was received from Life EMS which did not meet the requirements of the RFP. VBEMS sent an email for a 60-day extension on submitting their response to the RFP. There is a meeting tomorrow with Pride Care here at City Hall at 11:30am for the Van Buren County municipalities. Council did not take any action until all factors are known.

**New Business:**

- Water Main Extension Project – Award Recommendation – Harris ConAg LLC \$2,131,854.00

CITY OF HARTFORD  
PROPOSED BUSINESS MEETING MINUTES  
MARCH 27, 2023

Item 17.

Motion by Commissioner Tibbs, supported by Commissioner Danger, to award the Hartford Water Main Extension Project to Harris ConAg LLC as recommended by Wightman's in the amount of \$2,131,854.00 and authorize the City Manager to execute the contract and required documents.

Motion carried 5 – 0

- DWAM SRF – Engage bakertilly to provide Municipal Advisory Services - \$9,500

Motion by Commissioner Tibbs, supported by Commissioner Sullivan to accept the proposal from bakertilly to provide municipal advisory services in the amount of \$9,500.00 and authorize the City Manager to execute the agreement and required documents.

Motion carried 5 – 0

- Approval of City of Hartford Procurement Policy

Motion by Commissioner Tibbs, supported by Commissioner Beltran to table to the April Council meeting.

Motion carried 5 – 0

- Approval of Employee Handbook

Motion by Commissioner Sullivan, supported by Commissioner Tibbs, to approve the revised City of Hartford Employee Handbook as presented.

Motion carried 4 – 1 (Beltran)

- Proposal the Rossow Group – Physical Inventory & Procedural Audit of Evidence & Property Controls for the Police Department - \$10,000

Motion by Commissioner Sullivan, supported by Commissioner Beltran, to accept the proposal from the Rossow Group to provide audit & property controls for the police department in the amount of \$10,000 and authorize the City Manager to execute the agreement and required documents.

Motion failed 1 – 4 (Beltran; Danger; Sullivan; Tibbs)

Discussion: Council Requested additional bids.

- Proposed Boring on WWTP Property

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to authorize the proposed boring on WWTP property by Global Remediation Technologies and authorize the City Manager to execute any agreement and required documents.

Motion carried 5 – 0

- RFP for Recreational Marihuana Licenses

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to approve the issuance of request for recreational marihuana licenses proposals as presented.

Motion failed 2 – 3 (Danger; Sullivan; Tibbs)

- Award Demolition Contract for 215 Shepard Street 80-52-705-005-01

CITY OF HARTFORD  
PROPOSED BUSINESS MEETING MINUTES  
MARCH 27, 2023

Item 17.

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to award the demolition proposal to Cross Excavating in the amount of \$29,701.00 and authorize the City Manager to execute the agreement and required documents.

Motion carried 5 – 0

- Quote for Flower Box's –  
Discussion: Commissioner Dockter sought a quote of \$35,550 from Bachman Welding for metal flower boxes to replace the current boxes as part of the current street scape project.  
Council did not take any action.

- Liability Renewal - \$45,594.00

Motion by Commissioner Beltran, supported by Commissioner Tibbs, to accept the liability renewal proposal from MML in the amount of \$45,594.00 and authorize the City Manager to execute the agreement and required documents.

Motion carried 5 – 0

- 2023/2024 salt Order – Not to Exceed \$10,000

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to approve the 2023/2024 Salt Order in the amount not to exceed \$10,000 and authorize the City Manager to execute the agreement and required documents.

Motion carried 5 – 0

- Proposed Fee & Board Wage Schedule – First Reading –

Discussion: the Mayor appointed a Committee of Commissioners Beltran, Danger & Tibbs to meet with the City Manager.

- Disposal of City Property – TV & Entertainment Stand

Motion by Commissioner Tibbs, supported by Commissioner Danger, to dispose of no longer used City Property: 2000 Sony TV & wooden entertainment stand.

Motion carried 5 – 0

- Disposal of City Property – Typewriter to Mrs. Halls Classroom

Motion by Commissioner Tibbs, supported by Commissioner Sullivan, to donate a IBM wheelwriter II typewriter to Mrs. Halls classroom at HPS Redwood Elementary.

Motion carried 5 – 0

- Discussion – Additional Council Meetings Request by Commissioners Danger & Sullivan

Motion by Commissioner Tibbs, supported by Commissioner Danger, to set special business meeting dates, April 11, May 9 and June 13, 2023 at 7:30pm.

Motion carried 5 – 0

- Set Budget Hearing & Truth In Taxation Special Meetings

CITY OF HARTFORD  
PROPOSED BUSINESS MEETING MINUTES  
MARCH 27, 2023

Item 17.

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to call a special meeting to set the millage rate for the City May 5 @ 2pm to call a special meeting for truth in taxation hearing for May 22 @ 7pm and call a special meeting for the 2023/2024 budget hearing for May 22 @ 7:15pm  
Motion carried 5 – 0

**Resolutions, Ordinance, Proclamation's:**

- Resolution 2023 – 007 Vacate South Street – Update Act 51 Map

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to adopt resolution 2023 – 007 vacating W South Street and update the Act 51 Map.  
Motion carried 5 – 0

- Resolution 2023 – 008 Vacate Shepard Street – Update Act 51 Map

Motion by Commissioner Sullivan, supported by Commissioner Beltran, to adopt resolution 2023 – 008 vacating W Shepard Street and update the Act 51 Map.  
Motion carried 5 – 0

- First Reading – Amendment to Code of Ordinances Section 52 Sewers Section 52.08 Rates & Charges
- First Reading – Amendment to Code of Ordinances Section 94 Soil, Waste & Fill Material Section 94.05 Permit Fee
- First Reading Amendment to Code of Ordinances Section 150 Budlings & Budling Regulations Section 150.52 Fees
- First Reading – Amendment to Ordinance no. 314-17 Permit & Regulate Mobile Food Vehicle Vendors
- First Reading – Amendment to Ordinance 320-20 Recreational Marihuana Licensing (MARTMA) Section 5 A. Licensing of Marihuana Establishments.
- First Reading – Amendment to Code of Ordinances 304-07 Anti-blight
- Second Reading – Amendment to Code of Ordinances 10.99 General Penalties

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to adopt the City of Hartford Code of Ordinance 10.99 General Penalties.  
Motion carried 5 – 0

- First Reading – Proposed Ordinance No. 322-2023 – Liquor Licenses & Permits
- First Reading – Proposed Ordinance No. 323-2023 – Code of Conduct & Ethics
- First Reading – Amendment to Chapter 52 Sewer Use Ordinance

**Adjournment:**

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to adjourn the meeting at 10:32pm.  
Motion carried 5 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD  
PROPOSED SPECIAL BUSINESS MEETING MINUTES  
APRIL 4, 2023

Item 18.

Commissioners Present: Jane Danger; John Miller; Helen Sullivan; Terry Tibbs; Mayor Richard A. Hall;  
Members Absent: Ramon Beltran; Frank Dockter  
Staff Present: Vitale, Rodney-Isbrecht

Mayor Richard A. Hall called the special meeting to order at 5:00pm.

- Discuss & Consider Proposed Interlocal Fire Agreement

After Council approved the updated Interlocal Agreement at their January Meeting, Ron Sefcik, Fire Board Chairman & Hartford Township Supervisor has come back with additional changes to the agreement several times. The City Manager recommended to Mr. Sefcik that he review the agreement with his boards and come back to Council with their recommended changes to the agreement. Under the current agreement there is nothing to address Fire Board oversight, the Fire Board does not have authority to establish policy & procedures. Also missing from the agreement is how grant's, donations and fundraising would be accepted and spent. The City Manager recommends the Fire Board form as a 501c3 non-profit. Council would like to see some additional/stronger language under Termination of the Agreement section.

- Discuss & Consider City Attorney of Record

The City Manager met with the Attorney Schuitmaker regarding the Interlocal Agreement in February and it was agreed he would work with the Township Attorney to negotiate a proposed Interlocal Agreement. The Township Attorney sent an email to Mr. Sefcik stating the City was interested in moving forward with building a new fire station in the Township, according to the City Attorney. This was clearly not what the City Manager discussed with the City Attorney in February, support for this claim was provided in the form of emails sent to Attorney Schuitmaker. Council would like to move forward with an RFP for legal services and interview prospective applicants.

- Discuss & Consider Ambulance Service Update

The City Manager has been meeting with other municipalities who have agreements with Pride Care to address the concerns of current operations and services being provided. Pride Care has not addressed any of the complaints and concerns to the violations of their agreements.

Motion by Commissioner Tibbs, supported by Commissioner Danger to authorize the City Manager to negotiate the termination of the agreement within the 60 days of the agreements notice to terminate.

Motion carried 5 – 0

**Adjournment:**

Motion by Commissioner Miller, supported by Commissioner Tibbs to adjourn the meeting at 6:15pm.

Motion carried 5 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk



CITY OF HARTFORD  
PROPOSED SPECIAL BUSINESS MEETING MINUTES  
CITY OF HARTFORD/FIRE BOARD/HARTFORD TOWNSHIP @ 436 W MAIN ST FIRE STATION  
APRIL 5, 2023

Item 19.

Commissioners Present: Jane Danger; John Miller; Helen Sullivan; Terry Tibbs; Mayor Richard A. Hall;  
Commissioners Absent: Ramon Beltran; Frank Dockter;  
Staff Present: Vitale, Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 7:00pm.

- Discuss & Consider Proposed 2023/2024 Fire Department Operating Budget of \$312,026.00.

No Discussion

Motion by Commissioner Miller, supported by Commissioner Danger to approve the 2023/2024 Fire Department Operating Budget as presented with the City's portion in the amount of \$127, 074.78  
Motion carried 5 – 0

- Mutual Items of Interest

Ron Sefcik, Fire Board Chair & Township Supervisor brought the following items for discussion:

- Fire Board Treasurer Carlos Ledesma has been named on Fire Board bank accounts & named as administrator of benefactor donation accounts.
- Interlocal Agreement: cleaning up multi-versions of the proposed updated Interlocal agreements; Commission Miller asked the Township members if they were pursuing a new fire station. Response was not at this time. Commissioner Miller, asked would the township board be open to stronger language in the Interlocal agreement section under termination to strengthen the Interlocal agreement. Sefcik's response, no.
- Sefcik proposed municipality's possibly getting together quarterly.
- Fire Board filing for 501c3 status – will be exploring options as the Fire Board has been using a department founding father social security number to apply for payroll tax ID, grants and reports.
- Seeking an Attorney for the Fire Department Board

**Adjournment:**

Motion by Commissioner Tibbs, supported by Commissioner Sullivan to adjourn the meeting at 7:15pm.  
Motion carried 5 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD  
PROPOSED SPECIAL BUSINESS MEETING MINUTES  
APRIL 11, 2023

Item 20.

Commissioners Present: Ramon Beltran; Jane Danger; Frank Dockter; John Miller; Helen Sullivan; Terry Tibbs; Mayor Richard A. Hall  
Commission Members Absent: None

Staff Present: Prince, Rodney-Isbrecht; Shultz; Staunton, Vitale

Mayor Richard A. Hall called the business meeting to order at 7:30pm.

Pledge of Allegiance was said.

Motion by Commissioner Dockter, supported by Commissioner Beltran, as amended to include discussion on the Red Med Box under new business.

Motion carried 7 – 0

**Guests:** None

**Public Comment:**

- Patty Schroeder, Hartford Chamber Strawberry Festival
- Devin Locker, Spoke to the proposed Cannabis Ordinance Amendment - Class A Micro-grow,

**Communications:**

- AEP Transmission Line Project – Public Notice & Comment Period Link

**Reports of Officers, Boards & Committees; Routine Monthly Reports from Departments:**

- A. **Police & Ordinance** – Chief Prince, still interviewing for an ordinance officer, covering shifts for officers who have been sick, Commissioner Dockter had concerns about impounded vehicles at Ruddell’s, the Chief will follow-up.
- B. **Fire Department** – None Filed
- C. **Ambulance** – None Filed
- D. **Van Buren County** – None Filed
- E. **Public Works** – Superintendent Staunton, short staffed, hired a part-time person who will start next week. Interviewed someone for full time, waiting to see if they accept the position.
- F. **Wastewater Treatment Plant** – do not have enough staff to monitor brush drop-off. Superintendent would like to have signs put up and loads must be inspected by Staff. City brush pickup is scheduled for the 1<sup>st</sup> two weeks of May. The City is not recouping the cost to manage the brush pile.

Motion by Commissioner Dockter, supported by Commissioner Miller, to close the WWTP to brush drop off for 90 days effective May 1, 2023.

Motion carried 5 – 2 (Danger, Tibbs)

- G. **Treasurers, Investment & List of Bills** – \$130,973.78

Motion by Commissioner Miller, supported by Commissioner Tibbs, to approve the list of bills in the amount of \$130,973.78.

Motion carried 7 – 0

- H. **City Manager** – Weekly Updates: Working to fill open staff positions; Draft 2023/2024 Proposed Budget; Bonds & Grant Matching; Insurance – Reserve Officers & Recreation Council; Utility Billing; HPD Audit/Inventory; Ambulance Services Update; Demo – 215 Shepard; City Hall Closed in

County of Van Buren, State of Michigan, 19 West Main St, Hartford, MI 49057

CITY OF HARTFORD  
PROPOSED SPECIAL BUSINESS MEETING MINUTES  
APRIL 11, 2023

Item 20.

Observance of Good Friday; Seeking estimates to have the main doors on all City facilities re-keyed; Marijuana Permits update; City Newsletter has been delivered; Spring Storm, DPW managed well and commend them for their work to clean up after the storm; Personnel Manual and Collective Bargaining Unit's update; RFP for Legal Services.

**Approval of Commission Minutes:** No Action

**Approval of Reports:** No Action

**Goals/Objectives:**

- City Manager requested the Council fill out a SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis Form beginning with Strengths to bring back for discussion at the next Council Meeting. This will help develop goals for the next fiscal year.

**Old Business:**

- Discussion: Mass Casualty Event: Supplies and how will everyone respond, training & what is the coordination plan for the school, police department, sheriff's department & fire department. The school & sheriff's department had active shooter training over the summer. Usually, those plans are not made public; there are training opportunities for the Police Department. The Chief will follow-up with the County Coordinator.
- Discussion: HPD Update – Insurance coverage for Reserve Officers as long as they are in the presence of a sworn officer. The City Manager recommend to have a policy approved by Council. Commissioners requested for the cost of an additional rider for Reserve Officers that have contact but not in the presence of a sworn officer; Additional quotes were presented to have an independent audit of evidence and procedures in handling evidence. A risk assessment will protect the Current Police Chief. Council took no action; Duty Weapons, all six guns have been accounted for. All of the guns need to be reconditioned. Council asked for additional information to compare reconditioning current weapons versus purchasing new weapons. Council took no action.

**New Business:**

- 2022/2023 Audit Proposal – not to exceed \$25,900

Motion by Commissioner Tibbs, supported by Commissioner Dockter to accept the proposal from Hungerford Nichols 2022/2023 Audit Proposal not to exceed \$25,900 and authorize the City Manager to sign the agreement.

Motion carried 7 – 0

- Hartford Chamber – 2023 Strawberry Festival – Request to Close City Streets

Motion by Commissioner Dockter, supported by Commissioner Beltran to approve the Hartford Chamber's use of City Streets & Resources (Police, DPW, Electric) for the 2023 Strawberry Festival June 9 – 11 in Ely Park.

Motion carried 7 – 0

- Rural Business Development Grant (RBDG) – Downtown Street Scape

Discussion: City Manager asked for guidance and direction on what to spend the required match on as a design was not part of the plan. The 59% matching funds were not budgeted for this project. The deadline to complete the grant is July 31, 2023.

CITY OF HARTFORD  
PROPOSED SPECIAL BUSINESS MEETING MINUTES  
APRIL 11, 2023

Item 20.

Motion by Commissioner Dockter, supported by Commissioner Tibbs to not replace the trees in downtown.

Motion carried 7 – 0

Motion by Commissioner Beltran, supported by Commissioner Danger to increase the line-item spending on sidewalks to include sidewalk repair/replace in front of Ely Park.

Motion carried 7 – 0

Commissioner Beltran proposed tabling the Streetscape discussion to the April Council meeting. The Council took no further action.

- Resignation for the Planning & Zoning Board - Langston

Motion by Commissioner Tibbs, supported by Commissioner Danger, to accept Donna Langston's resignation from the Planning & Zoning Board and thank her for her service to the City.

Motion carried 7 – 0

- Resignation from the Board of Review - McCarthy

Motion by Commissioner Dockter, supported by Commissioner Tibbs, to accept Gwen McCarthy's resignation from the Board of Review and thank her to her service to the City.

Motion carried 7 – 0

- Discussion – Recreation Council – Liability Insurance

The City can no longer cover the liability for the Recreation Council as they are no longer a non-profit organization. Hartford Township is no longer a part of the Recreation Council and the Interlocal Agreement has expired. Mayor Hall HRC Board Rep gave an update on the Recreation Council upcoming activities. The City will follow-up with a letter notifying the Recreation Council that the City is no longer covering the liability for the organization.

- Request for Proposals – Legal Services

Motion by Commissioner Tibbs, supported by Commissioner Beltran, to approve the issuance of request for legal services proposal as presented.

Motion carried 7 – 0

- Van Buren Conservation District – Recycling Program Contract.

Motion by Commissioner Miller, supported by Commissioner Beltran, to contract with the Van Buren Conservation District in the amount of \$500.00 for the 2023 Van Buren County Resource Recovery & Recycling Program.

Motion carried 7 – 0

- Discussion - Red Med Box

The Red Med Box is a program provided by the Van Buren County Sheriff's Department and is to be managed by the Sherriff's Department Staff. The Red Box has been in the City's lobby for several years. A few weeks ago the Mayor witnessed another jurisdictions off duty police officer reach his hand into the red box and remove a bag of medication because it was full. The Mayor directed the City Manage

CITY OF HARTFORD  
PROPOSED SPECIAL BUSINESS MEETING MINUTES  
APRIL 11, 2023

Item 20.

to have the Red Med Box removed from City Hall. The Sheriff's Department has moved the box to Hartford Township Hall. It was determined that it had not been a Council decision to place the Red Med Box at City Hall but rather a City Manager decision and no contracts were in place. Commissioner Danger was disappointed and disagreed with the service to the community being removed from City property without a discussion of the full Council.

**Resolutions, Ordinance, Proclamation's:**

- First Reading – Amendment to Ordinance 320 – 20 Recreational Marihuana Licensing (MARTMA) Licensing of Marihuana Establishments
- First Reading – Amendment to Ordinance 315 – 17 Establishment of Medical Marihuana Facilities

Commissioner Miller was absent from the March Council Business meeting and wanted some clarification on why the Council failed to pass the Request for Proposals for Marijuana Licenses when we have an ordinance to allow it. Council would like to bring the RFP back for discussion and consideration.

**Adjournment:**

Motion by Commissioner Beltran, supported by Commissioner Danger, to adjourn the meeting at 9:37pm.

Motion carried 7 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

**WEAKNESSES**

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**THREATS**

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Item 21.

CREATED BY  
**Template**

**STRENGTHS**

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**SWOT**  
Analysis

**OPPORTUNITIES**

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# Memo

**To:** Mayor Hall  
**From:** Sanya Vitale  
**cc:** City Council  
**Date:** April 24, 2023  
**Re:** USDA Grant Agreement- Streetscape

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Last year, the Council authorized the City Manager to apply for USDA funds for a Downtown Streetscape project that included repairing the South Parking Lot and providing for some level of streetscape provisions.

It came to my attention that there was very little discussion of what was written into the grant regarding the streetscape provisions and the required local match (dollars the City has to leverage for the project).

**The City was awarded a USDA grant in the amount of \$99,000 with a local match requirement of \$68,400**

At the City Council meeting on April 11, 2023, the Council met, discussed and decided on several things with regards to the grant and associated Streetscape Project:

1. Trees would not be replanted
2. The City would ask for an amended Project Scope, Budget, Timeline and Budget Narrative.

I spoke with our grant representative from the USDA. She stated that we can request an extension and felt we could ask for a year without any issue at all.

When I brought up the work on sidewalks strongly suggested that we should avoid sidewalk work except spot repair/replacement otherwise we will have to comply with construction requirements which she highly encourages us to avoid.

She said we can submit a request to amend our project scope, budget *and* budget narrative, the latter of which would allow us to use the Wightman invoices as match. She said the streetscape portion of the project was meant to be a “sprucing up” of the downtown and not a full-blown streetscape project. I have included a proposed amendment and options for benches with planters for review and consideration.

As a note, If the Council opts to use funds to plant flowers, we need to let our landscape artist know asap so that she can have available stock.

The City of Hartford formally requests to amend the approved USDA RDBG Contract Case Number 26-080-379532186 with the Award Date of 08/18/2022 as follows:

Item 22.

**Revised Proposed Timeframes**

Removal and repaving of black top of the South Parking Lot as designed and supported by engineer	May – June 2023
Removal of 9 overgrown trees in the flower boxes along Main Street	October – December 2022
Removal of 9 planters in downtown area	October – December 2023
Purchased and installation of 8 park benches with flower planters along Main Street	December 2023 – April 2024
Plant flowers in 9 flower boxes & planters along Main Street	May – June 2023
Purchase and replace 20 trash receptacles throughout downtown	March – April 2023
Replace broken sidewalks in downtown area.	March 2024

**Revised Project Close Out:**

May 31, 2024

**Revised Scope of Work**

1. Removal and repaving of black top of the South Parking Lot as designed and supported by engineer. Includes adding one downtown business to the City’s sewer system.
2. Removal of 9 overgrown trees in the flower boxes along Main Street
3. Removal of 9 deteriorating planters in downtown area
4. Purchased and installation of 8 park benches with flower planters along Main Street
5. Plant flowers in 9 flower boxes & planters along Main Street
6. Purchase and replace 20 trash receptacles throughout downtown
7. Replace broken sidewalks in downtown area.

**Revised Budget**

Activity #	Task	RDBG Funds	Match	Total Project Costs
1	Repaving S Parking Lot	\$99,000	\$21,000	\$120,000
2	Removal of 9 Overgrown Trees		\$1,200	\$1,200
3	Remove of 9 Planters		\$2,700	\$2,700
4	Purchase and Install 8 Park Benches w/ flower planters		\$24,000	\$24,000
5	Plant Flowers in 9 flower boxes & planters		\$5,000	\$5,000
6	Purchase & replace 20 trash receptacles		\$9,977	\$9,977
7	Replace Broken Sidewalks in Downtown Area		\$5,000	\$5,000
<b>TOTALS</b>		<b>\$99,000</b>	<b>\$68,877</b>	<b>\$167,877</b>

**Revised Budget Narrative**

The revised budget includes basic costs for each activity.

Item 1 includes engineering, construction, permitting and project management.

Item 2 includes only the contracted cost to remove the trees.

Item 3 includes only the contracted cost to remove the planters.

Item 4 includes the purchase and shipping costs associated with the benches with built in planters.

Item 5 includes the costs associated with the purchase and labor associated with planting flowers in 9 flower boxes and planters.

Item 6 includes the purchase and shipping costs associated with 20 trash receptacles.

Item 7 includes only the contracted cost to repair the broken sections of sidewalk.



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Item 22.



**1-800-323-5664**  
M-F 8:00am - 4:30pm CT

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## Rectangular Planter Bench | Aurora Series



### Heavy-Duty Concrete Planter and Bench Combo

This concrete planter bench goes perfectly with the Aurora Series planter collection. Dual purpose planter and bench lets you enhance the look of your environment and provide an enjoyable spot to sit among flowers and plants.



#### Dimensions

72"L x 28"W x 36"H

#### Matching Products



Aurora Series Reinforced Concrete Rectangular Planters



Aurora Series Reinforced Concrete Square Planters

Model ABP | LSB Dove Gray

*\$1094/ea*  
*3150 lbs*

#### Specifications

- 5,000 PSI Construction.
- **ASTM C33** | Standard for Aggregates
- **ASTM 615** | Standard for Rebar

#### LSB Finish Options



sand tan   dove gray   light brown   white

#### Etch Finish Options



sand tan   dove gray   light brown   white

#### Perma Stone Finish Options



sand tan   dove gray   light brown   white

#### Dura Brite Finish Options



sand tan   dove gray   light brown

▼ Item Specific Details Available on Linked Model Numbers Below



Concrete Planter Bench					Qty
ABP	Choose Color	▼ Choose Finish	▼ (3,150 lbs)	\$1,694.00	<input type="text"/>
ABP-CUS1	Slate Stone	Etch Finish	(3,150 lbs)	\$1,863.00	<input type="text"/>
ABP-CUS2	White	Choose Finish	▼ (3,150 lbs)	\$2,033.00	<input type="text"/>

(Prices F.O.B. Origin)

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#### Related Products

Item 22.

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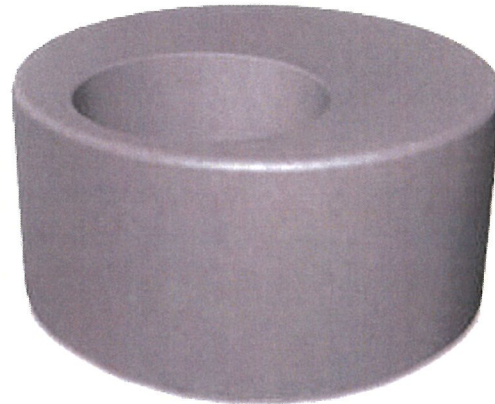
## Concrete Planter with Integral Seat



### Appealing & Inviting

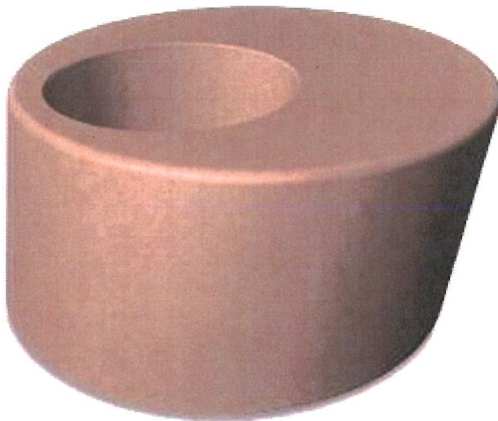
Welcome community with natural elements and inviting design generated by the appealing details of precision crafted concrete planters. A stylish complement to modern landscape design with rounded edges that blend into broad flat surfaces.

Made for style and longevity with steel rebar reinforced ASTM compliant precast concrete available in a premium acid wash finish to meet aesthetic fit.



Model WS-112

*\$1600.00 / EACH  
3100 lbs*



#### Dimensions

Model WS-112 - 48"Dia. x 24"H
Model WS-113 - 60"Dia. x 24"H
Model WS-114 - (Slant) 48"Dia. x 24"H
Model WS-115 - (Slant) 60"Dia. x 24"H

#### Model WS-114

##### Standard Weatherstone Color Options



##### Standard Acid Wash Color Options



▼ Item Specific Details Available on Linked Model Numbers Below



Tweet

Concrete Planter with Integral Seat

Qty

WS-112

Choose Concrete Color



(3,100 lbs) \$1,600.00



**Size:** 97" x 48" x 22" tall  
**Weight:** 3200 lbs.  
**Material:** Wood & Concrete  
**Reinforcing:** 3/8" Rebar  
**Optional:** Extension Panel (DF5520)

\$ 5274<sup>00</sup>/each

## Concrete Finish Options

- Standard Color Palette

## Wood Finish Options

- Standard Wood Finishes



Park Warehouse

## City of Hartford

# Memo

**To:** Mayor Hall  
**From:** Sanya Vitale  
**cc:** City Council  
**Date:** 4/24/2023  
**Re:** Personnel Manual Approved 3/27/23

---

Please note that the Hartford Police Department Union requested that the Personnel Manual not compete with the language in their currently approved contract; specifically, as their contract relates to differing probationary length of time, immediate family members considered for bereavement leave and vacation time accumulation. The approved handbook also uses the term "at will" employees for City employees and Union employees are not considered "at will" employees because of the contracts in place.

As such, the Union Steward and Business Agent have asked that the following phrase or phrases be added to the beginning:

*Unless otherwise stated in your CBA or if you have a CBA refer to it regarding areas of concern*

As such, you will note that on page 1 of the Handbook, I have added similar language as suggested for review and consideration by the Council.

Additionally, there was some concern about law enforcement officers and the strict no drugs or alcohol in anyone's possession at any time provisions of the handbook.

As such, I am suggesting that the Council consider allowing the addition of the following language: *except licensed law enforcement officers in possession of drugs or alcohol while on duty as part of their legal responsibilities* on pages 15 and 28.

The areas being suggested for change are **highlighted in yellow**. There are no suggestions for removal of any language.

# CITY OF HARTFORD EMPLOYEE HANDBOOK



**Revised March 2023  
Adopted 03/27/2023**

**19 West Main Street, Hartford, MI 49057**

## Welcome!

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We are glad that you are a part of the team at the City of Hartford. When you start a new job, there is a lot to learn about your new organization such as the culture, the way it operates, and your role within it. Starting with a new organization can require an adjustment, so this handbook is designed to help you get off to the right start by providing information to help you be successful, starting with our Mission:

**Mission:** To provide high quality services to the residents of the City in an efficient and effective way, to make the city inviting for economic growth while maintaining its small-town charm.

This handbook explains what you can expect from City of Hartford and what is expected of you. Our intent is to administer wages, benefits, and employment policies in a fair and impartial manner. We will review, update and improve this Employee Handbook on a regular basis.

Best Regards,

Sanya Vitale  
City Manager

## What is a Handbook?

---

This handbook is intended to describe what is expected of employees and what employees can expect from City of Hartford. It does not create an expressed or implied contract between the City of Hartford and any employee. While we hope our employment relationship will be long term, either you or City of Hartford can end the relationship at any time, with or without notice, with or without reason, consistent with “at will” employment status.

Unless otherwise stated in your **Collective Bargaining Agreement (CBA)**, this handbook supersedes and replaces all previous policies and procedures including, but not limited to, all memoranda or written policies which may have been issued on the subjects covered in this handbook. Information contained in this handbook is effective as of the date of Commission adoption. Policies, procedures and benefit information contained in this handbook are subject to change. While our intention is to include future policies, procedures and/or benefit information in our handbook, some items may be distributed separately. When this happens, the most recent policy, procedure or benefit information will take precedence over information contained in this handbook, **unless otherwise specified in your CBA.**

**Table of Contents**

---

Welcome! ..... 0

What is a Handbook? ..... 1

Starting at City of Hartford ..... 4

**Communications** ..... 4

Communications – How We Keep In Touch ..... 4

Computer & E-mail Usage Policy ..... 5

Social Media ..... 5

Solicitations, Distributions, and Posting of Materials ..... 6

**Working Together** ..... 6

Employee Relations and Conflict Resolution ..... 6

**Misconduct, Harassment and Discrimination Policy** ..... 7

**Introduction** ..... 7

Conduct Requirements ..... 7

Civility Requirements ..... 7

Discrimination and Harassment ..... 7

Sexual Harassment ..... 8

    Verbal, visual or physical contact of a sexual nature ..... 9

    Sexual jokes, comments, insults, cartoons or innuendoes ..... 9

    Unwelcome sexual flirtations, advances or propositions ..... 9

    Pressure or requests for sexual activities ..... 9

    Unnecessary touching ..... 9

    Sexually degrading words or images used to describe an individual ..... 9

Racial/Ethnic Harassment or Discrimination ..... 9

Workplace Bullying ..... 9

**Verbal bullying** ..... 9

**Physical bullying** ..... 9

**Gesture bullying** ..... 10

**Exclusion** ..... 10

Complaint Resolution ..... 10

Non-Retaliation ..... 11

Employee Responsibilities ..... 11

Business Ethics and Standards of Conduct ..... 12

Conflicts of Interest ..... 12

**Gifts Influencing Decision-Making**..... 13

**Gifts from Existing Vendors** ..... 13

**Outside Employment** ..... 13

Nepotism..... 13

**Employment Information** ..... 14

Dress Code & Personal Appearance Policy..... 14

Progressive Discipline Process ..... 14

Performance Reviews ..... 14

Job Posting and Transfer Policy ..... 14

Work Rules ..... 15

Length of Service..... 16

Employee Classifications..... 17

Personnel Files ..... 18

Resignations ..... 19

**Work Schedules and Compensation** ..... 19

Work Schedules ..... 19

Pay Periods..... 19

Time Reporting..... 19

Overtime Pay..... 20

Business Expense Reimbursement ..... 20

**Time Away from Work** ..... 21

Paid Sick Leave ..... 21

Vacation Policy..... 21

Payroll Deductions ..... 22

Holidays..... 22

Voting..... 23

Jury Duty ..... 23

Leaves of Absence..... 23

Military Leave..... 24

Bereavement Policy ..... 24

Breaks for Nursing Mothers..... 25

Benefits ..... 25

**Safety** ..... 25

Emergencies..... 25



Safety in the Workplace..... 26

Injuries at Work..... 26

Workplace Violence Prevention ..... 26

Possession of Weapons ..... 26

Inclement Weather ..... 27

Tobacco Free Policy ..... 27

Drug and Alcohol Policy ..... 27

Inspection of Employees and Personal Property for Possession of Alcohol and Drugs ..... 28

Procedures for Positive Test Results..... 29

Marijuana ..... 30

Compliance with the Drug-Free Workplace Act ..... 30

Legal Requirements ..... 31

Accommodations for Disabilities ..... 31

Medical Files ..... 31

Social Security Number Privacy Policy ..... 31

Immigration Reform and Control Act ..... 32

Employee Handbook Responsibility- Acknowledgement..... 33

**Starting at City of Hartford**

New employees at City of Hartford begin with a 90-day introductory or training period. This period is designed to give employees time to learn about the City and your job; get acquainted with other City employees, and to become familiar with the daily workings of your department. During the first three months you should clarify your job responsibilities, make plans, and work to establish a positive working relationship with other City employees. Frequent communication between employees and their respective leaders is encouraged during this critical period to determine if this is the right fit for both parties. If it is not the right fit, either party can end the employment relationship during the introductory period. Successful completion of the introductory period does not alter the “at will” employment relationship.

Please note that you are required to submit the enclosed acknowledgement form to the City Manager within 3 business days of receiving your copy of the Employee Handbook. Please be sure to thoroughly review the contents of the Handbook before signing the acknowledgement.

**Communications**

**Communications – How We Keep In Touch**

A regular and continuous flow of communication among all employees is an essential component of a successful business. Every City of Hartford Department Head is required to keep employees

well-informed of the organization's goals as well as staff's work performance and expectations. The City of Hartford recognizes that good, productive communication is a shared responsibility. Employees are encouraged to express their views and discuss questions and/or concerns with their Department Head. Written and verbal suggestions are always encouraged and welcomed. Employees should contact their respective Department Head or the City Manager when they have comments or suggestions.

### Computer & E-mail Usage Policy

Computers, computer files, the email system, and software furnished to employees are property of City of Hartford and intended for business use. The City of Hartford reserves the right to monitor its computers, computer files, e-mail system and software. Employees do not have any expectation of privacy when using City of Hartford provided resources. Employees should not use a password, access a file, or retrieve any stored communication without authorization.

Internet usage for work related activities is expected in most roles. Personal internet usage during work hours must be limited and should not interfere with employees' ability to perform their duties. All internet usage is viewable by the City of Hartford and employees should have no expectation of privacy while using the internet at work. The use of anonymizers or an anonymous proxy to make internet activity untraceable is prohibited.

City of Hartford strives to maintain a workplace free of harassment and sensitivity to the diversity of its employees. Therefore, City of Hartford prohibits the use of computers and the e-mail system in ways that are illegal, disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect toward others.

City of Hartford purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, City of Hartford does not have the right to reproduce such software for use on more than one computer. Employees may only use the software on local area networks or on multiple machines according to the software license agreement. City of Hartford prohibits the illegal duplication of software and its related documentation.

### Social Media

City of Hartford employees, interns and volunteers may responsibly publish or comment via social media but are discouraged from identifying themselves as connected to the City of Hartford when responding to or commenting on blogs/social media posts regarding personal opinions or views. Employee communications should not compromise the integrity of City of Hartford or convey any message that is inconsistent with City of Hartford's mission and code of ethics. Employees are ultimately responsible for the content of their communications and conveying that the expressed views are those of the employee and do not reflect the views of the City.

It is important that employees abide by laws governing copyright and fair use or fair dealing of copyrighted material owned by others, including the Institute's own copyrights and brands.

Social media policy violations will be subject to disciplinary action, up to and including termination for cause.

### Solicitations, Distributions, and Posting of Materials

City of Hartford prohibits the solicitation, distribution, and posting of materials on or at the organization's property by any employee or non-employee, except as may be approved in advanced by the City Manager.

- Non-employees may not solicit employees or distribute literature of any kind on organization premises at any time.
- Employees may not solicit other employees in a way that interferes with work.
- The posting of materials or electronic announcements are permitted only with the approval from the City Manager or by vote of the City Council.

## Working Together

### Employee Relations and Conflict Resolution

The City of Hartford is committed to providing a workplace where employees are treated with fairness and respect. To do this, the City of Hartford provides a resolution process that offers a neutral solution to workplace conflicts. When concerns are raised, they should be resolved between the involved individuals as quickly as possible.

A conflict between employees in the workplace that remains unresolved for a period of time can affect working relationships and employee morale. This is why City of Hartford encourages employees to bring concerns to their colleagues, Department Head, or City Manager in a constructive manner. Concerns will be taken seriously, kept as confidential as possible, and handled fairly. Employees who have a concern that they cannot resolve on their own are encouraged to go to their Department Head, or the City Manager.

While the City of Hartford encourages employees to resolve concerns informally, the City of Hartford will provide support for the constructive resolution of disputes in the following manner:

- **Conflict with co-workers:** Conflicts between an employee and a co-worker may occur at some point. These conflicts should be worked out between the two parties. If a resolution cannot be reached, or if the issue is volatile in nature, then involvement of a Department Head or City Manager to help resolve the situation is the next step. The City Manager can help create a plan for resolution which may include others at their initiative or the employee's request.
- **Open door policy:** Employees may consult informally with any leader for help in the form of listening, coaching, suggested options, friendly advice or even intervention to resolve conflicts, review policies, or to make suggestions for improving business practices.

When a conflict cannot be resolved via these processes, the employees should clearly explain the concern to the City Manager in writing by utilizing the Employee Dispute Form. The City of Hartford requests that all concerns be brought up in a timely manner so that they can be resolved quickly.

It may be necessary to talk to others to obtain all the facts in order to conduct a thorough investigation. Once all the facts have been reviewed, a decision will be made and communicated as quickly as possible. This determination will be communicated in the most appropriate time and place. If corrective action is required, it will be taken as soon as possible.

Any employee, who in good faith, makes a formal complaint will not be subject to reprisal or retaliation.

After necessary corrective actions have been implemented, the City of Hartford will take additional action in order to determine if the issue has been addressed by requesting employee feedback. Please remember that the City of Hartford cannot share details of any disciplinary action with fellow employees.

## Misconduct, Harassment and Discrimination Policy

### Introduction

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The City of Hartford (“City”) is committed to the goal of delivering the highest possible level of services to citizens of the City and the community. It is the policy of the City Commission (“Commission”) to deliver citizen, vendor/contractor and community services, and maintain employment and public services without regard to race, color, religion, sex, pregnancy, sexual orientation, gender preference/identity, veteran status, marital status, height, weight, national origin, age, disability or any other status protected under local, state, or federal law, and maintain an overall environment free of discriminatory, inappropriate, and disrespectful conduct or communications.

As further described in this Policy, the City prohibits abuse, discrimination or harassment of or by any City elected or appointed officer, appointed City board and commission member, City employee, citizen, vendor/contractor, member of the public, or work-related business contact (hereinafter “Covered Individual(s)”). Violation of this Policy will result in such corrective action as the City in its sole discretion is authorized to implement.

### Conduct Requirements

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#### Civility Requirements.

All Covered Individuals must be treated with respect and in a professional and courteous manner at all times and in all in-person, verbal or in written communications (including e-mails, texts, or social media). It is expected that all Covered Individuals will refrain from using profanities, insults, or other disparaging remarks. Covered Individuals must endeavor to make only truthful statements and not knowingly misrepresent, mischaracterize, or misquote information received from others. It is also expected that all Covered Individuals will work together in a spirit of cooperation toward achieving the goals of the City set out in this Policy.

#### Discrimination and Harassment

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The City prohibits discrimination, which includes disparate treatment, directed toward any individual or group of individuals based on race, ethnicity, sex, pregnancy, sexual orientation, gender preference/identity, color, religion, national origin, physical or mental disability, age, marital status, height, weight, status as a veteran or other protected status.

The City also prohibits harassment that is unwelcome and sufficiently severe or pervasive and objectively offensive so as to substantially interfere with a person's work or other environments. Harassment may include, but is not limited to, threats; physical contact or violence; pranks; jokes; bullying; epithets; coercion; derogatory comments; vandalism; or verbal, graphic, or written conduct directed at an individual or group because of race, ethnicity, sex, pregnancy, sexual orientation, gender preference/identity, color, religion, national origin, physical or mental disability, age, marital status, weight, height, or veteran status. Even if actions are not directed at specific persons, a hostile environment may be created when the conduct is sufficiently severe or pervasive and objectively offensive so as to substantially interfere with or limit the ability of an individual to work or otherwise to participate in or benefit from City activities or services. The following are examples of types of conduct that the City deems to be violations of this Policy:

- Making or using epithets, threats, derogatory comments, jokes, or slurs
- Displaying, viewing or transmitting derogatory posters, photographs, electronic mail, computer images, cartoons, or drawings
- Written communications containing statements that may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures
- Unwelcome physical conduct such as assault, touching, gestures, or blocking normal movement

The City will take action to prevent unwanted conduct from occurring and will deal with all such incidents in an immediate and impartial manner.

### Sexual Harassment

Sexual harassment includes unwelcome sexual advances, requests to engage in sexual conduct, and other physical or expressive behavior of a sexual nature where: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in or benefit from City activities or operations; (2) submission to or rejection of such conduct by an individual is used, threatened or suggested to be used, as the basis for employment or other decisions affecting an individual; or (3) such conduct substantially interferes with an individual's performance of work or other functions, thus creating an intimidating, hostile, or demeaning employment or other environment.

No one will threaten or insinuate, explicitly or implicitly, that another employee's refusal to submit to sexual advances or requests will adversely affect that person's employment, work status, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment. Similarly, no one will promise, imply or grant any preferential treatment in connection with another employee or applicant engaging in sexual conduct.

Harassment can be verbal, visual, or physical. It can be overt, such as a suggestion that a person could get a salary increase or receive other City benefits or services by submitting to sexual advances or requests. Sexual harassment can also consist of persistent, unwelcome attempts to change a professional, employment or other relationship to a personal one. It can include unwelcome sexual flirtations, inappropriate put-downs of individual persons or classes of people,

or serious physical abuses, such as assault. Examples of sexual harassment include, but are not limited to:

- Verbal, visual or physical contact of a sexual nature
- Sexual jokes, comments, insults, cartoons or innuendoes
- Unwelcome sexual flirtations, advances or propositions
- Pressure or requests for sexual activities
- Unnecessary touching
- Sexually degrading words or images used to describe an individual

### Racial/Ethnic Harassment or Discrimination

The City promotes an inclusive work environment that includes people of all backgrounds, heritages, color, ethnicity, cultural heritage, and religious beliefs. Harassment that is directed at a person or group of persons based on any status described above is covered under this Policy and is prohibited. Even if actions are not directed at specific persons, a hostile environment can be created when the conduct is sufficiently severe or pervasive and objectively offensive so as to substantially interfere with the person's work or other environment.

Examples of racial and religious discrimination include, but are not limited to:

- Disparaging comments about a person's heritage, color, ethnicity, or religious beliefs
- Inconsistent treatment of others based on these factors
- Failure to consider reasonable requests for accommodation of beliefs based on these factors
- Sharing of cartoons, jokes, comments, or other offensive actions based on these factors

### Workplace Bullying

The City defines bullying as behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, in the workplace and/or during the course of employment. Such behavior does nothing to strengthen the organization and only serves to negatively impact the morale and mental health of those who are impacted by it.

Bullying may be intentional or unintentional. However, it must be noted that when an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when implementing discipline. As with sexual harassment, it is the effect of the behavior on the individual that is important. The City considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing, or maligning a person; persistent name calling that is hurtful, insulting or humiliating; using a person as 'butt of jokes'; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.

- **Gesture bullying:** Nonverbal threatening gestures; glances that can convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

### Complaint Resolution

In order to identify and correct conduct prohibited under this Policy, the City has adopted a specific process by which a Covered Individual can make his or her complaints known. It is important to identify and remedy prohibited conduct as soon as possible. All complaints under this Policy should be made on the Complaint Form attached to this Policy as Attachment A, however oral complaints will be treated in the same manner.

All complaints of violations of this Policy should, if possible, be submitted within twenty-four (24) hours or sooner after the alleged violation occurs. Complaints not submitted as soon as possible will be accepted and properly investigated and processed. However, complainants are advised that delays in filing complaints may greatly hamper the City's ability to effectively investigate and remedy any wrongful conduct, because of the passage of time, the loss of memory or information, or the inability to contact or interview witnesses. If the complaint in any way involves the City Manager, the complaint must be submitted to the Mayor.

At all times, the investigator will work to maintain confidentiality and individual dignity. All complaints under this policy should be in writing include the following information:

1. A description of the incident(s), including the date(s), location(s), and the names of any witnesses.
2. The name of person(s) conducting the behavior, their department, and position and the names and details of any other(s) involved.
3. The effect of the incident(s) on the complainant's ability to perform their job, or on other terms or conditions of their employment.
4. The names of the any others who may have been subject to the same or similar behaviors.
5. Any other information the complainant believes to be relevant to the complaint.

Once a complaint has been filed, the investigator will investigate the complaint as soon as practical. In order to maintain workplace safety and the integrity of its investigation, the City may suspend employees suspected of workplace harassment or bullying, either with or without pay, pending investigation.

The investigation will include interviews with the complainant and any witnesses concerning the alleged discrimination, harassment or bullying activity. After the completion of the investigation, the investigator will determine if the complaint does or does not have justification. Information from witnesses that is helpful in determining the validity of a complaint will be documented. If it can be substantiated that discrimination, harassment or bullying activity has taken place, those responsible will be disciplined for violation of the City policy. The City will inform the complainant and the accused of the findings and results of the investigation.

Retaliation for the reporting of an alleged discrimination, harassment or bullying activity will result in an employment disciplinary action up to and including termination of employment.

Employees who, in good faith, report an alleged incident of harassment or discrimination will under no circumstances be subject to reprisal or retaliation of any kind. Employees who feel they have been subjected to such adverse actions should report them immediately.

Any employee, however, who is found to have knowingly made a false accusation of harassment, discrimination, bullying or retaliation, may be subject to disciplinary action up to and including termination.

While everyone shares the responsibility to help eliminate all forms of harassment, supervisors have the direct responsibility for actively observing and acting to prevent such behavior and immediately reporting any incidents they have knowledge of to the City Manager.

### Non-Retaliation

The City not only prohibits abuse, discrimination and harassment as set out in this Policy, but also strictly prohibits any retaliation against any Covered Individual who, in good faith, has submitted a complaint under this Policy or who has participated in an investigation under this Policy. The City strictly prohibits retaliation against any employee who reports harassment or discrimination, opposes unlawful practices, files a complaint, testifies or participates in any manner in any investigation or proceeding concerning harassment or discrimination complaints.

Any Covered Individual who, after investigation, is found to have engaged in retaliation prohibited under this Policy will be subject to such appropriate corrective action as the City is authorized in its sole discretion to implement. If a Covered Individual believes he or she has been subjected to retaliation for exercising his or her rights under this Policy, the individual should submit a complaint in accordance with the complaint procedure set out above in this Policy. Retaliation may include, but is not limited to:

- Termination of employment
- Demotion
- Suspension
- Failure to give equal consideration in making employment decisions
- Failure to make employment recommendations impartially
- Actions that adversely affect working conditions or otherwise denying employment benefit

Any employee found to have retaliated against another employee would be subject to disciplinary action, up to and including termination of employment.

### Employee Responsibilities

- Recognize harassment and discrimination when it happens. Understand that it is not the victim's fault and that it does not "come with the job."
- Remember, harassment and discrimination is against the law.
- If any employees are harassed, they should tell the harasser to stop and let them know that the behavior is offensive.
- Employees are not to keep it to themselves. If the harassment continues after an employee has said "NO" to the harasser, they need to report it to a Department Head or



the City Manager. If the victim's Department Head is the harasser, it needs to be reported to the City Manager immediately. If the victim's harasser is the City Manager, it needs to be reported to the Mayor.

- If any employees see harassment or discrimination, they are to report it, even if it does not directly affect them.

### Business Ethics and Standards of Conduct

It is the City of Hartford's intent and expectation to always work ethically with employees, the City Commission, stakeholders, suppliers, and the community. High ethical standards are necessary to maintain a competitive position and ensure that City of Hartford remains a valued member of the community.

Ethical behavior means honesty, equity, integrity, and social responsibility. The City of Hartford's commitment to integrity means that the City will not tolerate unethical conduct or conflicts of interest. It is the responsibility of all City of Hartford employees to always act responsibly, ethically, and honestly. Specifically adhering to the following:

- Always act in accordance with the law, this policy and other City of Hartford policies and procedures.
- Treat fellow employees, City Commissioners, stakeholders, suppliers, and community members with respect and fairness.
- Report any conduct that may violate the law, this policy, or other City of Hartford policies and by filing a written complaint outlining the details, dates, person or persons involved and submitting it immediately to the City Manager.
- Never retaliate against anyone for making a good faith report regarding a potential legal or ethics violation or a violation of other City of Hartford policies and procedures.
- Members of the City of Hartford Department Heads have the additional responsibility, of not only adhering to the responsibilities listed above, but of ensuring prompt investigation of allegations of illegal or unethical conduct and violation of any City of Hartford policies or procedures and administering prompt disciplinary action as needed.

Meeting the above requirements is vital to the organization. Therefore, violation of these policies or the law may lead to disciplinary action, up to and including termination.

### Conflicts of Interest

The City of Hartford is committed to maintaining high standards of ethical business practices. Conflicts of Interest arise when the personal interests of an employee, influence or appear to influence, that employee's ability to act in the City of Hartford's best interest. It is the City of Hartford's expectation that employees will not engage in any activity, practice, or employment opportunity which conflicts, or appears to conflict with the business activities or interests of the City of Hartford.

Employees must disclose to the City of Hartford any financial interests or activities they are involved in that does business with or competes with City of Hartford. This policy also includes employee's immediate family members.

- **Gifts Influencing Decision-Making:** City of Hartford personnel will not accept from anyone gifts, favors, services, entertainment or other things of value to the extent that decision-making or actions affecting the City of Hartford might be influenced. Similarly, the offer or giving of money, services or other things of value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, customer/member, government official or other person by any City of Hartford personnel or the City of Hartford is absolutely prohibited. Any such conduct should be reported immediately.
- **Gifts from Existing Vendors:** City of Hartford personnel may accept gifts from vendors, suppliers, contractors or other persons that have values of less than \$100. The City of Hartford expects employees to exercise good judgment and discretion in accepting gifts. Employees who have concerns regarding whether a gift should be accepted, should ask their Department Head or the City Manager. City of Hartford personnel will not accept excessive gifts, meals, expensive entertainment or other offers of goods or services, which have more than a \$100 value.
- **Outside Employment:** Supplemental employment outside of that which is provided by the City of Hartford is not encouraged, however if it is necessary, employees must request in writing to the City Manager their desire to seek additional employment with specific details. If approved, the hours of work for supplemental employment must not interfere with an employee's regularly scheduled hours. Additionally, the employee's supplemental employment must not conflict with the interests of City of Hartford. Employees must be explicit in their request to the City Manager what position they are contemplating accepting and for whom they would be working.

### Nepotism

The City of Hartford permits the employment of qualified individuals who are related to a current employee provided that a direct supervisory/subordinate relationship does not exist as a result of that employment.

Family/relatives includes spouse, child, father, mother, sister, brother, stepparents, stepsiblings, half-siblings, mother or father in-law, son or daughter in-law, grandparents, grandchildren, and brother or sister in-law, and any other relative residing in the employee's household.

Promotions and transfers will be denied if it creates a nepotism situation.

In the event two co-workers working in the same division become spouse to each other and one employee is or becomes a supervisor, then one or the other will be required to transfer to a different department or division where this conflict will be resolved. In the event either employee does not transfer, the City may transfer the non-supervisor employee to another position for which they are qualified. In this situation, the City would try to transfer the employee to a vacant position at the same or similar rate of pay however the transfer may result in a lower pay rate.

## Employment Information

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### Dress Code & Personal Appearance Policy

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City of Hartford employees are expected to be well-groomed and to present a professional image at all times. Employees in many positions will be required to wear the City of Hartford provided uniform. These are provided at no cost to the employee who is in turn, expected to maintain their uniforms in neat conditions. Employees should practice excellent personal hygiene and their clothing shall be neat, clean, in good repair, and fit appropriately. A professional appearance is an ongoing requirement of employment. The City of Hartford reserves the right to determine appropriateness. Any employee who is improperly dressed will be counseled or may be sent home to change clothes.

### Progressive Discipline Process

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Recognizing that everyone makes mistakes from time-to-time, and deserve opportunities for correction, the City of Hartford has developed a process for administering discipline in a positive manner that is intended to help employees improve. The goal is to change the behavior, not the employee. Here is the process that will be followed when an issue arises that requires disciplinary action:

- Step 1: Collaborative Coaching
- Step 2: Written Warning
- Step 3: Final Written Warning
- Step 4: Termination

The level of discipline issued depends on the severity of the infraction. Minor issues will be addressed via the progressive steps, yet more serious issues will receive elevated levels of discipline up to and including discharge based on the nature of the offense. Use of progressive discipline will in no way affect the “at-will” employment relationship.

The best way to avoid disciplinary action is to closely follow all of the procedures and work instructions. If something does not seem quite right to an employee and/or an employee doesn’t understand it, be certain to ask your Department Head for help. By doing this, not only will employees stay safe at work, but it helps to ensure that services are of the highest possible quality.

### Performance Reviews

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Department Heads are encouraged to discuss job performance and goals informally with individual staff on a frequent basis. Newly hired employees will be formally evaluated during their 90-day introductory period. Upon completion of the 90-day introductory period, employees will receive performance evaluations annually.

### Job Posting and Transfer Policy

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The City of Hartford wants employees to have an opportunity to transfer to other departments and/or be recognized for their acquired skills and experience by being promoted within the organization. Employees may be promoted or transferred to open positions, provided that they have the necessary education requirements, certifications, experience and satisfactory work performance to meet the needs of the new job.

When the City of Hartford has an open position, it will be communicated to employees. Employees interested in the posted position should apply by completing a Job Posting Application.

Positions that become available will be posted either internally, externally, or both simultaneously. While the preference is to promote from within before hiring from the outside whenever possible, the City of Hartford reserves the right to select the most qualified candidate based upon the knowledge, skills, abilities, and work attitudes of the candidates applying for the position. Employees promoted from within the existing work force must complete a six-month training period.

### Work Rules

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The following general conduct guidelines are designed to ensure an enjoyable and productive work environment for all employees. Improper employee conduct disrupts such an environment. Therefore, offending employees may be subject to appropriate remedial measures including discipline up to and including termination. The following are provided as examples of conduct that will result in appropriate employee discipline at the City of Hartford's sole discretion. These rules do not alter, amend, modify or revoke the "at-will" employment relationship between the City and its employees and both remain free to terminate the employment relationship at any time, with or without cause and with or without prior notice. These rules do not nor are they intended to be a complete or exhaustive list of all activities which are prohibited by the City.

1. Dishonesty in the performance of duties in any form or degree;
2. Being in possession of or under the influence of any level of alcoholic beverages, or non-prescribed or illegal drugs while on duty or while on the City's premises or in City vehicles **except licensed law enforcement officers in possession of drugs or alcohol while on duty as part of their legal responsibilities.**
3. Failing a drug/controlled substance/alcohol test or refusing City of Hartford requests to be tested for alcohol, drugs, or controlled substances.
4. Wasting, marring, destroying, abusing, or damaging City of Hartford property or the property of City employees or customers due to carelessness, negligence or willful acts (employees may also be charged for such losses).
5. Unauthorized removal, misappropriation or use of property belonging to the City of Hartford, its customers or another employee.
6. Leaving the premises during working hours without Department Head or City Manager prior permission or without clocking out or time-keeping adjustments.
7. Distracting the attention of others, or causing confusion by unnecessary talking, shouting, horseplay, or demonstrations in any work area.
8. Inappropriate workplace dress or grooming.
9. Insubordination or failure to follow instructions or perform assigned work including use of abusive language or profanity.
10. Operating machines, tools, vehicles, or equipment for which an employee has not been specifically assigned or not trained to operate.
11. Wasting time or loitering on the City's property during working hours or interfering with other employee's work.

12. Unauthorized solicitation for any cause on City of Hartford premises during working time or distribution of literature, written or printed matter of any description in working areas on City property or the job site during working time.
13. Misusing, disclosing, or removing from the premises, without the prior written authorization of the City Manager, any confidential or proprietary information of the City, employee personnel information (including but not limited to social security number and dates of birth), employee or customer lists, electronic or written records, computer software, blueprints, City records, or confidential or proprietary information of any nature.
14. Making false, vicious, or malicious statements concerning any customer, employee, or the City of Hartford's conduct of business or services.
15. Sabotage.
16. Immoral or indecent conduct.
17. Littering or contributing to poor housekeeping, unsanitary or unsafe conditions on City of Hartford premises or in City vehicles.
18. Conviction for commission of a felony.
19. Sleeping during working hours.
20. Stopping work before or failure to be at work prior to regular or scheduled shift time.
21. Violation of Sexual Harassment, Bullying and/or Discrimination Policies
22. Fighting, gambling, horseplay, use of pornographic, profane or obscene language or materials, threatening harm to persons or property of others.
23. Possession of firearms, explosive or weapons of any kind while on the City of Hartford premises or in City vehicles, or while on City business.
24. Careless or inefficient performance of duties, creation of excessive waste, incompetence, failure/refusal to perform work as directed, performing other than City work during working time, or other neglect of duty.
25. Negligence or carelessness in observing fire prevention and safety regulations, including failing to immediately report job related injuries, tampering with, by-passing or failing to use safety equipment/devices or refusal to obey supervisory personnel, civil defense or other proper authorities in emergency situations.
26. Excessive absences, pattern absenteeism, tardiness, leaving work early and/or not properly calling in to report the same.
27. Discourtesy to or creating conflicts with, coworkers, City Commissioners, customers or other persons doing business with the City of Hartford.
28. Falsification or misrepresentation or omission of material information with respect to time records or other City personnel, business or other records.
29. Smoking inside any City building or vehicle.
30. Any violation of the Policies contained in this Employee Handbook.
31. Failing to observe hygiene practices or contributing to unsanitary conditions.
32. Violation of the E-Mail and Computer Usage Code of Conduct.

### Length of Service

Length of service refers to the amount of uninterrupted time employees have worked at City of Hartford since the last date of hire. Length of service determines eligibility for certain benefits such as healthcare and Paid Time Off (PTO).

Length of service shall be considered interrupted or terminated for the following reasons:

- When an employee quits or is terminated
- When an employee retires
- When the employee is absent from work for three (3) consecutive working days without notifying the organization (considered a voluntary resignation with no notice)
- When an employee fails to return to work following an authorized leave of absence

### Employee Classifications

As a regular employee, you are classified as either a full-time or part-time employee, and you are either exempt or not exempt from overtime provisions under the Fair Labor Standards Act based on your role within the City.

These classifications do not guarantee employment for any specified period of time. The right to terminate the employment relationship at any time is retained by both the employee and the City consistent with any collective bargaining agreement (CBA) for represented employees.

All employees are designated as either Non-Exempt or Exempt under State and Federal wage and hour laws.

**Non-Exempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime.

**Exempt employees** are generally managers, professional, administrative, or technical staff who are exempt from the overtime provisions of the FLSA. Exempt employees hold jobs which meet the standards and criteria established under the FLSA by the US Department of Labor.

In addition to the above categories, each employee will belong to one of the following employment categories:

A. Regular Full-Time. A regular full-time employee is one who:

- 1) Works in a position classified as full-time.
- 2) Is employed for a period of time not limited in duration, and is scheduled to work a minimum of forty (40) hours per week, or a full time shift as defined in their CBA.

Regular full-time employees are those who are not in a temporary status or in a Probation Period and who are regularly scheduled to work the City's full-time weekly schedule of a minimum of forty (40) hours per week or as defined in their CBA. Generally, they are eligible for the City's benefit package subject to the terms, conditions and limitations of each benefit program.

B. Regular Part-Time. A regular part-time employee is one who:

- 1) Works in a position classified as part-time.

- 2) Is employed for a period of time not limited in duration, and is scheduled to work less than 1,510 hours per year.

Regular part-time employees are those who are not in a temporary status and who are regularly scheduled to work less than the 1,510 hours per year. Regular part-time employees are not eligible for participation in the City's benefit program.

C. Temporary and Seasonal Employees. A temporary or seasonal employee is one who:

- 1) Works in a position classified as temporary or seasonal.
- 2) Is employed for a period of time limited in duration, and is scheduled to work less than 1,510 hours per year.

Seasonal/Temporary Employees are employees whose service is intended to be of limited duration, such as during summer months only, for temporarily filling of vacancies due to absence of regular employees, or for special projects or elections. This classification also includes high school and college co-op students and interns. While temporary and seasonal employees receive all legally mandated benefits (such as Social Security and Workers' Compensation insurance), they are not eligible to participate in any of the other City benefit programs. Any changes in an employee's employment status must be approved by the City Manager or designee.

### Personnel Files

By law, the City of Hartford is required to maintain a personnel file for each employee. Each file must include the following personal data:

- Name
- Home address, telephone number, and message number
- Emergency contact
- Marital status and dependents
- Federal, state or local tax exemptions
- Social Security number
- Date of birth

It is important to keep this information current for insurance, payroll, and emergency reasons. If something happens, the City of Hartford will need to know who to call and how to contact them. The City of Hartford may also need to call if there is a change in the work schedule or for some other employment matter. Please let the City Manager or City Treasurer know anytime there is a change that affects this information.

To protect employees, only the City Manager is authorized to release information regarding employees to individuals outside of the organization. In doing so, the organization abides by all right-to-know and privacy laws. Employees who need employment verification need to contact the City Manager.

Employees have the right to view the information located in their personnel files. Employees who want to see their record need to request a meeting in writing with the City Manager. Employees

who want a copy of anything in their file must request a copy of the items in writing to the City Manager.

### Resignations

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In the natural course of business employees may decide to leave employment with the City of Hartford. When employees make the decision to leave, the City of Hartford asks that they take the following steps:

- Notify their Department Head promptly and provide a written resignation so that plans can be made for a replacement. A minimum of two (2) week notice is required to receive payout of benefits.
- Whenever possible, City of Hartford will attempt to schedule resigning employees for an exit interview with the City Manager. Employee feedback is extremely valuable in an effort for the City of Hartford to continue to be a good place to work
- Employees will be required to turn in all City of Hartford property including keys, phones and ID badges, in their possession prior to leaving. If any City property is not returned by an employee leaving the organization, the cost of such property may be deducted from the employee's final paycheck to the extent permitted by law.

## Work Schedules and Compensation

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### Work Schedules

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Regular full-time employees will be scheduled forty (40) hours each week. Part-time employees will be scheduled for the appropriate number of hours each week based on their authorized schedule. Alternate work schedules may be available with approval by the Department Head and City Manager.

Any changes to an approved work schedule must have prior written approval of the employee's Department Head. These exceptions should occur infrequently and should follow all of the guidelines for an acceptable work schedule. Alternative work schedules may be rescinded by management for any reason.

### Pay Periods

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Currently, the pay period begins on Wednesday and ends on Tuesday of the following week. Employees will be compensated on Fridays, on a weekly basis. Should any payday fall on a holiday or when banks are closed, payday will be the preceding day. The pay period may be subject to change.

### Time Reporting

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Non-exempt employees are required to report the actual hours that they work on the approved timesheets to ensure proper payment. Accurate tracking and reporting of these hours is important because it is essential for the proper payment of employees and accurate expenses for the organization. Employees are required to sign and have their Department Head sign their timesheet prior to submission. No one should fill out an employee's timesheet for them. Failure



to complete your timesheet as described or falsification of reports is a basis for disciplinary action, up to and including discharge.

### Overtime Pay

Sometimes overtime work is required to meet a specific deadline, to cover for an employee who is off, or to address an unexpected challenge. When overtime is worked, it will be paid as follows:

- **Salaried, Exempt Employees** Overtime and compensatory time shall not be provided to employees who are exempt from the overtime pay requirements of the Fair Labor Standards Act. These exempt management employees are expected to work the necessary hours to fulfill their assigned duties.

Exempt employees may be allowed to flex time at the discretion of and with the approval of the City Manager. Flex time may include time off in lieu of extraordinary hours worked beyond the standard forty (40) hour work week. As allowed by operational needs of the City and the nature of the employee's assignment, flextime may also include a change in the expected hours of work for an exempt employee in any given week. Flextime is not an accrued benefit (i.e., an hour earned for an hour worked). It is reserved for those peak times in which an exempt employee's workload requires the employee to work an inordinate number of hours or where work hours can be modified to allow an employee who has worked outside of the normal schedule time off after normal working hours (to keep the total hours worked in any given week at or around 40 hours).

- **Hourly, Non-exempt Employees** are paid at their regular rate of pay for all hours worked up to and including the fortieth (40<sup>th</sup>) hour in each workweek except as identified in CBAs. Hours worked in excess of forty (40) hours in a given workweek will be paid according to the following schedule:
  - Any hours over forty (40), except as provided in a CBA, will be paid at an overtime rate of one and one-half (1.5) times an employee's regular hourly rate of pay.
  - When it becomes necessary to work on a holiday, all hours worked on a holiday will be paid at the rate 1.5 times of the hourly, non-exempt employee's hourly wage, unless otherwise determined by CBA.

All overtime hours must be pre-approved in writing, in advance, by management, except in exigent circumstances. Employees who don't obtain prior written approval may be subject to discipline.

The City of Hartford pays overtime to its employees when they work more than is normally required, so when calculating overtime, the City of Hartford doesn't include any unpaid time off from work including sick, personal, funeral, or vacation leaves; nor holidays.

### Business Expense Reimbursement

City of Hartford will reimburse employees for all necessary and reasonable travel expenses incurred while traveling to and from approved trainings or conferences, and other business-related meetings located away from the typical location of work. Employees will receive reimbursement for the following business-related travel expenses: mileage (IRS standard rate),

hotel, and transportation, and meals (excluding alcohol) at the approval of the Department Head and/or the City Manager.

Meals will be paid for only when staff are traveling 4 or more hours away from City Hall or when you are at a meeting for 6 or more hours. Total daily meal reimbursement rates may not exceed the reimbursement rates for Michigan as assigned by the GSA. Please discuss this limit with the City Manager or City Treasurer if you have any questions.

## Time Away from Work

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### Paid Sick Leave

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Full-time employees will accumulate one (1), eight (8) hour, sick day leave credit for each month of service, beginning with the first full calendar month of service. Employees may accumulate (bank) a maximum of 130 days (totaling 1040 hours) of sick leave and upon voluntary resignation where they successfully supplied and fulfilled the required 2-week notice obligation outlined herein, and a minimum of one year of employment, the employee will be paid at their most current wage for 60% of the unused, accumulated sick time. Employees who are terminated or who quit without the prescribed notice are not eligible for the sick time payout for any reason.

To receive payment for days missed due to illness, an employee must follow the notification requirements outlined in the attendance policy. This policy requires that prior to the start of the employee’s workday, he/she must notify their Department Head by calling them directly and letting them know they will be absent. Any absence lasting three (3) or more consecutive working days requires the employee submit a doctor’s note to excuse their absence. This doctor’s note can be submitted to the Department Head or the City Manager upon their return to work.

### Vacation Policy

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Everyone needs time away from work in order to maintain a positive work/life balance. Common reasons for time off include vacations, illness, personal and family obligations, and time to rest, relax, and enjoy your interests. Taking time off from work is an important way to maintain good mental health.

To support these needs, City of Hartford provides for employees to start accruing vacation after the first year of service. Here’s how it works:

1. After one year of service, all full-time employees shall be entitled to the following vacation schedule:

Years of Service	Annual Vacation
1 year	1 week
2 years	2 weeks
3 years	2 weeks
4 years	3 weeks
5 years	3 weeks
6 years	4 weeks
7 years or more	5 weeks

2. Vacation time will not accumulate from year to year and shall be based on continuous service. The only exception to this non-accumulation policy is where the employee first receives written approval from the City Manager.
3. Employees must receive advance written approval from their Department Head to use vacation time. Vacations will be approved on a first come, first served basis, and should be scheduled as far in advance as possible.
4. Employees who voluntarily leave City of Hartford after more than a year of service and give a minimum of two (2) weeks' notice will be eligible to receive payment for any accrued, unused vacation time up to a maximum of 160 hours. Payment will be made at 100% of the employee's final hourly pay rate. Employees who are terminated from the City of Hartford, who don't provide a minimum of 2-weeks' notice, or who have less than a year of service with the organization will not be eligible for any vacation time payment.

### Payroll Deductions

The following required deductions will come out of pay; federal income tax, Social Security Tax/or Social Security alternative and state income tax in addition to applicable other local taxes, insurance premium shares, authorized retirement contributions, flexible spending plan contributions and other required or prior authorized deductions. Voluntary deductions for supplemental insurance or donations will be deducted from each paycheck as authorized by the employee signing up for these services.

Please note that the City of Hartford must comply with all writs of garnishment it receives and will respond accordingly by submitting the proper paperwork and all fees as calculated according to the garnishment. Employees will be notified before any deductions are taken from their paychecks if the City of Hartford receives a writ of garnishment requiring the organization to withhold and pay a portion of wages to a court or other legitimate agency. Information about garnishments will be held in confidence. This also includes child support and alimony as ordered by the Court.

Employees who leave the City of Hartford agree to have any monies due and owed to the City of Hartford for items, activities, and services, to be deducted from their last paycheck.

### Holidays

The City of Hartford knows how important it is to spend time with family and friends during the holidays. The City of Hartford offers 11 paid holidays throughout the year. Part-time non-exempt and temporary employees are not eligible for holiday pay. Salaried and full-time non-exempt employees will be paid at their normal rate. Part-time salaried staff will receive four (4) hours of holiday pay; full-time salaried and full-time non-exempt staff will receive eight (8) hours of holiday pay for the following observed holidays:

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Fourth of July

- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day
- 2 Floating holidays/personal days per calendar year

The floating holidays are to be used by employees on the day of their choice in each calendar year. City of Hartford encourages employees to save this day for an occasion that is meaningful to them. Examples of potential dates include: Yom Kippur, Kwanzaa, Ramadan, Lunar New Year, Juneteenth, Birthdays or Chanukah. Employees can request vacation time if additional time off is desired.

To be paid for these holidays, employees must work the full scheduled day before and after the holiday unless the absence has been pre-approved. Excused absences for significant, unusual circumstances may be accepted for the day before or after the holiday. These exceptions must be reviewed and approved by the City Manager. In no event will holidays, including the floating holiday be converted to payroll payments. In the event of employee failure to properly schedule the floating holiday in a calendar year that benefit is forfeited for that calendar year and may not be carried forward to a subsequent year.

### Voting

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City of Hartford encourages all employees to vote. Employees are encouraged to take advantage of polling hours prior to the beginning or following the end of the workday. If an employee needs to take time off during the day to vote, they should seek approval from their Department Head or City Manager in advance.

### Jury Duty

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City of Hartford supports employees in fulfilling their civic responsibilities by serving on jury duty. City of Hartford compensates them at their normal rate of pay.

To be eligible, employees need to inform their Department Head as soon as possible after receiving a jury summons so that arrangements can be made to accommodate the absence. Employees will be expected to report for work during jury service whenever the court schedule permits and to turn in records of court attendance and payment received.

Employees must contact their Department Head daily to inform him/her of their status and the expected duration of the jury duty. If an employee is released after serving only a half day, the employee is expected to report to work and should be prepared to go directly to work from the courthouse. Any additional work time that is missed, but not supported by documentation from the court will be considered vacation time.

### Leaves of Absence

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A leave of absence is time provided without pay to permit a full-time employee to be absent from work for an approved reason; the granting of which is at City of Hartford's discretion. Leaves of absence may be granted for medical, personal, and military reasons. To submit a leave of absence request, please obtain a [Leave of Absence Request Form](#) from, and return it to the City Manager.

A leave of absence shall be for a specified period of time not to exceed limits required by law. Where Federal or state law does not provide guidelines, no leave shall exceed thirty (30) days.

Employees who fail to comply with the terms of their leave or fail to return to work on the stipulated date, may be considered to have voluntarily quit.

Leaves of absence will not be granted to allow an employee to seek other employment.

Employees will return to the job they held prior to the leave, or one similar. The organization is not obligated to return an employee to the same job that was previously held following a leave of absence.

City of Hartford will continue to pay its portion of any of any health insurance premium, provided that employees pay their timely portion of the premium also.

The employee must complete a Leave of Absence Request Form specifying the dates, requested length, and other useful information.

### Military Leave

City of Hartford is committed to complying with all aspects of the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is required to participate in annual military training programs or who is called up during short term civil or national emergencies, or who leaves work to serve in the military, will receive time off from work, as provided by Federal law. Upon receiving orders, employees must immediately notify and make arrangements with the City Manager for the leave.

The City of Hartford will compensate employees who take a military leave for the difference between their regular pay rate and the rate they are paid by the military for up to two weeks as long as proper documentation, including proof of military payment, is received.

City of Hartford abides by all regulations and laws regarding the employment rights of those serving in the armed forces, as well as those returning from military service.

### Bereavement Policy

Losing a loved one is never easy. To help employees through these times, all salaried and full-time non-exempt employees who have been continuously employed with the City of Hartford for at least 30 days are eligible for 3 days of paid bereavement leave when a death in the immediate family occurs. Part-time non-exempt and temporary employees will be entitled to an unpaid leave of absence of up to 3 days for immediate family. Bereavement leave will be paid at the employee's regular rate of pay. Immediate family is defined as spouse, mother, father, sibling, child (including unborn child), grandparent, or any relative residing at the same place of residence as the employee.

Bereavement leave must be taken within 30 days of the passing of the individual.

City of Hartford reserves the right to request documentation to confirm compliance with this policy. If documentation is not presented upon request, the time away from work will be counted as vacation hours.

## Breaks for Nursing Mothers

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Nursing mothers will be provided reasonable breaks to express breast milk in order to nurse a child for up to one-year after the child's birth. Nursing mothers may take such a break as frequently as needed.

City of Hartford will provide a place that is shielded from view and free from intrusion from coworkers and the public for nursing mothers to use to express breast milk.

Non-exempt nursing mothers will not be required to clock out for the purpose of expressing milk as long as the breaks are reasonable in length. Otherwise, breaks taken pursuant to this policy will be unpaid.

For more information on this procedure, including where nursing mothers may take their break to express breast milk, please speak with the City Manager.

## Benefits

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City of Hartford offers a comprehensive benefits program, including medical, dental, and vision insurance, short- and long-term disability, life insurance, deferred compensation, payment in lieu of insurance, and education assistance. The details of the benefits are described in the individual plan documents and during annual open enrollment. Employees who have any questions are encouraged to see the City Manager.

## Safety

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### Emergencies

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A catastrophic emergency can strike at any time without warning and may put lives and jobs in a state of confusion. The severity of a fire, explosion, natural disaster, or other emergency can be lessened if everyone knows what to do. Some emergency basics to remember are as follows:

#### **Plan and Practice before the Emergency:**

- Become familiar with the work area. Know where the nearest exit is located and determine which major aisle or corridor is the most direct path to that exit.
- Review and practice an evacuation plan with a Department Head.

#### **Execute the Plan during the Emergency:**

- In an emergency, always respond quickly, quietly and in an orderly fashion. Walk quickly; do not risk a fall by running.
- If there is a fire leave the building immediately. Go to the designated gathering point outside. Once outside, leaders will take roll call to verify all employees are safely out of the building. If someone is missing, a Department Head will notify emergency response personnel who can attempt a rescue. Remain outside the building until directed to re-enter.
- If there is a potential for a tornado, the situation will be monitored by the City Manager and Department Heads. Employees will be notified if it is necessary to take cover. When it is, proceed immediately to the designated shelter area. Stay in the shelter until the warning has expired.

## Safety in the Workplace

Working safely is a value and a responsibility shared and accepted by all City of Hartford employees. Every member of the City of Hartford team is expected to follow all safety procedures and guidelines. Also, employees must report all injuries and any safety, health, or fire hazards immediately.

## Injuries at Work

Any work-related injury or illness that occurs either on or off-site during work hours, must be reported immediately to the Department Head or the City Manager. Do not neglect any injury, illness, or health problem, however slight it may appear. Failure to report any work-related injury or illness within 24 hours may result in disciplinary action and/or a loss of certain workers' compensation coverage.

When a work-related injury or illness is reported, an Incident Report will be completed by the person to whom it was reported and the injured employee. The incident will be thoroughly investigated, and the facts will be discussed, reviewed and corrective action will be determined and implemented. If medical attention is needed, the employee will be sent immediately to the appropriate health care provider.

## Workplace Violence Prevention

The City of Hartford holds a policy of zero tolerance regarding any form of threats, both verbal and physical; including intimidation, and stalking. If employees feel that they are a victim and/or witness of any form of violence in the workplace, they are to report it to their Department Head or the City Manager.

The following are examples of inappropriate activity that will result in immediate discharge:

- Violation of the Weapons Policy outlined below.
- Use of abusive or threatening language toward any person on City of Hartford property or while performing business off property, or threat or use of violence against any employee or customer on or off City of Hartford property
- Willful and malicious damage to equipment and/or property
- Provoking a fight or fighting during working hours or at any time on City of Hartford property
- Engaging in activities that could bring harm to themselves, to others, or to City of Hartford property.

## Possession of Weapons

City employees are prohibited from carrying, possessing or using firearms, explosives or other weapons, at any time on City of Hartford property, or while on duty, regardless of whether or not any employee has obtained a license or permit to carry a concealed weapon.

The exception to this rule includes only sworn, licensed law enforcement officers and reserve officers, the latter of which may only carry a gun after approval by the Chief of Police and who must, at all times be working in conjunction with, and under the direct on-site supervision of, a licensed Police Officer of the City of Hartford Police Department, per City of Hartford Police Policy.

On duty shall mean the hours between which an employee reports for work and the time the employee leaves work, including overtime work and call-outs for special situations, such as emergencies, special events, or required attendance at meetings of or on behalf of the City of Hartford, regardless of whether or not such special situations occur during or after normal working hours.

### Inclement Weather

The City of Hartford is located in beautiful southwest Michigan, where we are likely going to experience some interesting weather from year-to-year. If there is a severe weather condition, power outage, or other condition beyond the City's control, which results in the need to close all or a portion of the City's offices and facilities, employees will be notified as soon as reasonably possible.

Any time the City's offices and facilities closes or there is a delay, employees will be notified by the City of Hartford. If the City Manager closes the City's offices and facilities, delays start or closes the City's offices and facilities early, employees will be paid for that time.

In situations where an employee is unable to make it in for their scheduled shift because of inclement weather at their home but the City's offices and facilities remain open; the employee should make the decision that is most appropriate for their personal safety. If they opt to stay home, they should follow call off procedures. Employees will not be paid when the City's offices and facilities are open and the employee is not able to make it to work due to weather. They may take a floating holiday/personal day or vacation time for these absences as available in their leave bank.

### Tobacco Free Policy

To protect the health and well-being of all employees, the City of Hartford is a tobacco free employer. Smoking, smokeless tobacco (snuff, chewing tobacco) and electronic smoking devices are prohibited in all City facilities and in all City vehicles. This policy applies to all employees, customers, contractors, and visitors.

Employees who smoke may smoke in designated outside smoking areas only.

Employees found to be in violation of this policy will be subject to disciplinary action(s) in the same manner as violations of other policies.

### Drug and Alcohol Policy

Employees involved with alcohol and drugs tend to be less dependable, less productive, more vulnerable to accidents, and less likely to report regularly in a mental and physical condition fit for work. This jeopardizes the reputation of the City, the quality of its service, and the well-being of the involved employees, their families and their co-workers. The City of Hartford expects employees to report to work on time and in condition to perform their duties throughout their



workday. The City is committed to strictly enforce this Alcohol and Substance Abuse policy and to maintain a safe working environment that is free from the effects of substance abuse.

We absolutely prohibit the sale, purchase, transfer, or possession of any illegal or non-prescribed drugs during work hours on or in City property at any time **except licensed law enforcement officers in possession of drugs or alcohol while on duty as part of their legal responsibilities**. For the purpose of this policy, "City property" also applies to property of vendors/contractors, recipients of City services, or any locations where you may be performing work for the City. In addition, we strictly prohibit any employee from being under the influence of alcohol and/or any illegal drug while on duty or performing work activities. Taking legally prescribed medications or over-the-counter medications are permitted to the extent that use of such medications does not adversely affect your job performance or safety, or the safety of others.

### Inspection of Employees and Personal Property for Possession of Alcohol and Drugs

The City reserves the right to conduct workplace searches of City owned property where the search is either for non-investigatory work-related purposes or investigations of work-related misconduct. The "workplace" has been defined by the United States Supreme Court as those areas that are related to work and are generally within the Employer's control. Any employee who improperly interferes with a workplace search or does not fully cooperate with a workplace search is subject to corrective action.

The policy is intended to comply with all state laws governing drug and alcohol testing and is designed to safeguard employee privacy rights to the fullest extent of the law.

To ensure a workplace that is free from the dangers of the use of drugs and alcohol, City of Hartford does the following:

- **Pre-Employment Testing:** After receiving a conditional offer of employment, all job applicants will be required to successfully pass a pre-employment drug and alcohol test. City of Hartford will not hire any job applicant who cannot successfully complete a pre-employment drug test, refuses to take the pre-employment drug test, or refuses to sign the drug test consent form.
- **Random Drug and Alcohol:** Employees in safety-sensitive positions requiring a CDL are subject to random testing as required by the U.S. Department of Transportation.
- **Reasonable Suspicion:** To keep the work environment safe, City of Hartford reserves the right to require employees to take a drug test at any time an individual's behavior or other facts and circumstances give rise to reasonable suspicion that the employee is in violation of this policy. Employees believed to be in violation of this policy will be monitored and City of Hartford may arrange to have them immediately tested by a certified independent laboratory. Employees will, at the time they are sent for testing, be removed from work and placed on unpaid suspension pending the receipt of the test results. If the result is negative, employees will be returned to work and will receive appropriate back-pay for the lost time. Failure to consent or comply constitutes basis for disciplinary action, up to and including discharge.
- **Post-accident:** Employees may be subject to testing when they cause or contribute to an accident that damage a company vehicle, machinery, or equipment, and/or result in an

injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing will take place immediately or within two (2) hours

- **Post-layoff/Leave-of-Absence:** Any employee who has been absent from work for thirty (30) consecutive calendar days or more due to layoff or leave of absence may undergo drug testing prior to returning to work. This policy does not apply to leave taken pursuant to the Family Medical Leave Act (FMLA) unless the cause of the FMLA leave was related to substance abuse. Failure to consent or comply constitutes basis for disciplinary action, up to and including discharge.

Any drug and/or alcohol testing will be conducted by a certified laboratory licensed by the State. When a drug and alcohol test or screening is scheduled, employees will be required to submit a blood, urine, oral fluid, breathalyzer, or other appropriate test to prove they are not under the influence of alcohol, a controlled substance or illegal drugs. Employees must submit to testing as directed and consent to the release of test results to City of Hartford, or the City will have to assume that they are under the influence and will be discharged.

If an employee is asked to submit to a drug or alcohol test, City of Hartford will notify the employee of the results as soon as possible after the City receives them from the laboratory. City of Hartford will make every effort to keep the results of drug and alcohol tests confidential. Only persons with a need to know will have access to the results.

Depending on the circumstances and the employee's work history/record, the City may offer an employee who violates this policy or tests positive the opportunity to return to work on terms acceptable to the City through a Last Chance Agreement, which could include follow-up drug testing at various times and frequencies for a minimum of one (1) year at the employee's expense. Last Chance Agreements are in place for a minimum of five (5) years from the date of execution at the direction of the City Manager.

#### Procedures for Positive Test Results

If an employee tests positive for an illegal drug, marijuana, alcohol or an unreported prescribed drug, the following procedure will be followed:

1. An employee with a positive alcohol and/or drug taken for reasonable suspicion, or as part of the MDOT CDL random alcohol/drug screening, will be relieved from all job duties immediately.
2. The employee will be terminated from the City unless they agree to the terms and conditions of the City of Hartford's Last Chance Agreement program which include the referral to a Substance Abuse Professional (SAP) and will not be allowed to return to work until the completion of the Corrective Plan of Action by the SAP. In order for the employee to return to their job duties, they must have a negative drug/or alcohol test result.
3. The employee will be on an unpaid suspension from the time they are removed from duty until such time that they are approved to return to work.
4. The employee will be responsible for all cost associated with the SAP program.
5. A written Last Chance Agreement document will provide for the following:

- a. Inform the employee that they will have random testing six (6) times at minimum for next 12 months and up to 5 years as recommended by the Substance Abuse Professional at the employee's expense.
- b. The employee must adhere to whatever stipulations that have been made by the Substance Abuse Professional.
- c. If the employee does not commence the Substance Abuse Program within 10 days, their employment with the City will be terminated effective the last day worked.
- d. Consequences of a second confirmatory positive alcohol or drug test result, within five years, will be cause for termination of employment.

**General Provisions:**

- City of Hartford recognizes that employee off-the-job, as well as on-the-job, involvement with alcohol and drugs has the potential to adversely impact workplace safety, job performance and productivity, and efficiency. Employees who voluntarily request assistance in dealing with a personal drug or alcohol problem may do so without jeopardizing their continued employment. However, participation in a treatment program will not prevent disciplinary action for violations of this policy.
- All drug and alcohol tests required or contemplated by this policy will be performed by qualified personnel. Unless specified otherwise, these tests will be conducted at City of Hartford's expense. The employee will be given a consent form to sign authorizing any of the drug and/or alcohol tests reference above.
- The presence in the body of over-the-counter or prescribed drugs lawfully obtained with a prescription and taken in the appropriate manner will not be grounds for disciplinary action, so long as the employee discloses the lawful use of those drugs to the medical clinic, physician's office, or hospital designated by the organization before a drug test is administered and the use of the drugs does not impair the employee's judgment, ability, or performance while at work. For prescribed drugs, "taken in the appropriate manner" means that a physician prescribed the drug for the employee and that the employee used the drug according to the prescribed dosage and frequency of use and notified the City Manager of any safety implications due to using this medication.

Any employee who is believed to be in possession of an illegal substance will be reported to the proper authorities.

**Marijuana** The City's stance remains unchanged and being under the influence of marihuana or being in possession of marihuana is prohibited. The City still has the right to conduct drug testing as set forth in this Handbook and take disciplinary action in accordance with the Policy for employees who consume, smoke, or are under the influence of marihuana in the workplace.

**Compliance with the Drug-Free Workplace Act** We comply with the Federal Drug-Free Workplace Act. Any employee convicted of violating a criminal drug statute that occurred in the workplace, must notify the City Manager of the conviction within five days. Failure to report the conviction may result in corrective action up to and including termination of employment.

## Legal Requirements

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### Accommodations for Disabilities

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City of Hartford does not discriminate against qualified applicants or employees with disabilities who, with or without a reasonable accommodation, can perform the essential functions of a job.

Employees who have a qualifying physical or mental disability that affects their ability to perform their job or a job that they would like to have, must ask City of Hartford to try to make a reasonable accommodation. Employees will need to tell City of Hartford the type of accommodation they believe they need in writing within 182 days of knowing that an accommodation is needed, per Michigan's Persons with Disabilities Civil Rights Act. The City of Hartford will work with the employee to either provide the accommodation requested or an alternative one at the City's discretion, as long as it does not cause the organization undue hardship. Any request for accommodation must include documentation from a qualified physician.

City of Hartford reserves the right to request a second medical opinion of any accommodation request. Written notification must be directed to the attention of the City Manager.

### Medical Files

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At times, City of Hartford may need to request medical information about an employee. This information will be treated with care to ensure that it remains confidential. It will not be shared outside of the Personnel department unless there is a specific work-related need (like a work restriction) and then only to the people who have a work-related reason to know.

On rare occasions, City of Hartford may obtain information that qualifies as Protected Health Information (PHI) as defined by the Health Insurance Portability and Accountability Act (HIPAA). In those instances that PHI is provided, the employee will be asked to sign an authorization for the City to view the information. All Protected Health Information will be kept confidential in accordance with the terms of HIPAA.

All sensitive data containing medical information will be stored in a separate, secure medical file. If employees have any questions regarding the use or storage of medical information, please contact the City Manager.

### Social Security Number Privacy Policy

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In order to keep employees safe from the danger of identity theft, City of Hartford will not display more than (4) four digits of an employee's social security number, or:

- Exhibit, post, or make them visible in a "public manner."
- Visibly print a social security number on a badge, insurance card, or any other form of identification.
- Transmit a social security number over the internet or a computer system that isn't secure or encrypted.

Sometimes City of Hartford is required to use more than (4) four digits of a social security number as required by State or Federal law, or by a court rule or legal discovery process, or to administer benefit programs. City of Hartford will take every precaution to ensure confidentiality and to

prevent unlawful disclosure of the social security number. City of Hartford will not include a full social security number on any information or document mailed, or if it is visible, on or from the outside of the envelope or packaging.

Documents containing social security numbers will be kept in locked file cabinets and only authorized individuals will have access to this information. Obsolete documents containing social security numbers will be shredded.

Anyone who violates this policy by distributing or using social security numbers in an unauthorized manner may be disciplined, up to and including termination of employment.

#### Immigration Reform and Control Act

The Immigration Reform and Control Act of 1986 (IRCA) prohibits City of Hartford from employing any person not legally authorized to work in the United States. In accordance with the requirement of IRCA, all persons commencing or resuming work after November 6, 1986, must submit documentation evidencing their right to work in the United States. Anyone submitting false documentation shall be immediately terminated. In fulfilling its obligations under IRCA, City of Hartford reaffirms its commitment to comply with both state and Federal non-discrimination laws. City of Hartford does not discriminate on the basis of citizenship. Any questions concerning IRCA and the required documentation should be directed to the City Manager.

U.S. Citizenship and Immigration Services I-9 Forms are used to verify identity and employment eligibility. Employees must complete the employee section of the I-9 Form and provide the required documentation supporting their identity and employment eligibility before they may begin working.

Employee Handbook Responsibility- Acknowledgement

I (Employee’s Name): \_\_\_\_\_ have received my copy of the City of Hartford Employee Handbook and understand that I will be responsible for knowing and understanding the Handbook. I also acknowledge that I have had a chance to ask questions about it.

I understand that this Handbook will be reviewed periodically by the City of Hartford and that the organization reserves the right to alter, amend, modify, or terminate any benefits or provisions contained in this Handbook at any time it chooses. I also understand and acknowledge that nothing in this Handbook constitutes a contract and that this Handbook incorporates the terms and conditions of my employment and supersedes any and all past handbooks, manuals, policies, procedures, understandings and standards, written or oral, express or implied.

I understand and agree that my employment and compensation is “at-will” and can be terminated, with or without cause, with or without notice, at any time, by either the organization or myself.

I further understand that no employee or representative, other than the City Manager, has the power or authority to enter into any oral or written agreement for employment for any specified period of time, or to make any representations or agreements contrary to the foregoing, unless that representation is in writing and signed by the City Manager.

I have received and read the Employee Handbook. I acknowledge that I understand its content and agree to abide by the policies and rules stated and described in it.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## City of Hartford

# Memo

**To:** Mayor Hall  
**From:** Sanya Vitale  
**cc:** City Council  
**Date:** 4/24/2023  
**Re:** Cannabis Event at Hartford Speedway- July 21-23, 2023

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Big Cloud Farms recently submitted and was approved by Council to host a Music and Arts Festival including State Licensed Cannabis Brands event at the Hartford Speedway on July 21- July 23, 2023.

Originally, the State of Michigan Cannabis Regulatory Agency (CRA) License Holder was Big Bhang Events out of Howell, MI.

Recently, the event team has requested to change their license holder to Todd Schafer, owner of Global Growth Industries, LLC. out of Birmingham, MI.

This is a simple exchange in license holders for the event, as allowed by the CRA so long as they resubmit their documentation to the CRA in a timely manner and have approval by the local municipality.

We have received the necessary documentation to support this request as attached.



CITY OF HARTFORD
Application For Special Use Engagement
At The Hartford Speedway 80-52-256-004-20
Exhibit A

Special Festival Event Definition: Any Event other than a racing type event. (Weddings, Concerts, Cannabis Festival, Flea Market, Festival, etc.)

Primitive camping allowed on the East End of Property Closest to the Train Tracks
Any Festival Event during the Week Days must have prior approval by the City & operate during
Sunday Hours. Approved Hours: Friday/Saturday Start: 12:00pm - End: 11:00pm
Sunday Start: 1:00pm - End: 9:00pm
Quiet Set Up Allowed at 8:00am

Applicant Name: Todd Michael Schafer
Address: 855 Humphrey Ave, Birmingham, MI 48009
Phone Number: 720-979-2175
Email Address: bigcloudfarms@gmail.com
Driver's License Number: [Redacted] Issuing State: MI
Type of Event: Music and Arts Festival including State Licensed Cannabis Brands

Day(s) & Time of Event: Friday July 21st: Noon - 11pm, Saturday July 22nd: Noon - 11PM, Sunday 7/23: 1PM - 5PM
Description of Event/Activities: Music stage alongside live painters, local arts and crafts vendors, comedians, and community nonprofit support activations

Application Must be Accompanied by the Following:

- Driver's License of all persons with interest in the event
• Liability Insurance Coverage with a minimum of \$1,000,000.00
• Security Plan
• Background Check report on all person with interest in the event
• A \$100 nonrefundable application fee
• Application must be submitted at a minimum of two (2) weeks before the fourth Monday of the Month.

RECEIVED
APR 17 2023
CITY OF HARTFORD

Signature: Todd Schafer Date: 4/11/23

For Office Use: Fee: \$100.00 Paid: [checked]

City Commission Meeting Date: Approved Denied





City of Hartford, Michigan  
19 West Main Street  
Hartford, MI 49057  
269-621-2477

# Request for Proposals Recreational Marihuana Vendors

Proposals are due at the address shown above no later than Monday April 17, 2023, at 4:00pm  
EST City of Hartford Designated Contact: Sanya Vitale, City Manager  
Questions must be submitted electronically only, no telephone calls  
accepted Email: [citymanager@cityofhartfordmi.org](mailto:citymanager@cityofhartfordmi.org)

## Introduction

The City of Hartford, Michigan (hereafter referred to as “The City”), a duly organized municipality in the State of Michigan, is soliciting proposals from highly qualified marihuana businesses seeking licensure within the City limits. The City will seek proposals from those wishing to operate a Marihuana Business within the City.

## Submission Instructions

The anticipated schedule for this Request for Proposal is as follows:

RFP Issued: April 25, 2023

Last Date for Questions: May 19, 2023

Proposal Due Date: May 26, 2023 – **10 points**

**Applications marked “Marihuana Proposal” will be received by the City of Hartford in the Office of the City Manager at 19 W. Main St. Hartford, Michigan 49057 no later than May 26<sup>th</sup>, 2023 at 4:00pm EST. Please submit one (1) original and one (1) copy of your response to this RFP. There are no page limits and no requirements for font, margin and/or paper size. Respondents must also submit an electronic pdf file of their proposal on jump drive with their proposal.**

## Late submissions will not be accepted for any reason.

- Applications may be dropped off between 8:00am – 5:00 pm Monday through Thursday and 8:00am– 4:00pm Friday. Please note that the City of Hartford is closed on most recognized holidays.
- All proposals received and date/time stamped by the City of Hartford prior to the proposal submittal deadline shall be accepted as timely submitted. No late proposals will be accepted or reviewed. Proposals will be opened promptly at the time and date specified.
- The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service. The City of Hartford will in no way be responsible for the delays caused by mail delivery or caused by any other occurrence. All expenses involved with the preparation and submission

of proposals to the City of Hartford, or any work performed in connection therewith, shall be borne by the Proposer(s).

Item 25.

- The submittal of a proposal by a Proposer will be considered by the City of Hartford as constituting an offer by the Proposer to adhere to the marihuana Proposer services in the manner outlined in their proposal. A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. **The City of Hartford will consider only the latest version of the proposal.**
- Requests for additional information or inquiries must be made in writing and received by the City of Hartford' designated contact person for this Solicitation. The City of Hartford will issue responses to inquiries and may issue changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date. All respondents should carefully monitor the City's website at <https://cityofhartfordmi.org/> for FAQs and updates to the proposal as any updates will be posted **only** to the City's website and no individual notice will be provided to any proposer.
- Proposals will be reviewed by the City Manager. Any additional information will be gathered by the City Manager and a report will be assembled and final recommendations made to the City Council at a regular City Council meeting in June. Applicants are encouraged to attend this meeting. It will be held the 2<sup>nd</sup> Tuesday of the month at 7:30pm in Council Chambers located at 19 W Main St.

#### Definitions

- All definitions which can be found within the [Michigan Regulation and Taxation of Marihuana Act](#) Initiated Law 1 of 2018 and other regulated activity authorized by the Rules promulgated by the State.
- Proposer means a person who applies for a State operating license. With respect to disclosures in an application, or for purposes of eligibility for a license, the term applicant includes an officer, director, managerial employee of the applicant and a person who holds any direct or indirect ownership interest in the applicant.

#### Rules, Regulations, and Licensing Requirements

The Proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, especially those applicable to conflict of interest and collusion. Proposers are presumed to be familiar with all Federal, State and local laws, ordinances, codes, rules and regulations that may in any way affect the goods or services offered, including, but not limited to:

1. [Michigan Regulation and Taxation of Marihuana Act](#) Initiated Law 1 of 2018
2. "Michigan's Public Health Code 333.7410(2)" states that anyone 18 years or older who delivers a Schedule I or II controlled substance or other narcotic drug to another person on or within 1,000 feet of school property or a library shall be punished by a term of prison for at least two years or up to three times the original prison sentence under the law as well as a fine of not more than three times the original fine.

#### Proposal and Contract Expectations and Fees

- Proposers are requested and advised to be as complete as possible in their response. The City reserves the right to:
  - 1) Contact any proposer to clarify any response;

- 2) Contact any current users of the proposer's services;
  - 3) Solicit information from any available source concerning any aspect of the proposal;
  - 4) Check references;
  - 5) Conduct credit and background checks; and,
  - 6) Seek and review any other information deemed pertinent to the evaluation process.
- The City reserves the right to cancel this RFP, or to reject, in whole or in part, any and all proposals received in response to this RFP, upon its determination that such cancellation or rejection is in the best interest of the City. The City further reserves the right to waive any minor informalities or the failure of any Proposer to comply therewith, if it is in the public interest to do so. Finally, the City reserves the right to terminate the process at any time, if deemed by the City to be in its best interests.
  - The City reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
  - The City reserves the right not to award a license pursuant to this RFP. Proposals which appear unrealistic in the terms of planning, compliance or economic viability may be rejected.
  - The City reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the City deems necessary.
  - The City may award a provisional license on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint. The City reserves the right to enter into negotiations with recommended Proposer.
  - Negotiations shall be conducted with the top ranked Proposers. If, in the event the City and the top ranked Proposer cannot reach an agreement that is in the best interest of the City, the City may elect to cancel negotiations. No Proposer shall have any rights against the City arising from such negotiations or termination thereof.
  - In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no exception shall be allowed that, in the City's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the City's sole discretion, be deemed nonresponsive.
  - Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. A responsive proposal is one which follows the requirements of the RFP, includes all documentation, is submitted in the format outlined in the RFP, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a proposal being deemed non-responsive.
  - In submitting a response, the Proposer acknowledges that the City shall not compensate the

Proposer for any costs, including and not limited to submission or negotiation costs, costs of preparation, appearances for interviews, and/or travel expenses. It is essential that the Proposer selected will have the financial resources, necessary knowledge, skills and professional experience to implement all aspects of the business operations. All operations are to be performed with the highest degree of professional standards, in compliance with local and State laws, policies, procedures, criteria and requirements.

- Due care and diligence have been used in preparation of this information, and it is believed to be substantially correct. However, the responsibility for determining the full extent of the exposure and the verification of all information presented herein shall rest solely with the proposer. The City and its representatives will not be responsible for any errors or omissions in these specifications, nor for the failure on the part of the proposer to determine the full extent of the exposures.
- Proposers shall be responsible for informing themselves with respect to all conditions, which might in any way affect the cost or performance of any of the operation. Failure to do so shall be at the sole risk of the Proposer and no relief shall be given for errors or omissions by the Proposer.
- The selected proposer shall furnish the City of Hartford original Certificates of Insurance evidencing the required coverage on the effective date of the Agreement(s) resulting from this RFP.
- By responding to this RFP, the Proposer acknowledges that for any provisional license issued as a result of this RFP, the authority to proceed with the City’s licensure process is contingent upon the availability of licenses and verifiable approval from the State of Michigan’s Licensing and Regulatory Affairs.
- This RFP does not represent a commitment or offer by the City to enter into contract, or other agreement with proposer. The proposal and any information made a part of the proposal will become a part of City’s official files without any obligation on City’s part to return it to the individual proposer. This RFP and the selected Proposers’ proposals will, by reference, become a part of any formal agreement between the Proposer and the City resulting from this solicitation.
- All listed Owners of the company must sign this proposal and all agreements with an original signature.
- The Proposer shall not collude in any manner or engage in any practices with any other proposer(s), which may restrict or eliminate competition. Violations of this instruction will cause the proposal to be rejected. This prohibition is not intended to preclude joint ventures or subcontracts.
- Business owners selected and awarded provisional approval from the City of Hartford may not sell their interest in a marihuana license as part of their property exchange. This is only subject to change upon full licensing by the State of Michigan and in compliance with the City’s Recreational Opt-In Ordinance

**Submission Requirements**

The following is a description of the minimum information which must be supplied in your proposal. You may give supplementary facts or other materials that you consider may be of assistance in the evaluation.

**Fees- 10 points**

Applicants must submit a nonrefundable fee of \$2,500 with their proposal for a provisional license. Upon approval by the State, a final fee not to exceed \$2,500 must be submitted prior to starting operations. If selected for provisional licensing by the City of Hartford, additional fees will apply for zoning, including special land use, site plan review and/or variances as applies, building, inspection and other permitting fees as appropriate including annual renewal and inspection fees if/upon final license.

**Prequalification Notice- 10 points**

All applicants must be preapproved for Prequalification with the State of Michigan to operate a Recreational Marihuana Establishment as defined in the Acts or other regulated activity authorized by the Rules promulgated by the State and submit verification thereof with their application for provisional approval to the City of Hartford.

**1. Executive Summary- 10 points**

Provide a brief summary of your company's approach to the business operations associated with the requested license(s), demonstrate an understanding of the industry and licensure requirements, and approaches to be utilized in performing these services, specifically related to the rules, regulations associated with marihuana businesses.

**2. Business Plan, Experience & Business History- 70 points**

- A. Please provide a description of the type of marihuana establishment; and the anticipated or actual number of employees, the anticipated capital being invested and economic outcomes.
- B. Describe how long the company has been in business and current structure.
- C. Provide any other names under which the company and/or principals has done business and the dates it operated under each name and the locations at which it operated under each name.
- D. Describe the experience of the Proposer conducting comparable services.
- E. Provide a list of municipalities with which your company and/or principal's is/are currently based or has been based within the last five (5) years. If this does not include at least three municipalities, then provide the names of the municipalities for which similar services are being proposed.
  1. For each municipality include:
    - The timeframe (beginning and ending dates)
    - A brief description your experience
    - Annual revenues and expenditures
    - The name and contact information of the individuals that approved your occupancy
    - Statement or notation of whether Proposer is/was the direct Proposer or subcontractor or sub-Proposer.

**3. State Application- 10 points**

Please submit a copy of your submitted Phase One State Application minus your financial and tax return documents & notice of prequalification. A complete copy of your State application will be required to be on file with the City minus your financial and tax return documents should your firm be selected for provisional approval. This includes but may not be limited to: Marijuana Establishment Plans, Operation Plans, Waste Plan, Air Quality, Safety Plan, Security Plan, and Establishment Plan

**4. Proof of Insurance- 10 points**

- A. Please submit certification of intent to comply with the insurance requirements found within the ordinances in the form of a certified statement from the proposed insurance vendor.

- B. The policy shall name the City of Hartford and its officials and employees as additional insured to the limits required by this section.

Item 25.

**5. Legal History- 40 points**

- A. Please submit those pages of your State Application that indicate whether any applicant has been indicted for, charged with, arrested for, or convicted of, plead guilty or nolo contendere to, forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor, not including traffic violations, regardless of whether the offense has been reversed on appeal or otherwise, including the date, the name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration.
- B. Please submit a certified statement regarding whether an applicant has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a Statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
- C. Please submit a certified statement regarding whether an applicant has filed, or been served with, a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, State or local law, including the amount, type of tax, taxing agency, and time period intervals involved.
- D. Please submit a certified statement of acknowledgement and consent that the City, including the Hartford City Police Department, may conduct a background investigation, including a criminal history check, and that the City may be entitled to full and complete disclosure of all financial records of the marijuana commercial entity, which may include any or all records of deposit, withdrawals, balances, and loans upon request.
- E. Please note that the City of Hartford may request additional information that the City Clerk, Police Chief, Fire Chief, Public Works Superintendent, Building Official, Water Superintendent, Wastewater Operator, City Manager and/or City Attorney or their designees reasonably determines to be necessary in connection with the investigation and review of the application. All requests for additional information must be submitted within the timeframe requested by the City Manager.



# Recreational Marihuana Application Cover Sheet

Company Name: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner Cell: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner Cell: \_\_\_\_\_

Owner: \_\_\_\_\_ Owner Cell: \_\_\_\_\_

*Please provide a copy of each owner's legal identification card or passport with this document showing their current legal address.*

Corporate Address: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Primary Contact Email: \_\_\_\_\_ Cell: \_\_\_\_\_

**Establishment Type:**

- \_\_\_\_\_ Microbusiness Class \_\_\_\_\_
- \_\_\_\_\_ Retail Establishment \_\_\_\_\_
- \_\_\_\_\_ Grow Facility Class \_\_\_\_\_
- \_\_\_\_\_ Other \_\_\_\_\_

**Initial Requirements:**

- \_\_\_\_\_ Prequalified with State of Michigan
- \_\_\_\_\_ \$2,500 License Application Fee

I affirm that by signing this affidavit, I own or am the proven agent of the company outlined in this proposal. I agree that the statements and information provided within this document are true and agree that if found not to be true in part and/or whole, that any permit that may be issued to me may be voided. Further, I agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree that the permit that may be issued is with the understanding all applicable sections of the City of Hartford, Michigan Code of Ordinances will be complied with as applicable and appropriate.

\_\_\_\_\_  
Printed Name and Owner Signature

\_\_\_\_\_  
Date

**Must Include Notary Seal and Signature**

Subscribed and sworn to by \_\_\_\_\_ before me on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Print: \_\_\_\_\_

## City of Hartford

# Memo

**To:** Mayor Hall  
**From:** Sanya Vitale  
**cc:** City Council  
**Date:** 04/24/23  
**Re:** Procurement Policy

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It has come to my attention that the currently authorized Procurement Policy may not be fully compliant with the requirements of 2 CFR Part 200 UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS (<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>).

The current policy is a sample policy provided to MEDC CDBG grantees for compliance with CDBG programs from the MEDC Grant Administration Manual (<https://www.miplace.org/programs/community-development-block-grant/grant-administration-manual/>).

The City of Hartford receives Federal Funds from a variety of sources, including CDBG and should consider including broader language to ensure that the City is compliant with all Federal Funding sources with regards to complying with 2 CFR 200.320 Procurement Standards.

It is my recommendation that the City consider approving the Procurement Policy I have presented for consideration which meets the standards outlined in 2 CFR 200.320.



**CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN**

**PROCUREMENT POLICY**

*These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Community Development Block Grant (CDBG) Program.*

CODE OF CONDUCT

No employee, officer, or agent of the City of Hartford shall participate in the selection or in the award or administration of a contract supported by CDBG funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.

No officer, employee or agent of the City of Hartford shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the City of Hartford Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

PROCUREMENT PROCEDURES

The director or supervisor of each department or agency of the City of Hartford responsible for procurement of services, supplies, equipment, or construction obtained with Disaster Recovery CDBG funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the Director or Supervisor, an analysis to determine which approach would be the most economical shall be undertaken.

When using CDBG funds, the City of Hartford shall take affirmative steps to assure that small and minority firms, women's business enterprises, and labor surplus firms are solicited whenever they are potential qualified sources. The City of Hartford shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, women's business enterprises, and labor surplus firms. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses.

The City of Hartford shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

SELECTION PROCEDURES

ALL procurement carried out with CDBG funds, where City of Hartford is a direct party, shall be carried out in a manner that provides maximum free and open competition. Procurement procedures will not restrict or eliminate competition. The City of Hartford shall not place unreasonable requirements on firms in order for them to qualify to do business. Nor will the City of Hartford encourage or participate in noncompetitive practices among firms. The

City of Hartford is alert to organizational conflicts which would jeopardize the negotiation process and limit competition. The City of Hartford will not require unnecessary experience or bonding requirements.

Pursuant to state law and federal regulations (24 CFR 85.36(b)), all solicitations of offers shall incorporate a clear accurate description of the technical requirements for the material, service, or product to be procured. In competitive procurements, these descriptions shall not contain features which unduly limit competition. The description may include a statement of the qualitative nature of the material, product, or service and the minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible.

All solicitations of offers shall clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications.

Contracts shall be awarded only to responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

Consideration shall be given to such factors as the contractor's/firm's capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

#### METHODS OF PROCUREMENT

Direct procurement by the City of Hartford shall be made by using one of the following methods depending on the type of service to be procured.

Small Purchase Procedures. Relatively simple, informal procurement procedures will be used where the purchase of materials, single task services, supplies, equipment, and/or other property will not cost in the aggregate more than \$100,000, except where further limited by state law or local policy. For CDBG funded purchases, the procurement officer must obtain a minimum of three oral or written price or rate quotations from qualified sources. Documentation on all quotations received (whether oral or written) shall be made a part of the file. Selections shall be made principally on price. Payment shall be made upon delivery or completion.

Competitive Sealed Bids/Formal Advertising. Under this procedure bids are publicly advertised in accordance with the applicable laws. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsible bidder whose bid is lowest in price and that conforms to all the material terms and conditions of the advertisement for bids.

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively; (3) the procurement can be made on a firm fixed- price contract and selection of the successful bidder can appropriately be made principally on the basis of price.

When formal advertising is used the following conditions shall be met.

- i. The advertisement for bids shall be publicly advertised.
- ii. The advertisement for bids, including the specifications and pertinent attachments, shall clearly define the items, end products or services needed in order for the bidders to properly respond to the advertisement.
- iii. All bids shall be opened publicly at the time and place specified in the advertisement for bids.  
A firm fixed-price contract award shall be made by written notice to the lowest responsive and responsible bidder whose bid conforms to the advertisement for bids. Notwithstanding the above, any or all bids may be rejected when there are sound documented business reasons in the best interest of the CDBG Program.

"Responsible bidder" refers to the character or quality of the bidder -- whether it is an entity with which the City of Hartford is safe doing business.

“Responsive bidder” refers to whether or not the bidder has offered the City of Hartford in its bid what was asked for in the specifications.

Disqualification of a bidder for **lack of responsibility** will require notice to the bidder and the opportunity for a hearing. Rejection of a bid because of **unresponsiveness** requires only that bidder be informed of why bid was rejected.

Competitive Negotiation: Requests for Proposals/Qualification Statements. The technique of competitive proposals is normally conducted with more than one source submitting an offer. The City of Hartford may forego the RFQ/RFP process for professional services (legal, engineering, financial, etc.) when a firm or individual has unique knowledge, experience, insight, or context that the City deems will serve its best interests for a service. All competitive proposals using CDBG funds shall be conducted using a formal RFP/RFQ containing at least the minimum items in the attached RFP/RFQ Outline (See Attachment A). Architectural and engineering services must be procured via requests for qualification statements; administrative consulting and other professional services must be procured via requests for proposals. Other professional services may also be procured by requests for proposals. The following procedures will be used for competitive negotiation:

- i. Requests for proposals or qualification statements will be adequately publicized to achieve sufficient competition. All submittals will be honored and entered into the competition.
- ii. Request for proposals or qualification statements shall contain a detailed list of tasks in the proposed scope of work that is expected to be accomplished.
- iii. The request for proposals or qualification statements shall identify all significant evaluation factors or selection criteria, including the corresponding point system that will be used to rate the proposals/qualification statements. Requests for proposals shall always include cost and at least one non-cost evaluation factor.
- iv. The selecting official (or committee, if one is designated) shall review all proposals and statements received and make a technical evaluation of each. This shall also include a written statement that identifies the basis upon which the selection was made; including the importance of cost (for RFPs).
- v. Contract award will be made to the responsible offeror whose submission is deemed most appropriate to the City of Hartford with consideration for price, qualifications, and other factors set by the local governing body. Unsuccessful offerors shall be notified in writing within ten working days of contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.

For qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, at least three firms will be solicited. Following the review of the qualification statements received, the most qualified competitor will be selected to enter into contract negotiation. This shall always include negotiation of price to insure cost reasonableness. At the conclusion of successful negotiation, the competitor shall be invited to enter into a contract.

#### CONTRACT PRICING

The City of Hartford shall perform cost or pricing analysis in connection with EVERY procurement action including contract modifications in accordance with the requirements of “Cost and Price Analysis for HUD Grantees and Funding Recipients”. [See Attachment C] Costs or prices based on estimated costs for CDBG projects shall be allowed only to the extent that the costs incurred or the cost estimates included in negotiated prices are consistent with federal cost principals [ 48 CFR Part 31]. Lump sum prices will only be utilized when there is a definable work product and the quantity to be provided is certain and the contractor assumes all the risk for costs incurred. Unit prices can be utilized when there is a definable work product and the contractor assume all the risk for costs incurred, but the

quantity is estimated. Cost reimbursement will be utilized when the task does not result in a definable work product or the contractor will not assume the risk of incurring the cost to complete the task. Cost reimbursement, unit or lump sum price, or a combination thereof may be utilized as appropriate.

A cost reimbursement type contract is most appropriate when the scope and extent of the work to be performed are not clearly defined, such as a professional services contract. A cost reimbursement contract MUST clearly establish a cost ceiling which may not be exceeded without formally amending the contract, and must identify a fixed dollar profit that may not be increased unless there is a contract amendment that increases the scope of the work.

A fixed price contract is appropriate when the scope of work is very well defined and product oriented. A fixed price contract can only be awarded when fair and reasonable prices can be established through adequate price competition and the solicitation is based principally on price. A fixed price contract MUST establish a guaranteed price that may not be increased.

Cost plus percentage of cost and percentage of construction cost methods of contracting MUST NOT be used.

#### PROCUREMENT RECORDS

The City of Hartford shall maintain records sufficient to detail the history of the procurement. The records will include the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection and the basis for the contract price.

#### CONTRACT PROVISIONS

The records shall include the following contract provisions and conditions:

- i. Contracts other than small purchase shall contain provisions that allow for administrative, contractual, or legal remedies if contractors violate or breach contract terms, and provide for sanctions and penalties as appropriate.
- ii. All contracts in excess of \$10,000 shall provide for termination for cause and for convenience by the City of Hartford including the manner in which it will be done and the basis for settlement.
- iii. All construction contracts and subcontracts in excess of \$10,000 shall include provisions which require compliance with Executive Order 11246, Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented in DOL regulations (41 CFR Part 60).
- iv. All contracts and subcontracts for construction or repair shall include a provision for compliance with the Copeland "Anti-Kick-Back" Act (18 USC 874) as supplemented by DOL regulations (29 CFR Part 3).
- v. All contracts or subcontracts in excess of \$2,000 for construction or repair shall include a provision for compliance with the Davis-Bacon Act (40 USC 276a to a-7) as supplemented by DOL regulations (29 CFR Part 5).
- vi. All construction or repair contracts or subcontracts in excess of \$2,000, and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers, shall include a provision for compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 USC 327-330) as supplemented by DOL regulations (29 CFR Part 5).
- vii. Each contract shall include a notice of DCEO requirements and regulations pertaining to reporting and patent rights under any contract involving respect to any discovery or invention which arises or is developed

in the course of or under such contract, and of the state requirements pertaining to copyrights and rights in data.

- viii. All negotiated contracts shall include a provision that makes it possible for the DCEO, HUD, the Comptroller General of the United States, or any of their duly authorized representatives, to have access to any books, documents, papers, or records of the contractor/firm that are directly pertinent to the contract, for the purpose of making audit examination excerpts and transcriptions. Further, the contract must include a provision that all required records will be maintained by the contractor/firm for a period of four years after the City of Hartford formally closes out each Disaster Recovery CDBG program.
- ix. All contracts, subcontracts, and subgrants in amounts in excess of \$100,000 shall contain a provision which requires compliance with the requirements of Section 306 of the Clean Air Act (42 USC 1857 h), Section 508 of the Clean Water Act (33 USC 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).
- x. Contracts shall recognize mandatory standards and policies relating to energy efficiency that are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-163).
- xi. The City of Hartford will be permitted to require changes, remedies, changed conditions, access and record retention, and suspension of work clauses approved by the City Commission.

#### CONTRACT ADMINISTRATION

The City of Hartford shall maintain contract administration systems that insure contractors/firms perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The accepted performance of contractors/ firms will be a factor in subsequent contract negotiations and award. Remedial action by the City of Hartford through legal processes shall be considered in instances of identified significant nonperformance.

#### PROTEST PROCEDURE

Any person who is aggrieved in connection with the solicitation or award of a contract shall make a protest to the chief procurement officer.

Protest with respect to a **solicitation** shall be submitted in writing at least two working days prior to the opening of bids. Protest with respect to the **award** of a contract shall be submitted in writing within ten calendar days after the contract award.

## **PROCUREMENT POLICY**

### **ATTACHMENT A – RFP/RFQ OUTLINE**

Under the federal procurement regulations professional services are typically procured through the competitive proposal or request for proposal method [24 CFR 85.36(d)(3)]. A well-written RFP or RFQ will contain all of the information the proposers need to know in a manner that captures interest and is easy to follow. The RFP or RFQ will consist of an introduction and six sections, each of which is summarized briefly on this page:

#### **Attachment A to the Federal Grant Program Procurement Policy of the City of Hartford**

All RFPs or RFQ issued by the City of Hartford for professional services will at minimum contain the following items:

1. Advertisement/Purpose (Introduction) – Will include a Cover Letter to summarize the services being solicited and the due date for proposals.
2. Program Information – Will include an overview of the grant/project status and a summary of the roles and responsibilities of all involved parties to provide the context for the solicited services and capture the interest of potential respondents.
3. Scope of Services - Will include an overview of the solicited services, summarize general expectations, specify the anticipated role of the selected firm, and provide a detailed list of tasks to be accomplished. Should be connected to the fee proposal and be detailed enough to be in the final contract.
  - Statement of Work (RFP only): All tasks the selected consultant will be expected to perform will be listed in detail. The List must be detailed enough for consultant to provide price or estimated cost for the services.
4. Submission and Evaluation Requirements – Will describe what sections should be included in the proposal (e.g. approach, organization chart or staffing plan, fee proposal (RFP only), etc.) and what information each of those sections should contain. Also the criteria the Committee will use to evaluate the proposal and the weights for each criterion will be described. Submission requirements and evaluation criteria should be linked.
  - Approach section (RFP): For each task identified in the scope of work, respondent is to describe how they would accomplish the task(s).
  - Project staffing: Respondent will be asked to include an organization chart, names and roles of principal staff members, time commitments for principal staff members, and attach resumes.
  - Qualifications: Respondent will be asked to include project summaries the respondent's relevant experience, organized by firm or by type of experience.
  - Fee proposal (RFP only): Respondent will be asked to provide a price for services described in the approach, broken out by task.
  - Evaluation Criteria: The criteria on which the proposals will be evaluated (e.g. creativity of approach, reasonableness of fee, quality of relevant qualifications, previous experience, etc.) will be listed and the weighting for each criterion given.
5. Schedule and Required Information – Will provide information about the procurement not related to the actual project. This includes a schedule/timetable for the procurement, information on written questions and pre-proposal conference, contractual obligations, information on conflict of interest, and all other required clauses.

6. Attachments - Provide any required forms (e.g. form for fee proposal or Certifications/Assurances), further clarify the expectations by including a sample contract, copies of the roles/ responsibilities checklist, and/or scopes of work for other consultants, and include more detailed information on the project (e.g. application or project summary).

## **PROCUREMENT POLICY**

### **ATTACHMENT B – Sealed Bid Requirements and Procedures**

Under the federal procurement regulations construction services are required to be procured through the competitive sealed bid method [24 CFR 85.36(d)(2)]. This method is also required for the procurement of equipment and supplies over \$100,000.

#### Attachment B to the Federal Grant Program Procurement Policy of GRANTEE NAME

##### Sealed Bid Requirements

1. Advertisement or bids- instructions to potential bidders including: location and time and date for submission; availability of bid documents and duration of public inspection, deposit(s) and other bidding requirements; notice of Federal contract requirements.
2. Information for Bidders- instructions to potential bidders including: bid preparation requirements; details for price submission; bidder qualifications, bid security requirements, timelines for bid and contract award; liquidated damages provisions; conditions of work; addenda and interpretations; security for performance; power of attorney; governing laws and regulations; method of bid award; and obligations of bidders.
3. Requirements for a Bid Guarantee. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.
4. Requirements for a Performance Bond. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
5. Requirements for a Payment Bond. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.
6. Requirements for a Certificate as to Corporate Principal.
7. Requirements for a Public Work Bid, including acceptable pricing format.

##### Sealed Bid Procedures

The sealed bid solicitation will be published at least once, not less than 20 and not more than 45 days before the date for filing bids in a newspaper that serves as the official publication for the grantee. If the grantee does not have an official publication, then it will be published in a newspaper published at least once weekly and having general circulation in the geographic area served by the governmental entity. Preference should be given to a newspaper published daily if available.

The sealed bid solicitation will insure the complete plans and specifications will be available on the date of the first advertisement.



The advertisement for the sealed bid solicitation will indicate where specifications can be obtained and when and where bids will be received and opened.

All sealed bids received will be date and time stamped upon receipt.

Any sealed bid which does not arrive at the designated place by the appointed time will not be considered and will not be opened. The bid will be marked by the time received and returned to the bidder unopened.

All bids will remain confidential until the public bid opening.

All bids submitted on time will be publicly opened and the sealed bids read aloud.

Where specified in the bid documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts shall only be used to determine low bid when prior experience indicates that such discounts are generally taken.

After approval by the City Commission; a firm fixed price award in writing to the lowest responsive bidder whose bid conforms to the advertisement for bids will be made.

A bid abstract of the bid opening will be maintained. At a minimum it will include the following:

- date, time, and location of the bid opening;
- a listing of all bids received and the amounts of their bids
- a listing of all persons present;
- a tabulation of the bids opened;
- the award decision

Unsuccessful bidders will be promptly notified in writing.

## **PROCUREMENT POLICY**

### **ATTACHMENT C – HUD Guidance on Cost Price Analysis**

Under the federal procurement regulations grantees are required to perform a cost price analysis on every procurement action [24 CFR 85.36(f)]. HUD has provided a guide to recipients to meet this requirement. The important sections of which are provided below.

#### **Quick Guide to Cost and Price Analysis for HUD Grantees and Funding Recipients**

##### **What is price analysis?**

Price analysis is essentially price comparison. It is the evaluation of a proposed price (i.e., lump sum) without analyzing any of the separate cost elements that it is composed of.

##### **What is cost analysis?**

Cost analysis is the evaluation of the separate elements (e.g., labor, materials, etc.) that make up a contractor's total cost proposal or price (for both new contracts and modifications) to determine if they are allowable, directed related to the requirement and ultimately, reasonable.

##### **Is cost or price analysis always required?**

Yes. HUD's regulations at 24 Code of Federal Regulations (CFR) Part 84, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," and 24 CFR Part 85, "Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments," require grantees to perform a cost or price analysis for *every* procurement action, including contract modifications (e.g., "change orders"), using HUD grant funds.

##### **When do I perform a price analysis?**

You use price analysis whenever you are comparing lump sum prices – not cost estimates - received from contractors in a competitive pricing situation (e.g., when sealed bids are obtained).

##### **What qualifies as competition?**

Generally, competition means two or more responsible (e.g., not debarred or suspended, etc.) offerors ("bidders"), competing independently, submit priced offers that satisfy the grantee's contract requirement. Obviously, the greater the number of offers received, the greater the competition and ideally, the better the pricing.

##### **When do I perform a cost analysis?**

Cost analysis is used whenever you do not have price competition. A cost analysis is required when:

- Using the **competitive proposal** (or "negotiated") method of contracting (see 24 CFR 85.36(d)(3) for a definition), e.g., for acquiring professional, consulting or architect/engineering (A/E) services. **Under the competitive proposal method, offerors are required to submit cost proposals that show the elements (e.g., labor, materials, overhead, profit) of their proposed costs or price. SEE FORMAT BELOW.**
- Negotiating a contract with a **sole source**, i.e., not soliciting competitive bids or offers. When a sole source is appropriate and justified (see 24 CFR 85.36(d)(4)), you must obtain a complete cost breakdown from the sole source contractor and perform an analysis using the cost principles to establish a fair and reasonable price or estimated cost.
- After soliciting competitive sealed bids, you receive **only one bid**, and it differs substantially from your independent estimate of the contract price. If you determine that the bid is unreasonable and decide to not re-compete (e.g., market survey tells you that you wouldn't get competition), then you may formally cancel the solicitation and negotiate a contract price with the single bidder. In that case, you must obtain a cost breakdown of the single bid price and use cost principles to determine if that price is reasonable.

- Negotiating a **modification** (including change orders) to *any* type of contract, if the modification changes the work authorized under the contract, and changes the price or total estimated cost, either upwards or downwards. You must obtain a detailed breakdown of the contractor's proposed cost - not a lump sum proposal – before negotiating the change in contract price.

**CAUTION:** Modifications that change the work beyond the scope of the contract must be justified in accordance with the conditions set forth in 24 CFR 85.36(d)(4) or 24 CFR 84.43. If the out-of-scope change cannot be justified, you must procure the work competitively.

**Do I need to analyze and negotiate profit separately?**

Whenever you are required to perform a cost analysis, and you are negotiating a contract action that provides for a profit or fee, you must negotiate profit separately. When negotiating profit, you should consider **all** of the following:

- The complexity of the work to be performed. The more difficult the work, the more profit a contractor may be entitled to.
- Contractor's risk. How much risk – either performance or cost to the contractor - will the contract create? The higher the risk, the higher the reward, i.e., profit.
- Contractor's investment (labor, oversight, etc.). How much and what type of resources will the contractor have to dedicate to performing the contract? The greater the investment of resources the more profit.
- Subcontracting. The amount of profit depends upon the size, nature and oversight needs of the subcontracts the contractor will use. Will the contractor perform most of the work, or will he/she sub out some of it, and if so, how much? Will subcontracted work be routine or complex? What amount and level of oversight and management will have subcontracted work require of the contractor? Simple subcontracts for routine supplies of services should not be worth as much profit as complex subcontracts that require a lot oversight by your own highly skilled staff or management.
- Quality of the contractor's past performance. Profit should reward the contractor for a proven record of high quality performance. A consistent record of delivering quality goods or services on time within cost, indicates that the contractor will likely “deliver the goods” to you, too. (Note: You probably won't be considering a poor performer for a new contract award.) Performance under the current contract must be considered when negotiating a modification.
- Industry profit rates in the surrounding geographical areas for similar work. What's the “going rate,” especially for standard, more commercial types of work? **CAUTION:** Be careful to not pay going rates when the work required is not really covered by those rates, e.g., paying specialty rates for routine work.

**CAUTION!** The “cost-plus-a-percentage-of-cost” and “percentage-of-construction-cost” contract types are prohibited. (See also 24 CFR 85.36(f)(4), and 24 CFR 84.44(c).) These types of contracts reward contractors for incurring greater costs, which is just the opposite of what is in your, the buyer's, best interest.

**How do cost analysis and price analysis apply to the different contracting methods?**

- **Small Purchases.** For routine, commercial type purchases, comparing price or rate quotes obtained from an adequate number of qualified vendors is sufficient price analysis. If the small purchase is for professional or technical services, or the HA needs to evaluate other factors than price, then at least a limited cost analysis is appropriate. In either case, the HA's analysis should include comparing the proposed prices to past prices it has paid for the same or similar items or services.
- **Sealed Bidding.** This is the preferred method for contracting for supplies, equipment and construction. (See 24 CFR 85.36(d)(2) for a definition.) Normally, the competitive pricing forces of the marketplace determine the reasonableness of the low price obtained through sealed bidding. Nevertheless, the HA should always compare its own independent cost estimate to the low competitive bid received. In the event they are significantly different, the HA will need to examine each to verify that either its own estimate or the market price is valid. Otherwise, no further price or cost analysis is required under sealed bidding.

**CAUTION!** When only one bid is received in response to a competitive bid solicitation, you do not have price competition. If you decide to award on the basis of a single submitted bid price, i.e., without negotiation, you must

justify that the price is fair and reasonable. At a minimum, you should compare the bid price to your own in-house estimate and past prices paid for the same or substantially similar item(s) in the past.

You should also try to obtain information from the marketplace, if you have not already done so in developing your own estimate. If you decide to cancel the sealed bid and negotiate a contract price with the single bidder, you must obtain a complete cost breakdown and perform a cost analysis of the proposed price. If the bidder refuses to provide a breakdown of his/her costs, you may have no other choice than to resolicit bids. In any case, you must document the rationale for your award decision.

- **Competitive Proposals.** This method is most often used to contract for professional, consulting, and architect/engineering (A/E) services. (See 24 CFR 85.36(d)(3) for a definition.) To determine the reasonableness of proposed costs, you must obtain cost breakdowns from the offerors showing all the elements of their proposed total costs and perform a cost analysis of each proposal using the appropriate set of cost principles (discussed below).

**NOTE!** When awarding a contract using the competitive proposal method, the type of contract (e.g., firm fixed-price or cost-reimbursement) you propose to award does not affect the requirement for a cost analysis. For example, if you intend to award a firm fixed-price contract via the competitive proposal method, you still must analyze all of the proposed costs contained in each offeror’s price. However, you are not required to negotiate each individual cost element in arriving at an agreement on total price. The final price you negotiate with the contractor on a fixed-price contract normally reflects agreement only on the total price. Therefore, the overall objective should be to negotiate total prices that are fair and reasonable.

**NOTE!** In certain cases, the contract may specify separately priced items. This is commonly done in indefinite-delivery (e.g., indefinite-quantity, sometimes called job order, or “open ended”) contracts. Under these contracts, the HA orders pre-priced items on an as-needed basis, up to a stated maximum quantity. For these contracts, agreement must be reached on each item’s price before award and the prices included in the final contract document.

**ATTACHMENT C.1**

**Format for Cost Analysis**

- Develop a detailed list of tasks and subtasks, based on the services requested in the RFP/RFP.
- Estimate the number of hours needed to complete each task and divide among staff with a variety of hourly rates.
- Estimate materials, supplies, services or other direct costs for to complete each task.
- Apply overhead rate *if applicable* to appropriate cost base for each task.
- Apply profit rate *if applicable* to appropriate base for each task.
- Sum all the elements of cost and profit for the task.

**Contract Task 1: Proposal Review**

<b>Labor Cost</b>	
Estimated 10 proposals x 4 hours per proposal for Assistant Planner @ \$20 per hour	800.00
Estimated 10 proposals x 1.5 hours per proposal for Senior Planner @ \$32.50 per hour	487.50
Fringe Benefit @ 22% of Direct Labor Cost	383.25
<b>Total estimated Direct Labor Cost for completing Proposal Review Task</b>	<b>1,670.75</b>

<b>Materials and Services Cost</b>	
Estimated 15 copy pages per proposal x 10 proposals @ \$.32 per page	48.00
Estimated printing cost per proposal summary @ \$3.50 ea. x 10	35.00
<b>Total estimated Materials and Services Cost for completing Proposal Review Task</b>	<b>83.00</b>
<b>Overhead</b>	
Overhead rate for federally funded contracts @ 32% x Direct Labor Cost	534.64
<b>Total estimated Costs for completing Proposal Review Task</b>	<b>2,288.39</b>
<b>Profit</b>	
Profit @ 8% of total estimated Cost	<b>183.07</b>
<b>TOTAL PRICE for completing Proposal Review Task</b>	<b>2,471.46</b>
Estimated unit price <i>if applicable</i> Total Price divided by # proposals	247.14

# City of Hartford Procurement Policy

This Procurement Policy complies with Federal Procurement Regulations at **2 CFR Part 200**, applicable Michigan Compiled Laws, and the procurement standards of the 2 CFR Part 200.317-200.326.

Adopted by the Board of Commissioner's  
Resolution

## Table of Contents

Table of Contents .....	5
GLOSSARY OF TERMS .....	9
I. GENERAL PROVISIONS .....	12
A. General .....	13
B. Application .....	13
C. Exclusions .....	13
D. Changes in Laws and Regulations .....	13
E. Public Access to Procurement Information .....	13
II. ETHICS IN PUBLIC CONTRACTING .....	13
A. General .....	13
B. Conflicts of Interest .....	14
C. Gratuities, Kickbacks, and Use of Confidential Information .....	14
D. Prohibition against Contingent Fees .....	14
III. PROCUREMENT AUTHORITY & ADMINISTRATION .....	14
A. Procurement Planning .....	14
B. Independent Cost Estimate .....	14
C. Board Approval of Procurement Actions .....	15
D. Delegation of Contracting Authority .....	15
E. Documentation .....	16
F. Funding Availability .....	16
G. Policy Modifications .....	16
IV. PROCUREMENT METHODS .....	16
A. General .....	16
B. Micro Procurement Methods .....	17
C. Small Purchase Procedures .....	17
D. Sealed Bids .....	17
1. <b>Conditions for Using Sealed Bids.</b> .....	17
2. <b>Solicitation and Receipt of Bids.</b> An invitation for bid (IFB) .....	18
3. <b>Bid Opening and Award.</b> .....	18
4. <b>Mistakes in Bids.</b> .....	18
E. Competitive Proposals/Negotiated Procurement .....	18
1. <b>Conditions for Use</b> .....	18
2. <b>Form of Solicitation.</b> .....	19
3. <b>Evaluation</b> .....	19
4. <b>Negotiations.</b> .....	19
5. <b>Award</b> .....	20
F. Noncompetitive Proposals .....	20

- 1. **Conditions for Use**..... 20
- 2. **Justification**..... 20
- 3. **Price Reasonableness.** ..... 21
- 4. **Qualifications Based Solicitations & Other Specialized Services** ..... 21
- 5. **Emergencies** ..... 21
- 6. **Cooperative Purchasing/Intergovernmental Agreements** ..... 21
- V. **COST AND PRICE ANALYSIS** ..... 22
  - A. **Micro Purchases.** ..... 22
  - B. **Small Purchases.**..... 22
  - C. **Sealed Bids.**..... 22
  - D. **Competitive Proposals.** ..... 22
  - E. **Contract Modifications.**..... 22
- VI. **SOLICITATION AND ADVERTISING** ..... 22
  - A. **Method of Solicitation**..... 22
    - 1. **Small Purchases.**..... 22
    - 2. **Sealed Bids and Competitive Proposals** ..... 22
  - B. **Time Frame**..... 23
  - C. **Form**..... 23
  - D. **Time Period for Submission of Bids**..... 23
  - E. **Cancellation of Solicitations** ..... 23
- VII. **BONDING & INSURANCE REQUIREMENTS**..... 24
  - A. **Bonds** ..... 24
    - 1. **Bid Bond.**..... 24
    - 2. **Payment Bonds.** ..... 24
    - 3. **Performance Bonds** ..... 24
  - B. **Inadequate Surety**..... 24
  - C. **Insurance.**..... 25
    - 1. **General Liability** ..... 25
    - 2. **Automobile Liability** ..... 25
    - 3. **Workers Compensation or Employer’s Liability** ..... 25
    - 4. **Error and Omission Liability**..... 25
    - 5. **Bodily Injury Liability**..... 25
- VIII. **CONTRACTOR QUALIFICATIONS AND DUTIES** ..... 25
  - A. **Contractor Responsibility**..... 25
  - B. **Acceptable Evidence of Responsibility**..... 25
  - C. **Researching Responsibility**..... 26
    - 1. **Financial Capability**..... 26
    - 2. **Compliance with Delivery and Performance Schedules**..... 26



- 3. **Performance Record** ..... 26
- 4. **Integrity and Business Ethics** ..... 26
- 5. **Necessary Organization, Experience, Accounting and Operational Controls, and Technical Skills**  
26
- 6. **Necessary Production, Construction, and Technical Equipment and Facilities** ..... 26
- 7. **Eligible to Receive a City of Hartford Contract**..... 26
- D. Responsible at Time of Award..... 26
- E. Determination of Non-Responsibility ..... 26
- F. Notifying Bidders/Offerors of Non-Responsibility ..... 26
- G. Suspension and Debarment ..... 26
- H. Vendor Lists ..... 27
- IX. **CONTRACTS, TYPE, CLAUSES, PRICING ARRANGEMENTS AND CONTRACT ADMINISTRATION** ..... 27
- Prior to the execution of any contracts, contract modifications, or options, the Board approval requirements of the Section III of this Procurement Policy must be met. .... 27
- A. Contract Types ..... 27
- B. Options ..... 27
- C. Contract Clauses ..... 27
- D. Contract Administration ..... 28
- X. **SPECIFICATIONS, STATEMENT/SCOPE OF WORK** ..... 28
- A. General ..... 29
- B. Limitation ..... 29
- 1. **Geographic Restrictions** ..... 29
- 2. **Brand Name Specifications** ..... 29
- XI. **CONTRACT TERMINATIONS** ..... 29
- A. Termination of City of Hartford contracts ..... 29
- B. Termination Notice ..... 29
- C. Termination for Convenience ..... 30
- 1. **Settlement** ..... 30
- Compensation** ..... 30
- D. Termination for Default ..... 30
- 1. **Notice** ..... 30
- 2. **Alternatives to Termination** ..... 30
- 3. **Repurchase** ..... 31
- XII. **APPEALS AND REMEDIES** ..... 31
- A. General ..... 31
- B. Informal Appeals Procedure ..... 31
- C. Formal Appeals Procedure ..... 31
- 1. **Bid Protest** ..... 31

2 **Contractor Claims**..... 31

3 **Filing Claims**..... 31

4 **Rendering Decisions on Claims**..... 32

5 **Records of Claims**..... 32

XIII. ASSISTANCE TO SMALL AND OTHER BUSINESSES ..... 32

    A. Required Efforts..... 32

XIV. DISPOSITION OF SURPLUS PROPERTY ..... 33

APPENDIX A..... 34

    List of Direct Payments..... 34

## GLOSSARY OF TERMS

**Acceptance** – The act of an authorized representative of the City of Hartford acknowledging that the supplies or services delivered to or received by the City of Hartford conform to contract requirements.

**Amendment** – A written revision made to a solicitation.

**Architect/Engineer (A/E)** – A licensed person (or company) usually responsible for developing the plans and specifications of a building or development and, in some cases, supervising the construction effort.

**Bid** – In the sealed bidding method of procurement, this is the price submitted by a bidder.

**Bidder's List** – General list of persons or firms who may be interested in submitting bids in response to an Invitation for bid and in contracting opportunities with the City of Hartford.

**Bonding (Bid Bonds)** – A bid bond or guarantee ensures that, if awarded the contract, the bidder will accept and perform the work under the contract; ensures the bidder will not attempt to withdraw or otherwise not fulfill the contract; and ensures the bidder will execute the contractual documents that are required within the time specified in the solicitation, or forfeit all or part of the guarantee.

**Bonding (Performance Bonds)** – A performance bond ensures the contract is successfully completed. The performance bond also ensures that if a contractor is unable to complete the contract, the surety company, which issues the bond, will step in to complete the work. In the case of a letter of credit or cash escrow, City of Hartford may use these funds to complete the contract work.

**Bonding (Payment Bonds)** – A payment bond ensures the contractor pays the subcontractors and suppliers. City of Hartford will allow the performance bond and the payment bond to be combined.

**Change Order** – Modification to the contract that is a unilateral action taken by the City of Hartford City Manager within the scope of the contract to modify the drawings, design, specifications, method of shipping or packaging, place of inspection, delivery, acceptance, or other such contractual requirement.

**Competitive Proposals** – Method of procurement used when small purchases and sealed bidding methods are not appropriate. The City of Hartford solicits proposals which allows for the selection and award of contracts based on technical considerations and the negotiation of price/cost by using either a Request for Proposal (RFP) or a Request for Qualifications (RFQ) *See definitions of each type of competitive proposal.*

**Competitive Range** – The range of scores of proposals submitted in response to a RFP that, after technical evaluation by the City of Hartford's evaluation panel and considering price, have a reasonable chance of receiving the award.

**Contract** – A mutually binding legal relationship obligating the seller to furnish the supplies, services, or construction and the City of Hartford to pay for the supplies, services, or construction. Contracts include all types of commitments that obligate the City of Hartford to expend funds and, except as otherwise authorized, are in writing.

**Contract Administration** – All the actions taken with regard to a contract after its award.

Administration includes monitoring the contractor's performance to ensure compliance with the contract requirements, terms, and conditions.

**Contract Modification** – Any written alteration to the specifications, delivery point, date of delivery, contract period, price, quantity, or other clause, of an existing contract. All contract modifications must be signed and dated by the Executive Director in order to be effective.

**City Manager**– The official of City of Hartford, officially delegated in writing, to enter into and / or administer contracts and make related determinations and findings.

**Cost Analysis** – An evaluation of the separate elements (e.g., labor, materials, etc.) that make up a contractor's total proposal to determine if they are reasonable, allowable and directly related to the requirement. Cost analysis is required whenever there is no price competition.

**Cost Reimbursement Contract** – Contract in which the City of Hartford and the contractor agree on an estimate of contract costs. Under this type of contract, the City of Hartford agrees to reimburse the contractor for reasonable, allowable, and allocable costs necessary to complete the work.

**Cure Notice** – A document originating by the City of Hartford City Manager sent to the contractor stating the contract may be terminated for one or more events of default unless performance is corrected within a specified number of days.

**Exigent Condition** – An exigent condition is a situation or condition requiring immediate aid or action. Only the City Manager has the authority to declare an exigent condition.

**Firm Fixed Price Contract** – A contract pricing arrangement under which the price is not subject to change or adjustment based on the cost experience of the contractor in performance of the contract.

**Independent Cost Estimate (ICE)** – An estimate obtained or developed by the City of Hartford prior to obtaining offers.

**Inspection** – The examination and/or testing of supplies and services to determine whether they conform to the contract requirements.

**Intergovernmental Agreement** – An agreement between the City of Hartford and a Federal, State, or local government agency for the provision of procuring supplies or services. For the purpose of this Policy, the terms Cooperative Agreement, Intergovernmental Agreement, Interagency Agreement, Consortium Agreement, or Memorandum of Agreement are interchangeable.

**Invitation for bids (IFB)** – Solicitation type used under the sealed bidding method of procurement.

**Micro-Purchasing** – A method of purchasing below \$2,000 for federal grants and below \$10,000 for all other funding sources. This type of purchasing requires one (1) quote.

**Minority Owned Business** - A minority-owned business is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to African Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and Subcontinent Asian Americans.

**Negotiation** – Discussions with offerors in the competitive range regarding technical and/or price proposals to award a contract using the competitive proposals or noncompetitive proposals method of procurement or when issuing modifications to existing contracts.

**Noncompetitive Proposals** – The method of procurement in which proposals are solicited from only one source because award of a contract is not feasible under the small purchase procedure, sealed bids or competitive procedure as a result of: 1) the item or service is available only from a single source; 2) public exigency or emergency will not allow enough time for a competitive procurement; 3) inadequate response to a competitive solicitation; or 4) HUD approves the use of noncompetitive proposals. The method is also known as “sole source”.

**Offer** – A response to a solicitation that, if accepted, would bind the offeror to perform the resultant contract.

**Offeror** – The general term for the entity that submits a response to a solicitation.

**Price Analysis** – The evaluation of a proposed price (bottom line) for reasonableness, without evaluating the separate elements of cost.

**Procurement** - The term “procurement,” includes the procuring, purchasing, leasing, or renting of: 1) goods, supplies, equipment, and materials; 2) construction and maintenance; 3) consultant services; 4) Architectural and Engineering (A/E) services; 5) Social Services; and 6) other services. The term Procurement also includes selling, including concessions and disposal of surplus material and equipment.

**Proposal** – The offer submitted by a potential contractor in the competitive or noncompetitive proposals type of procurement.

**Qualifications Based Selection (QBS)** – A form of procurement of Architect/Engineering (A/E) or development services by competitive proposals in which proposals in which price is not requested in the Request for Qualifications (RFQ) or used as an evaluation factor.

**Quotation** – The price or cost submitted by a vendor in the small purchase procedures method of procurement.

**Request for Proposal (RFP)** – Solicitation method used under both the competitive and noncompetitive methods of procurement. Proposal evaluation and contractor selection are based on the evaluation criteria and factors, including price, for award as stated in the RFP. Contract award is based on the best approach to the requirements of the statement of work resulting in the greatest benefit to the City of Hartford, price and other factors considered.

**Request for Qualifications (RFQ)** – Solicitation method used under the competitive and non-competitive methods of procurement. Evaluation and contractor selection are based on the evaluation criteria for award as stated in the RFQ. Price is not obtained until the highest-ranking firm(s) is selected based on qualifications and negotiations for a fair and reasonable price have started.

**Responsible Bidder** – A bidder who is able to comply with the required or proposed delivery or performance schedule; has a satisfactory performance record; has a satisfactory record of integrity and business ethics; has the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them; has the necessary production, construction, and technical equipment and facilities, or the ability to obtain them; and is otherwise qualified and eligible to receive an award under applicable laws and regulations, including the fact that the bidder is not suspended, debarred or under a HUD-imposed Limited

Denial of Participation.

**Responsive Bid** – A bid that conforms to the requirements in the Invitation for bids (IFB).

**Sanctions** – Measures that may be invoked by the City of Hartford or HUD to exclude or disqualify contractors, City of Hartford staff or agents acting on behalf of the City of Hartford from participation in federal programs (such as limited denial of participation or debarment), or measures the City of Hartford may take regarding employees, officers, agents, or others who violate the ethical standards of the Procurement Policy (such as dismissal, reassignment, removal from position, etc.).

**Sealed Bidding** – A method of procurement inviting sealed bids. This method requires: 1) specifications that are clear, accurate, and complete; 2) a public bid opening; and 3) evaluation of bids and award of the contract based on the lowest price submitted by a responsive and responsible contractor. Sealed bidding is the preferred method for construction.

**Section 3 Business** - A “Section 3 business concern” is defined under 24 CFR Part 135.

**Show Cause Letter** – A document sent by the City Manager notifying a defaulting contractor that the contract may be terminated for default unless the contractor can provide adequate justification for not terminating within a specified time period (usually 10 days).

**Small Business** - A small business is defined as a business that is: 1) independently owned; 2) not dominant in its field of operation; and 3) not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in 13 CFR 121 should be used to determine business size.

**Small Purchase Procedure** – A simplified method for acquiring supplies, materials, and services (including construction) that do not exceed the City of Hartford threshold of \$100,000.

**Solicitation** – The general term for the City of Hartford’s request for offers from potential offerors.

**Specifications or Scope** – Description of the technical requirements of a solicitation or resulting contract.

**Statement of Work (SOW)** – Written description of work to be performed that establishes the standards sought for the supplies or services furnished under the contract; typically used for service contracts.

**Termination for Cause** – Termination of a contract by the City of Hartford on a unilateral basis when the contractor fails to perform, fails to make progress so as to endanger performance, or commits a default as specified in the contract.

**Termination for Convenience** – Termination of a contract by the City of Hartford on a unilateral basis when the product or service is no longer needed or when it is in the best interest of the City of Hartford.

**Vendor List** – List of persons interested in or qualified to do business with the City of Hartford.

**Women Business Enterprise** - Women’s business enterprise is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who control and operate the business.

## I. GENERAL PROVISIONS

### **A. General**

The City of Hartford shall: provide for a procurement system of quality and integrity; provide for the fair and equitable treatment of all persons or firms involved in purchasing by the City of Hartford; ensure that supplies and services (including construction) are procured efficiently, effectively, and at the most favorable prices available to the City of Hartford; promote competition in contracting; and assure that the City of Hartford purchasing actions are in full compliance with applicable Federal standards, HUD regulations, State, and local laws. The term “procurement,” as used in this Policy, includes the procuring, purchasing, leasing, or renting of: (1) goods, supplies, equipment, and materials; (2) construction and maintenance; consulting services; (3) architectural and engineering (A/E) services; (4) social services; and (5) other services.

### **B. Application**

This Procurement Policy applies to all procurement actions of the Commission, regardless of the source of funds. However, nothing in this Policy shall prevent the City of Hartford from complying with the terms and conditions of any grant, contract, gift, or request that is otherwise consistent with the law. When both federal grants and other funds are used for a project, the work to be accomplished with the funds should be separately identified prior to procurement so that appropriate requirements can be applied, if necessary. If it is not possible to separate the funds, 2CFR 200.320 procurement regulations shall be applied to the total project. If funds and work can be separated and work can be completed by a separate contract, then regulations applicable to the source of funding may be followed.

### **C. Exclusions**

The following shall not be governed by this Policy for all funding sources.

1. Real Estate Purchase and Sale Transactions (surveys, appraisals, environmental site assessments, and financing analyses are considered Consultant Services and are governed by this Policy).
2. Loan transactions and documents.
3. Sub-recipient or sub-grantee agreements and related change orders.
4. Employment contracts.
5. Financial institution agreements and contracts.
6. Direct Payments. (See Appendix A for a list of direct payment examples)

In addition, the following shall not be governed by this Policy for funding that is not a federal grant.

1. Legal services
2. Health and safety services (for example, HVAC inspections, emergency repairs or demolition, hazardous clean-up, boiler maintenance etc.)

### **D. Changes in Laws and Regulations**

In the event an applicable law or regulation is modified or eliminated, or a new law or regulation is adopted, the revised law or regulation shall, to the extent consistent with this Policy, automatically supersede this Policy.

### **E. Public Access to Procurement Information**

Most procurement information shall be available to the public to the extent provided in the Michigan Freedom of Information Act.

## **II. ETHICS IN PUBLIC CONTRACTING**

### **A. General**

The City of Hartford hereby establishes this code of conduct regarding procurement issues and actions and

shall implement a system of sanctions for violations. This code of conduct is consistent with applicable Federal, State, or local law and the City of Hartford Ethics Policy.

### **B. Conflicts of Interest**

No employee, officer, Board member, or agent of the City of Hartford shall participate directly or indirectly in the selection, award, or administration of any contract if a conflict of interest, either real or apparent, would be involved. This type of conflict would exist when one of the persons listed below has a financial or any other type of interest in a firm competing for the award:

- 1) An employee, officer, Board member, or agent involved in making the award;
- 2) His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparents, or grandchildren);
- 3) His/her partner; or,
- 4) An organization which employs or is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

### **C. Gratuities, Kickbacks, and Use of Confidential Information**

No officer, employee, Board member, or agent shall accept gratuities, favors, or items from any contractor, potential contractor, or party to any subcontract, and shall not knowingly use confidential information for actual or anticipated personal gain.

### **D. Prohibition against Contingent Fees**

Contractors wanting to do business with the City of Hartford must not hire a person to solicit or secure a contract for a commission, percentage, brokerage, or contingent fee.

## **III. PROCUREMENT AUTHORITY & ADMINISTRATION**

### **A. Procurement Planning**

Planning is essential to managing the procurement function properly. Therefore, the City of Hartford will annually review its record of prior purchase, as well as future needs, to:

1. Find patterns of procurement actions that could be performed more efficiently or economically;
2. Maximize competition and competitive pricing among contracts and decrease the Commission's procurement costs;
3. Reduce the Commission's administrative costs;
4. Ensure that supplies and services are obtained without any need for re-procurement, e.g., resolving bid protests; and
5. Minimize errors that occur when there is inadequate lead time. Consideration should be given to storage, security, and handling requirements when planning the most appropriate purchasing actions.

### **B. Independent Cost Estimate**

For all purchases using federal grants, above the Micro Purchase (\$2,000) threshold, the City of Hartford shall prepare an independent cost estimate (ICE) prior to solicitation. The level of detail shall be commensurate with the cost and complexity of the item to be purchased.

1. The ICE is the City of Hartford's estimate of the cost of the goods or services to be acquired under a contract or a modification for evaluating the reasonableness of the contractor's proposed costs or prices and can be used to determine the method of contracting to be used;
2. The City of Hartford may develop the ICE using its own employees, outside parties, or a



combination of the two. The City of Hartford will take appropriate steps to ensure that the outside party does not obtain any competitive advantage from its advance knowledge of the City of Hartford's cost estimate.

- 3. The ICE must be prepared prior to the solicitation of offers. The requirements for ICE 's are:
  - a. For Micro Purchases (below \$2,000), ICE is not required – price reasonableness will be based on a comparison with historical prices paid for the item, commercial catalog prices, or other offers.
  - b. For purchases above \$2,000 but less than the City of Hartford small purchase threshold (\$100,000) – the ICE may be based on prior purchases, commercial catalogs, or detailed analysis.
  - c. For purchases above the City of Hartford's small purchase threshold – the level of detail shall be commensurate with the size, complexity, and commercial nature of the requirement and are broken out into major categories of cost including labor materials, travel, overhead, profit and etc.
  
- 4. The ICE is not relied upon to the exclusion of other sources of pricing information. The City Manager or assigned Engineer shall request that an updated ICE be prepared to use in evaluating offers.

**C. Board Approval of Procurement Actions**

The City of Hartford Board of Commissioners' approval, by resolution, is required for all procurement actions above \$2,000.00. In addition, it is the responsibility of the City Manager or assigned Engineer to submit for approval to the Board of Commissioners, during its next regularly scheduled meeting, all change orders, addendums and amendments require Board approval.

Although extending a contract after it has expired is discouraged as poor business practice, on the rare occasions on which this action is deemed in the best interest of City of Hartford, all such extensions shall be submitted to the Board of Commissioners for approval regardless of the length of such extensions. A written explanation of the reason the contract was not timely extended shall be submitted to the Board of Commissioners.

A contract terminated by City of Hartford for cause or convenience may only be renewed or extended with the approval of the Board of Commissioners.

**D. Delegation of Contracting Authority**

The City of Hartford Board of Commissioners designates the City of Hartford City Manager to have contracting authority for procurement activities, subject to the Board of Commissioners' review/approval requirements of this Procurement Policy. The City Manager is responsible for ensuring that the City of Hartford's procurement actions comply with this Policy. The City Manager may delegate all or some procurement authority as is necessary and appropriate to conduct the business of the Commission. The City Manager may appoint a delegate of Contract Authority in writing. The appointment shall state the scope and limitations of authority. Changes in the scope or limitations shall be made in writing by amendment to the existing delegation or by issuance of a new appointment approved by the Board of Commissioners.

Each Delegation of Authority shall clearly state the position's limit of authority, e.g.:

- 1. Award, agree to, or execute any contract, contract modification, or notice of intent;
- 2. Obligate, in any way, the payment of grant funds by the government;
- 3. Make a final decision on any contract matter subject to disputes; or
- 4. Terminate, for any cause, the contractor's right to proceed.

Further, and in accordance with this delegation of authority, the City Manager shall establish operational

procedures (such as a procedures manual or standard operating procedures) to implement this Policy. The City Manager shall also establish a system of sanctions for violations of the ethical standards described in this policy, consistent with Federal, State, or local law. Proposed procedures will be submitted to the Board for review and approval prior to implementation.

The City Manager shall ensure:

1. Contracts and modifications are in writing and clearly specify the desired supplies, services, or construction, and are supported by sufficient documentation.
2. Procurement requirements are subject to review to assure efficient and economical purchasing.
3. For contracts exceeding \$100,000, one (1) or more public advertisement(s) shall be made over a minimum of 10 business days. Contractor/vendor preparation and submission of bids or proposals shall be allowed a minimum of 10 business days.
4. Solicitation procedures are conducted in full compliance with the Federal standards set forth at 2 CFR Part 200.324; or State or local laws that are more stringent, provided they are consistent with the Uniform Guidance 2 CFR Part 200.
5. An independent cost estimate (ICE) shall be prepared before solicitation for all federal grant procurement actions that exceed \$2,000.
6. A cost or price analysis is conducted on responses for all federal grant procurement actions that exceed \$2,000.
7. Contract awards are made to the lowest responsive responsible bidder. In the case of Requests for Proposals or quotes, contract awards are to be made only to the offeror whose proposal or quote offers the greatest value to the City of Hartford, considering the evaluation criteria stated in the solicitation.
8. Notice of award is made available to the public if the procurement process was a publicly posted process (public IFB, RFP or RFQ).
9. Unsuccessful firms are notified.
10. Work, equipment, or service is inspected/reviewed and accepted/approved prior to payment.
11. The City of Hartford complies with applicable grant review requirements.

#### **E. Documentation**

The City of Hartford must maintain records so that the level of documentation is commensurate with the value of the procurement.

All Individual contract records are to be retained for a period of three (3) years after final payment and all matters pertaining to that contract are closed, including litigation. Procurement records related to federal grants are to be retained a minimum of three (3) years after audit and close out of each grant.

#### **F. Funding Availability**

Before initiating any contract, the City Manager or delegated entity shall ensure that there are sufficient funds available to cover the anticipated cost of the contract or modification.

#### **G. Policy Modifications**

This Policy and any subsequent modifications shall be submitted to the Board of Commissioners for approval.

### **IV. PROCUREMENT METHODS**

#### **A. General**

The City of Hartford will select one of the following methods of procurement for all procurement actions based on the nature and anticipated dollar value of the total requirement. As previously provided, procurement actions exceeding \$2,000.00 must have prior approval of the City of Hartford Board of Commissioners.

<b>Procurement Method</b>	<b>Federal grants</b>
Micro Purchase	Up to \$2,000
Small Purchase- Board Approval Required	\$2,001 - \$100,000
Sealed Bids/Proposals- Board Approval Required	\$100,001 and above
Competitive Proposal- Board Approval Required	\$100,001 and above
Noncompetitive Purchases- Board Approval Required	\$100,001 and above

### **B. Micro Procurement Methods**

1. For Micro Purchases, one (1) quote is required provided the quote is considered reasonable. Accounts may be established in an amount sufficient to cover small purchases made during a reasonable period (e.g., one month).
2. The City Manager may authorize the purchase for Micro Purchases after obtaining one (1) quote and the price is considered reasonable. However, for amounts above the Micro Purchase level, the City Manager shall obtain three quotes before purchasing.

### **C. Small Purchase Procedures**

Under small purchase procedures, the City of Hartford shall obtain at least **three (3) quotes**; however, to the greatest extent feasible, and to promote competition, small purchases should be distributed among qualified sources.

**Quotes may be obtained in writing or researched on public websites. Documentation, such as written notes, is required to support quotes.** Award shall be made to the qualified vendor that provides the best value to the City of Hartford. If award is to be made for reasons other than lowest price, documentation shall be provided in the contract file. The City of Hartford shall not break down requirements aggregating more than the small purchase threshold (or the Micro Purchase threshold) into several purchases that are less than the applicable threshold merely to:

1. Permit use of the small purchase procedures or,
2. Avoid any requirements that apply to purchases exceeding the Micro Purchase threshold.

### **D. Sealed Bids**

Sealed bidding shall be used for all contracts that exceed the small purchase threshold and that are not competitive proposals, non-competitive proposals, or cooperative purchasing, as these terms are defined in this document. Under sealed bids, the City of Hartford publicly solicits bids and awards a firm fixed-price contract (lump sum) to the responsible bidder whose bid, conforming to all the material terms and conditions of the Invitation for bids, is the lowest in price. **Sealed bidding is the preferred method for procuring construction, supply, and non-complex service contracts that are expected to exceed \$100,000.**

1. **Conditions for Using Sealed Bids.** The City of Hartford shall use the sealed bid method if the following conditions are present:
  - a. Procurement actions exceed the small purchase threshold of \$100,000;
  - b. A complete, adequate, and realistic statement of work, specification, or purchase description is available;
  - c. Two or more responsible bidders are willing and able to compete effectively for the work;
  - d. The contract can be awarded based on a firm fixed price; and
  - e. The selection of the successful bidder can be made principally on the basis of price;
  - f. Sealed Bidding is the preferred method for Construction Contracts above the small purchase threshold.
  - g. Sealed bidding is not recommended for Professional Service Contracts.

2. **Solicitation and Receipt of Bids.** An invitation for bid (IFB) is issued which includes the specifications and all contractual terms and conditions applicable to the procurement, and a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the IFB.

The IFB must state the time and place for both receiving the bids and the public bid opening. All bids received will be date and time-stamped and stored **unopened** in a secure place until the public bid opening. A bidder may withdraw the bid at any time prior to the bid opening. Bids, which, for any reason, are not timely delivered, will not be considered and will be returned unopened.

No responsibility will be attached to an officially delegated City of Hartford officer, employee, or agent of the City of Hartford for not recognizing or receiving a bid, which is not properly marked, addressed or delivered to the submission place, using the required submission method, by the submission date and time.

3. **Bid Opening and Award.** Bids shall be opened publicly. The City of Hartford City Clerk or designee shall conduct the bid opening and shall read aloud each bidders name and bid price. All bids received shall be recorded on an abstract (tabulation) of bids, and then made available for public inspection. Bids shall be evaluated and the award made in writing to the lowest responsive and responsible bidder. If equal low bids are received from responsible bidders, selection shall be made by drawing lots or other similar random method unless otherwise provided by Michigan State law. The method for doing this shall be stated in the IFB. If only one responsive bid is received from a responsible bidder, award shall not be made unless the price can be determined to be reasonable, based on a cost or price analysis. The successful bidder and all unsuccessful bidders shall be notified in writing upon approval from the Board of Commissioners after review and approval and/or acceptance of Bids.
4. **Mistakes in Bids.** Correction or withdrawal of bids may be permitted, where appropriate, before bid opening by written or email notice received in the office designated in the IFB prior to the time set for bid opening. After bid opening, no corrections will be permitted.

### **E. Competitive Proposals/Negotiated Procurement**

Competitive proposals are used to solicit multiple offers and be awarded wither a fixed price or cost-reimbursement type contract. Competitive Proposals are the primary alternative to the sealed bidding method of contracting for amounts over \$500,000 purchases and is generally used when conditions are not appropriate for the use of sealed bids. Requests for proposals (RFPs) are typically used for competitive proposals. For competitive proposals where qualification of the vendor is more important than the price of the service, a request for a qualification (RFQ) maybe more appropriate. Unlike sealed bidding, the competitive proposal method permits:

1. Consideration of technical factors other than price;
2. Discussion with offerors concerning offers submitted;
3. Negotiation of contract price or estimated cost and other contract terms and conditions;
4. Revision of proposals before the final contractor selection;
5. The withdrawal of an offer at any time up until the point of award.

Award is normally made on the basis of the proposal that represents the best overall value to the City of Hartford, considering price and other factors (e.g. technical expertise, past experience, quality of proposed staffing, etc.) set forth in the solicitation and not solely the lowest price.

1. **Conditions for Use.** Where conditions are not appropriate for the use of sealed bidding, competitive proposals may be used. **Competitive proposals are the preferred method for procuring professional services.** Generally, the competitive proposal method should be used whenever any d

the following conditions exist.

- a. The work is not definite enough to accurately estimate the total cost of the contract and the contract may require contingency cost;
  - b. The nature of the requirement is such that City of Hartford needs to evaluate more than just the price to ensure the prospective contractor understands City of Hartford's requirements and can successfully complete the contract; or
  - c. The requested work or a service lends itself to different approaches from prospective contractors in accomplishing the work.
2. **Form of Solicitation.** Federal grant-funded Competitive proposals, other than Architecture/Engineer services, shall be solicited through the issuance of a **Request for Proposals (RFP)**. The RFP shall clearly identify the importance and relative value of each of the evaluation factors as well as any sub factors and price. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established **before** the solicitation is issued. Proposals shall be handled so as to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals until after award, subject to the Michigan Freedom of Information Act. The City of Hartford may assign price as a specific weight in the evaluation criteria, or the City of Hartford may consider price in conjunction with technical factors; in either case, the method for evaluating price shall be established in the RFP.

The RFP shall state the date and time the proposals are due. Proposals, which for any reason are not delivered timely, will not be considered and will be returned unopened. The City of Hartford staff designated to receive proposals will determine when the deadline for receipt of proposals has expired. No responsibility will be attached to an officially designated City of Hartford officer, employee, or agent of City of Hartford for not recognizing or receiving a proposal which is not properly marked, addressed, or delivered to the submission place, in the submission method, by the submission date and time.

3. **Evaluation.** The proposals shall be evaluated only on the criteria stated in the RFP. Where not apparent from the evaluation criteria, the City of Hartford shall establish an Evaluation Plan for each RFP. The City Manager shall be required to disclose any potential conflicts of interest and to sign a non-disclosure statement. **An Evaluation Report, summarizing the results of the evaluation, shall be prepared prior to award of a contract.**
4. **Negotiations.** Negotiations or discussions shall be conducted with all offerors who submit a proposal determined to have a reasonable chance of being selected for award, unless it is determined that negotiations are not needed with any of the offerors. This determination is based on the relative score of the proposals as they are evaluated and rated in accordance with the technical and price factors specified in the RFP. These offerors shall be treated fairly and equally with respect to any opportunity for negotiation and revision of their proposals. No offeror shall be given any information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other proposal.
  - a. A common deadline shall be established for receipt of proposal revisions based on negotiations. Negotiations are exchanges (in either competitive or sole source environment) between the City of Hartford and offerors undertaken with the intent of allowing the offeror to revise its proposal. These negotiations may include bargaining. Bargaining includes persuasion, alteration of assumptions and positions, give-and-take, and may apply to price, schedule, technical requirements, type of contract or other terms of a proposed contract. When negotiations or discussions are conducted, they generally take place after establishment of the competitive range and are called discussions. These negotiations/discussions are generally tailored to each offeror's proposal and shall be conducted by the City Manager with each offeror within the competitive

range.

- b. The primary object of discussions is to maximize the City of Hartford's ability to obtain best value, based on the requirements and the evaluation factors set forth in the solicitation. The City Manager may indicate to, or discuss with, each offeror still being considered for award, deficiencies, and other aspects of its proposal (such as cost, price, technical approach, past performance, and terms and conditions) so that each offeror has a complete understanding of City of Hartford's position or concerns with its proposal.
  - c. The scope and extent of discussions are a matter of the City Manager's judgment. The City Manager may inform an offeror that its price is considered by the City of Hartford to be too high, or too low, and reveal the results of the analysis supporting that conclusion. It is also permissible to indicate to all offerors the cost or price that the government's price analysis, market research, and other reviews have identified as reasonable. "Auctioning" (revealing one offeror's price in an attempt to get another offeror to lower their price) is prohibited.
5. **Award.** After evaluation of the revised proposals, if any, the contract shall be awarded to the responsible firm whose technical approach to the project, qualifications, price and/or any other factors considered, are most advantageous to the City of Hartford provided that the price is within the maximum total project budgeted amount established for the specific service. Award is normally made on the basis of the proposal that represents the best overall value to the City of Hartford, considering price and other factors (e.g., technical expertise, past experience, quality of proposed staffing, etc.) set forth in the solicitation and not solely the lowest price.

## F. Noncompetitive Proposals

1. **Conditions for Use.** Procurement by noncompetitive proposals (sole-source) may be used **only** when the award of a contract is not feasible using small purchase procedures, sealed bids, cooperative purchasing, or competitive proposals, **and** if one of the following applies:
  - a. The item is available only from a single source, based on a good faith review of available sources.
  - b. An emergency exists that seriously threatens the public health, welfare, or safety, or endangers property, or would otherwise cause serious injury to the City of Hartford, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for supplies, services, or construction such that the need cannot be met through any of the other procurement methods, and the emergency procurement shall be limited to those supplies, services, or construction necessary simply to meet the emergency; or
  - c. The awarding agency authorizes the use of noncompetitive proposals; or
  - d. After solicitation of a number of sources, competition is determined inadequate.

A single response to a competitive procurement, either an RFP or RFQ, does not constitute sole source procurement. City of Hartford may award a contract based on a sole response and shall document the files to demonstrate that the procurement was appropriately advertised, and the procurement was determined to be fair and reasonable.

2. **Justification.** Each procurement action using federal grants, based on noncompetitive proposals, shall be supported by a written justification for the selection of this method.

The City Manager shall approve the justification in writing. Poor planning or lack of planning is not justification for emergency or sole-source procurements. The justification, to be included in the procurement file.

3. **Price Reasonableness.** The reasonableness of the price for all procurements based on noncompetitive proposals shall be determined by performing a cost analysis, as described in this Policy.

#### 4. **Qualifications Based Solicitations & Other Specialized Services**

a. **A/E Services.** If the design warrants the use of an Architect or Engineer, under any federal grant funded program, the City of Hartford may solicit A/E services using qualifications-based selection (QBS) procedures, utilizing a Request for Qualifications (RFQ) or, as allowable per Michigan State law, City of Hartford may solicit A/E Services using the Request for Proposals method. Sealed bidding shall not be used for A/E solicitations.

Under QBS procedures, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. **Price is not used as a selection factor under this method.**

b. **Legal Services.** City of Hartford shall obtain required outside legal services through procurement contracts when using federal grants. 2 CFR Part 200 permits City of Hartford to use any of the following contracting methods, based on the facts surrounding the particular situation: 1) Small Purchase Procedures; 2) Sealed Bids (not recommended); 3) Competitive Proposals; or 4) Noncompetitive Proposals.

#### 5. **Emergencies**

An exigent or emergency purchase may be made when an exigent or emergency situation exists. An exigent condition is a situation or condition requiring immediate aid or action. This could be the result of a pending natural disaster, an equipment failure such as fire safety or HVAC malfunction. An emergency condition is an immediate threat to the health and safety of the residents or employees of the City of Hartford.

Exigent and/or emergency procurement actions shall be limited to only those supplies, services, or major repairs to abate and or cure the exigent condition or emergency. When taking such actions the procurer must attempt to get the best product for the least cost while considering the time sensitive nature of the situation.

The exigent condition or the emergency should be completed as soon as possible. Within twenty-four (24) hours after the exigent condition or emergency condition is abated, the City Manager shall ensure the proper documentation for the supplies, services, or construction is submitted. Documentation of the exigent condition or emergency condition shall be maintained separately in the Procurement Division's files.

#### 6. **Cooperative Purchasing/Intergovernmental Agreements**

The City of Hartford may enter into cooperative or intergovernmental agreements with State and/or local governmental agencies to purchase or use common supplies, equipment, or services. The decision to use an intergovernmental agreement instead of conducting a direct procurement shall be based on economy and efficiency. If used, the intergovernmental agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. The City of Hartford may use State excess and surplus property instead of purchasing new equipment and property if feasible and if it will result in a reduction of project costs.

## V. COST AND PRICE ANALYSIS

The City of Hartford shall require assurance that, before entering into a contract, the price is reasonable, in accordance with the following instructions. The reasonableness determination shall be placed into the official procurement file.

- A. **Micro Purchases.** No formal cost or price analysis is required. Rather, a review by the City Manager shall serve as determination that the price obtained is reasonable, which may be based on the City Manager's prior experience or other factors.
- B. **Small Purchases.** A comparison with other offers shall be sufficient determination of the reasonableness of price and no further analysis is required. If a reasonable number of quotes are not obtained to establish reasonableness through price competition, the City Manager shall document price reasonableness through other means, such as prior purchases of this nature, catalog prices, the City Manager's personal knowledge at the time of purchase, comparison to the ICE, or any other reasonable basis. The Official Procurement File shall be documented with the appropriate rationale.
- C. **Sealed Bids.** The presence of adequate competition should generally be sufficient to establish price reasonableness. Where sufficient bids are not received, and when the bid received is more than 10% greater than the ICE, the entity which submitted the ICE must conduct a cost analysis, consistent with federal guidelines, to ensure that the price paid is reasonable. Comparison may indicate need for verification of Bid.
- D. **Competitive Proposals.** The presence of adequate competition should generally be sufficient to establish price reasonableness. Where sufficient bids are not received, the City of Hartford must compare the price with the ICE. For competitive proposals where prices cannot be easily compared among offerors, where there is not adequate competition, or where the price is substantially greater than the ICE, the City of Hartford must conduct a cost or price analysis, consistent with Federal guidelines, to ensure that the price paid is reasonable.
- E. **Contract Modifications.** A cost or price analysis, consistent with federal guidelines, shall be conducted for all contract modifications for projects that were procured through Sealed Bids, Competitive Proposals, or Non-Competitive Proposals, or for projects originally procured through Small Purchase procedures and the amount of the contract modification will result in a total contract price in excess of \$100,000. The only exception to this rule is a contract modification based on pricing terms already established in the contract document.

## VI. SOLICITATION AND ADVERTISING

### A. Method of Solicitation

1. **Small Purchases.** Oral requests for quotes (documented in writing in the file) shall be the preferred method of solicitation; however, the City of Hartford may also use other means, including advertising, mailing lists, or e-procurement.
2. **Sealed Bids and Competitive Proposals.** Solicitation must be done publicly. The City of Hartford must use one or more of the following solicitation methods, provided that the method employed provides for meaningful competition.
  - a. Advertising in newspapers or other print mediums of local or general circulations;
  - b. Advertising in various trade journals or publications, such as the Dodge Reports (for



construction);

- c. Mailing/Emailing to Vendor Lists; and/or E-Procurement. The City of Hartford may conduct its public procurements through the Internet using e-procurement systems. However, all e- procurements must otherwise be in compliance with 2 CFR Part 200, State and local requirements, and this Procurement Policy. File documentation must be designed to be audited.

## **B. Time Frame**

For purchases of more than \$100,000, the public notice/advertisement shall be run once, unless dictated otherwise by Michigan State law.

## **C. Form**

Notices/advertisements should state, at a minimum, the place, date, and time that the bids or proposals are due, a contact person who can provide a copy of, and information about, the solicitation, and a brief description of the needed supplies and services (including construction).

## **D. Time Period for Submission of Bids**

A minimum of ten (10) business days shall generally be provided for preparation and submission of sealed bids and (10) business days for competitive proposals exceeding \$100,000. However, the City Manager may allow for a shorter period in response to emergencies or exigencies, as allowed for by State and local law.

## **E. Cancellation of Solicitations**

1. An IFB, RFP, RFQ, or other solicitation may be cancelled before bids/offers are due if:
  - a. the supplies, services or construction is no longer required;
  - b. the funds are no longer available; and/or
  - c. proposed amendments to the solicitation are of such magnitude that a new solicitation would be best.
2. A solicitation may be cancelled and all bids or proposals that have already been received may be rejected if:
  - a. the supplies or services (including construction) are no longer required;
  - b. ambiguous or otherwise inadequate specifications were part of the solicitation;
  - c. all factors of significance to the City of Hartford were not considered;
  - d. prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds;
  - e. there is reason to believe that bids or proposals may not have been independently determined in open competition, may have been collusive, or may have been submitted in bad faith; or
  - f. for good cause of a similar nature when it is in the best interest of the City of Hartford.
3. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request.
4. A notice of cancellation shall be sent to all bidders/offerors solicited and, if appropriate, shall explain that they will be given an opportunity to compete on any re-solicitation or future procurement of similar items.
5. If all otherwise acceptable bids received in response to an IFB are unreasonable as to price, an analysis shall be conducted to review the adequacy and or appropriateness' of the specifications or the accuracy and appropriateness' of the City of Hartford's accuracy of cost estimate. If both are

determined adequate and if only one bid is received and the price is unreasonable, the City Manager may cancel the solicitation and either:

- a. Re-solicit using an RFP;
- b. Complete the procurement by using the competitive proposal method. (The City Manager must determine, in writing, that such action is appropriate, must inform all bidders of the City of Hartford's intent to negotiate, and must give each bidder a reasonable opportunity to negotiate.); or
- c. If problems are found with the specifications, shall cancel the solicitation, revise the specifications and re-solicit using an IFB.

## VII. BONDING & INSURANCE REQUIREMENTS

The standards under this section generally apply to construction contracts that exceed \$100,000. There are no bonding requirements for small purchases or for competitive proposals. The City of Hartford may require bonds and/or insurance for other services when deemed appropriate to protect the interest of City of Hartford; non-construction contracts should generally not require bid bonds.

### A. Bonds

1. **Bid Bond.** For construction contracts exceeding \$100,000, offerors shall be required to submit a bid guarantee/bid bond from each bidder equivalent to 5% of the bid price. A bid guarantee/bid bond may be acceptable in the form of a cash equivalent.
2. **Payment Bonds.** For construction contracts exceeding \$100,000, and in addition to the bid guarantee/bid bond required, the successful bidder shall furnish an assurance of completion. This assurance may be met and provided below: A performance and payment bond in a penal sum of 100% of the contract price for contracts exceeding \$100,000; or
  - a. Separate performance and payment bonds, each for 50% or more of the contract price for contracts exceeding \$100,000; or
  - b. A 20% cash escrow; or
  - c. A 25% irrevocable letter of credit.
3. **Performance Bonds** are required for all construction or service contracts exceeding \$100,000.
  - a. These bonds must be obtained from guarantee companies acceptable to the U.S. Government and authorized to do business in the State of Michigan. Individual sureties shall not be considered.
  - b. U.S. Treasury Department Circular No. 570 lists companies approved to act as surety on bonds securing Government contracts, the maximum underwriting limits on each contract bonded, and the State of Michigan.

### B. Inadequate Surety.

If the low bidder fails to provide an acceptable assurance of completion (payment and performance bonds) after award of the contract, the City of Hartford should consider the bid guarantee forfeited and notify the surety company. The contract is then terminated for default. The amount to be recovered from the bid bond or guarantee should equal at least the difference between the defaulted bid and the next high acceptable bid or the amount by which the bid accepted by resoliciting exceed the defaulted contract.

### C. Insurance.

All contracts shall contain insurance provisions appropriate to the project or service and/or as may be required by Federal, State and or local laws and ordinances.

The successful contractor, before start of work, must submit a certificate of insurance, name the City of Hartford as an additional insured. The insurance requirement will be noted in each procurement method where bidder/offerors shall provide a copy of their current insurance certificate. In general, each successful contractor must carry:

1. **General Liability** - \$1,000,000 per occurrence for bodily injury, personal injury and property damage, and an aggregate limit of \$2,000,000; and/or
2. **Automobile Liability** - \$1,000,000 per accident for bodily injury and property damage (if necessary and applicable to the contract); and/or
3. **Workers Compensation or Employer's Liability** - \$500,000 per accident for bodily injury or disease; and/or
4. **Error and Omission Liability** (if necessary) - \$1,000,000 per occurrence and an aggregate limit of \$1,000,000; and/or
5. **Bodily Injury Liability** (if the contract involves motor vehicles or mechanized equipment) - \$1,000,000 per occurrence for bodily injury and/or personal injury and/or property damage.

## VIII. CONTRACTOR QUALIFICATIONS AND DUTIES

### A. Contractor Responsibility

The City of Hartford will not award any contract until the prospective contractor (i.e., low responsive bidder or successful offeror) has been determined to be responsible. A responsible bidder/offeror must:

1. Have adequate financial resources to perform the contract, or the ability to obtain them;
2. Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all the bidder's/offeror's existing commercial and governmental business commitments;
3. Have a satisfactory performance record;
4. Have a satisfactory record of integrity and business ethics;
5. Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
6. Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them; and
7. Be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not be suspended, debarred or under a HUD-imposed Limited Denial of Participation.

If a prospective contractor is found to be non-responsible, a written determination of non-responsibility shall be prepared and included in the official contract file, and the prospective contractor shall be advised of the reasons for the determination.

### B. Acceptable Evidence of Responsibility

It is incumbent upon bidders/offerors to provide acceptable evidence of their ability to meet the requirements. Acceptable evidence normally consists of a commitment or explicit arrangement that will be in existence at the time of contract award to rent, purchase, or otherwise acquire the needed facilities, equipment, financing, personnel, or other resources.

### C. Researching Responsibility

The City Manager will need to conduct research to determine that a prospective contractor is responsible. Only that information deemed necessary to determine the offeror's responsibility will be requested, obtained, and reviewed, some methods include:

1. **Financial Capability** such as credit bureau reports, lines of credit, account balances etc;
2. **Compliance with Delivery and Performance Schedules** such as information on all other active contracts the offeror is performing and verify their status with those buyers;
3. **Performance Record** such as information for recent contracts that the offeror has performed to ascertain the quality of performance, including timeliness of delivery/completion, quality of work, compliance with terms and conditions of the contract, and cost control, if applicable;
4. **Integrity and Business Ethics** such as information from recent and previous customers to verify their dealings with the offeror, verification from the BBB, local offices of Code Compliance and Business Licenses, or other regularly agencies, including but not limited to the compliance with payments, wages rates, and affirmative action requirements;
5. **Necessary Organization, Experience, Accounting and Operational Controls, and Technical Skills** such as verification of experience with other customer, copies of audit reports and availability of necessary personnel.
6. **Necessary Production, Construction, and Technical Equipment and Facilities** such as verification of all necessary equipment and facilitates needed or capability to obtain;
7. **Eligible to Receive a City of Hartford Contract** such as verification that the offeror has not been suspended or debarred as applicable

### D. Responsible at Time of Award

Bidders/offerors must be determined to be responsible at the time of award. For sealed bidding this means at the point where the low, responsive bidder has been determined. For the competitive proposal method, this means after the successful offeror has been selected for award. Bidder/offeror may be afforded the opportunity to provide acceptable evidence of their ability to meet the stated requirements after bid opening (sealed bidding) or contractor selection (competitive proposal method). The City Manager must clearly indicate to potential bidders/offerors the time frame in which they are required to submit evidence that they meet the above requirements.

### E. Determination of Non-Responsibility

A determination of non-responsibility will be a matter of judgment on the part of the City of Hartford, given the preponderance of the evidence. If the facts indicate that the bidder/offeror fails to meet the requirements for responsibility, the City Manager shall document the finding of fact that led him/her to make the determination.

### F. Notifying Bidders/Offerors of Non-Responsibility

The City Manager should notify low bidders or otherwise successful offeror who are determined to be non-responsible. The City Manager shall document the results in the procurement file.

### G. Suspension and Debarment

When using Federal Funds, the City of Hartford will determine whether contractors have been restricted from participation in Government Services Administration (GSA) contracts.

1. Suspension and Debarment – City of Hartford will not make award any contractor or individual who has been suspended or debarred and who name appears on the GSA list of Parties excluded from Procurement and Non-procurement programs.
2. City of Hartford Responsibility in Debarment, and Suspension – City of Hartford will determine if a contractor or individual has been debarred or suspended
3. City of Hartford will advise potential contractors of their responsibility to confirm in their proposals the acceptability of their subcontractors.

## H. Vendor Lists

All interested businesses shall be given the opportunity to be included on vendor mailing lists. Any lists of persons, firms, or products which are used in the purchase of supplies and services (including construction), shall be kept current and include enough sources to ensure competition.

## IX. CONTRACTS, TYPE, CLAUSES, PRICING ARRANGEMENTS AND CONTRACT ADMINISTRATION

Prior to the execution of any contracts, contract modifications, or options, the Board approval requirements of the Section III of this Procurement Policy must be met.

### A. Contract Types

Any type of contract which is appropriate to the procurement, and which will promote the best interests of the City of Hartford may be used, **provided the cost-plus-a-percentage-of-cost and percentage-of-construction-cost methods are prohibited**. All procurements and contracts shall include the clauses and provisions necessary to define the rights and responsibilities of both the contractor and the City of Hartford.

**A cost reimbursement contract shall not be used unless:**

1. it is likely to be less costly or it is impracticable to satisfy the City of Hartford's requirements otherwise;
2. the proposed contractor's accounting system is adequate to allocate costs in accordance with applicable cost principles (see OMB 2 CFR 200); and
3. the contractor is paid only reasonable allowable and allocable costs.

**A time and materials contract** may be used only if a written determination is made that no other contract type is suitable, and the contract includes a ceiling price that the contractor exceeds at its own risk. A time and materials contract is a cost reimbursement contract. The contract must include a ceiling price which the contractor exceeds at its own risk; and includes reasonable, allowable, and allocable (labor and materials) costs necessary to complete the work. Time and materials contracts shall have fixed hourly rates. Fee or profit from materials is prohibited in a time and materials contract.

### B. Options

Options for additional supplies or performance periods may be included in contracts, provided that:

1. the option is contained in the solicitation;
2. the option is a unilateral right of the City of Hartford;
3. the contract states a limit on the additional quantities and the overall term of the contract;
4. the options are evaluated as part of the initial competition;
5. the contract states the period within which the options may be exercised;
6. the options may be exercised only at the price specified in or reasonably determinable from the contract; and
7. the options may be exercised only if determined to be more advantageous to the City of Hartford than conducting a new procurement.

### C. Contract Clauses

All contracts should identify the contract pricing arrangement as well as other pertinent terms and conditions, as determined by the City of Hartford.

In addition to containing a clause identifying the contract type, all contracts shall include any clauses required by Federal statutes, executive orders, and their implementing regulations, such as the following:

1. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as may be appropriate.

- (Contracts more than the simplified acquisition threshold);
2. Termination for cause and for convenience by the City of Hartford including the manner by which it will be affected and the basis for settlement. (All contracts in excess of \$10,000);
  3. Compliance with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity", as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or sub grantees);
  4. Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and sub grants for construction or repair);
  5. Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2,000 awarded by City of Hartford when required by Federal grant program legislation);
  6. Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327A 330) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by City of Hartford in excess of \$2,000, including other contracts which involve the employment of mechanics or laborers);
  7. Notice of awarding agency requirements and regulations pertaining to reporting;
  8. Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract;
  9. Awarding agency requirements and regulations pertaining to copyrights and rights in data;
  10. Access by the grantee, the sub grantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions;
  11. Retention of all required records for three years after grantees or sub grantees make final payments and all other pending matters are closed;
  12. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and sub grants of amounts in excess of \$100,000);
  13. Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871);
  14. Bid protests and contract claims;
  15. Value engineering; and
  16. Payment of funds to influence certain Federal transactions.

#### **D. Contract Administration**

The City of Hartford shall maintain a system of contract administration designed to ensure that contractors perform in accordance with their contracts. These systems shall provide for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on major projects including construction contracts, and similar matters. For cost-reimbursement contracts, costs are allowable only to the extent that they are consistent with the cost principles in OMB 2 CFR Part 200. Operational Procedures shall contain guidelines for inspection and acceptance of supplies, services and construction.

All contracts above specified value will be reviewed by the Board of Commissioners prior to the execution of any contracts.

#### **X. SPECIFICATIONS, STATEMENT/SCOPE OF WORK**

## **A. General**

All specifications shall be drafted so as to promote overall economy for the purpose intended and to encourage competition in satisfying the City of Hartford's needs. Specifications shall be reviewed by the City Manager or assigned Engineer prior to issuing any solicitation to ensure that they are not unduly restrictive or represent unnecessary or duplicative items. Function or performance specifications are preferred. Detailed product specifications shall be avoided whenever possible.

Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. For equipment purchases, a lease versus purchase analysis should be performed to determine the most economical form of procurement.

## **B. Limitation**

The following types of specifications shall be avoided:

1. **Geographic Restrictions** not mandated or encouraged by applicable Federal law (except for architect/engineer contracts, which may include geographic location as a selection factor if adequate competition is available);
2. **Brand Name Specifications** (unless the specification is a standardized material used throughout the City of Hartford properties).

Nothing in this procurement policy shall preempt any State licensing laws. Specifications shall be reviewed to ensure that organizational conflicts of interest do not occur.

## **XI. CONTRACT TERMINATIONS**

### **A. Termination of City of Hartford contracts**

The City of Hartford shall terminate contracts for default or convenience, as prescribed in the termination clauses on 2 CFR Part 200.339.

### **B. Termination Notice**

After review and approval, the Board of Commissioner's shall terminate contracts either for convenience or default only by a written notice to the contractor. The notice shall be sent by certified mail with a return receipt requested. The notice shall state, at a minimum, the following:

1. The contract is being terminated for the convenience of the City of Hartford or for default under the cited contract clause authorizing the termination;
2. Whether the contract is being terminated in whole or in part (for partial terminations, City of Hartford shall identify the specific items being terminated);
3. If terminated for default, the acts or omissions constituting the default, the City Manager or assigned Engineer's determination that failure to perform is not excusable, City of Hartford's rights to charge excess costs of re-procurement to the contractor, and the contractor's appeal rights;
4. The effective date of termination;
5. The contractor's right to proceed under the non-terminated portion of the contract;
6. Any special instructions; and

7. Copies of the notice shall be sent to the contractor's surety, if any, and any assignee.

### C. Termination for Convenience

Contracts may be terminated for convenience when the City of Hartford no longer needs or desires the supplies or services under contract or can no longer fund the procurement.

1. **Settlement** – Following prior Board of Commissioners' review and approval, contracts terminated for convenience may be settled through negotiations or by unilateral determination by the Board. The contractor shall submit a settlement proposal promptly to the City Manager for any amounts claimed as a result of the termination. Whenever possible, the City Manager should negotiate a fair and prompt settlement with the contractor only upon approval from the Board of Commissioners and should settle by determination only when mutual agreement cannot be reached.

**Compensation** – A settlement should compensate the contractor fairly for work performed, for other cost incurred under the contract, and for preparations made for the terminated portions of the contract, including a reasonable allowance for profit. However, no profit shall be allowed for settlement expenses. In addition, the City Manager shall not allow profit if it appears that the contractor would have incurred a loss had the entire contract been completed. Fair compensation is a matter of judgment and cannot be measured exactly. The City Manager shall use prudent business judgment in the settlement process, as opposed to strict accounting principles. The parties may agree to a total amount to be paid to the contractor without agreeing on individual cost items or profit.

### D. Termination for Default

A contract may be terminated for default because of a contractor's actual or anticipated failure to perform its contractual obligations. Under a termination for default, the City of Hartford is not liable for the contractor's costs on undelivered work and may be entitled to the repayment of progress payments. If the contractor fails to make progress so as to endanger performance of the contract, the City Manager shall draft a written notice to the contractor (generally called a "Cure Notice") specifying the failure and providing a period of 10 days in which to cure the failure.

Cure Notice shall not be issued until presented to the Board of Commissioners for prior review and approval. Upon approval of the notice the City Manager may issue the written notice to the contractor. After the 10 days, the City Manager may issue a notice of termination for default, unless the failure to perform has been cured.

1. **Notice** – If the contractor has failed to perform within the required time and a termination for default appears appropriate, the City Manager shall notify the contractor in writing of the possibility of termination. This notice shall call the contractor's attention to the contractual liabilities if the contract is terminated for default and request the contractor to "show cause" why the contract should not be terminated. If the response to this "show cause" notice is inadequate or insufficient, the contract shall be terminated for default.
2. **Alternatives to Termination** – Alternatives to termination for default include the following (at City of Hartford's discretion):
  - a. Allow alternative dispute resolution (arbitration or mediation) as agreed to by both parties;
  - b. Allow the contractor or the surety to continue performance of the contract under a revised delivery schedule (in exchange for a reduced contract price or other consideration);
  - c. Permit the contractor to continue the performance of the contract by means of a



subcontract or other business arrangement with an acceptable third party, provide the rights of the City of Hartford are adequately protected; or

- d. If the contractor is not liable to the City of Hartford for damages, execute a co- cost termination settlement agreement.

3. **Repurchase** – When the supplies, services, or construction activities are still required after the termination, the City Manager shall seek to contract for the same or similar items as soon as possible. The City Manager may use any appropriate contracting method for the procurement, providing competition is solicited to the maximum extent practicable to secure the lowest price obtainable under the circumstances in order to mitigate damages.

## **XII. APPEALS AND REMEDIES**

### **A. General**

It is the City of Hartford's policy to resolve all contractual issues informally and without litigation. When deemed necessary by the Board of Commissioners, a mediator may be used to help resolve differences.

### **B. Informal Appeals Procedure**

The City of Hartford shall adopt an informal bid protest/appeal procedure for contracts of less than \$100,000. Under these procedures, the bidder/contractor must request to meet with the City Manager within ten (10) days calendar days from receipt of the appeal.

The decision of the Board of Commissioners shall be the final determination. For solicitations/contracts over \$100,000, the Board of Commissioner's decision shall inform the contractor of its formal appeal rights to the Executive Director.

### **C. Formal Appeals Procedure**

A formal appeals procedure shall be established for solicitations/contracts of more than \$100,000. Under these procedures, the bidder/contractor must request to meet with the City Manager. Decisions of the City Manager may be appealed to the Board of Commissioners for resolution. **The Board of Commissioners shall be the final authority of City of Hartford disputes and or claims.**

1. **Bid Protest.** Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Policy. Any protest against a solicitation must be received before the due date for the receipt of bids or proposals, and any protest against the award of a contract must be received within ten (10) calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to the Executive Director or Procurement Officer, who shall issue a written decision on the matter. The City Manager may, at his/her discretion, suspend the procurement pending resolution of the protest if the facts presented so warrant.
2. **Contractor Claims.** All claims by a contractor relating to performance of a contract shall be submitted in writing to the City Manager with in ten (10) calendar days of the date of the event(s) giving rise to the claim(s), for a written decision. The contractor may request a conference on the claim. The City Manager's decision shall inform the contractor of its appeal rights to the City Manager and or the City of Hartford Board of Commissioners.
3. **Filing Claims.** The City of Hartford should make every effort to resolve claims informally and expeditiously to avoid time losses or expensive delays. However, if the dispute cannot be resolved by mutual agreement, the following steps must be taken:

- a. The contractor must submit the claim to the City of Hartford's City Manager in writing within the timeframe specified in the contract documents.
  - b. The claim must identify the nature and scope of the claim, including an itemized list of damages and the cost of each item and time sought by the contractor.
4. **Rendering Decisions on Claims.** The City Manager shall review the facts pertinent to the claim and secure any necessary assistance from legal, technical, or other advisors and shall issue a final written decision promptly and within the timeframe stated in the contract documents. (If the City Manager does not issue a final decision within 60 days after written request by the contractor for a final decision, or longer period if mutually agreed upon by both parties, then the contractor may proceed as if an adverse decision has been received.) The written decision should include:
- a. A description of the claim;
  - b. A reference to the pertinent contract clauses;
  - c. A statement of the factual areas of agreement or disagreement;
  - d. A statement of the City Manager's decision with support rationale; and
  - e. A statement referencing appeal rights as provided in the City of Hartford's Procurement Policy.
5. **Records of Claims.** The City Manager shall immediately furnish a copy of the decision to the contractor by certified mail, with return receipt requested upon approval from the Board of Commissioners.

The City of Hartford shall maintain a complete written and dated record of any actions that may result in a dispute or claim for damages. An example would be records of weather conditions during the course of a contract, delays in receiving materials ordered by the City of Hartford, or other items that may result in requests for time delays that may be disputed. These records protect the City of Hartford's interests during any litigation that may arise later. At a minimum, the City of Hartford should maintain records of the following:

- a. A complete and detailed job record; and
- b. A disputes and claims file, including a cross-reference to other pertinent files (such as a separate file for a particular subcontractor), any correspondence related to a dispute, written minutes of meetings between the City of Hartford and architects, or job meetings where decisions or agreements were made regarding disputes.

### **XIII. ASSISTANCE TO SMALL AND OTHER BUSINESSES**

#### **A. Required Efforts**

Consistent with Presidential Executive Orders 11625, 12138, and 12432, all efforts shall be made to ensure that small and minority-owned businesses, women's business enterprises, and other individuals or firms located in or owned in substantial part by persons residing in the area of the City of Hartford's project are used when required by law. Such efforts can include, but shall not be limited to:

1. Including such firms, when qualified, on solicitation mailing lists;
2. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;

4. Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
5. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
6. Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed above.

Goals shall be established periodically for participation by small businesses, minority- owned businesses, women-owned business enterprises, and labor surplus area businesses, in the City of Hartford prime contracts and subcontracting opportunities.

#### **XIV. DISPOSITION OF SURPLUS PROPERTY**

Property no longer necessary for the City of Hartford's purposes (personal property) shall be transferred, sold, or disposed of in accordance with applicable Federal, state, and local laws and regulations.

## APPENDIX A

### List of Direct Payments

The following is a list of direct payments that are exempt from competitive procurement.

1. Utility bills (water, sewer, electricity, natural gas, and other regulated utility expenses),
2. Postage and other purchases from the U.S. Postal Service.
3. Licenses, permits, and fees from governmental or regulatory entities at the federal, state, or local level.
4. Purchases from other governmental entities where the City of Hartford provides goods or services not available from the private sector.
5. Service or user fees paid to governmental cooperative purchasing organizations.
6. Credit card charges for gasoline and emergencies while on travel status.
7. Legal services such as arbitration fees, litigation fees, expert witness fees, witness fees, court costs, and related expenses (but not the cost of outside counsel, investigations or related matters if funded by a federal grant).
8. Payments of litigation/administrative settlements and judgment and claims against the City of Hartford.
9. Renewal of existing annual proprietary maintenance or support agreements, and software license renewals for computer and telecommunication-related services.
10. Travel expenses for City of Hartford's employees, residents, program participants, volunteers, or members of the Board necessary to conduct City of Hartford's business.
11. Training registration fees and tuition for pre-established, non-City of Hartford specific, off- site classes, seminars, workshops, etc. for the City of Hartford employees, Board and Committee Members, program participants, and volunteers.
12. Testing and travel expenses of employment applicants (including moving expenses for eligible personnel). This includes travel expenses of certain out-of- state job applicants.
13. Conference and convention expenses and fees for City of Hartford employees, Board and Committee Members, program participants, or volunteers conducting City of Hartford business.
14. Advertisements for employment opportunities, purchasing and contracting solicitations, sale of surplus items, public announcements, and outreach, etc. This exception does not include printing, design, or graphics services.
15. Freight bills, express shipping, common carriers, and delivery services.
16. Honoraria and stipends.
17. Insurance deductible and/or retained losses.
18. Taxi, public transportation, and toll fares; mileage and incidental parking expenses.
19. Publications and subscriptions.
20. Mailing lists.
21. Professional association membership dues, fees, licenses accreditation, and certifications.
22. Financial Institutions

# CITY OF HARTFORD

Item 30.

19 W. Main St  
Hartford, MI 49057  
Phone: 269-621-2477  
Fax: 269-621-2054  
cityclerk@hartfordmi.com



## Application - for SPECIAL EVENT use of ELY PARK

Date: 4-18-2023

Name: Jane & Dan Danger

Address: 309 N Maple St

Date of Event: Friday June 2<sup>nd</sup>, 2023

Description of Event: \_\_\_\_\_

Picnic in the Park with Police & Fire

Contact Person during event: Jane Danger

Phone #: 269-870-6481

I have read the attached Ely Park rules and agree to adhere to them.

Jane Danger  
(Signature of Responsible Party)

RECEIVED  
APR 18 2023  
CITY OF HARTFORD



CITY OF HARTFORD APPLICATION FOR ADULT USE RECREATIONAL MARIHUANA FACILITY LICENSE ORDINANCE 320-2020

Submit seven (7) copies of completed application and all the required materials to the City Clerk.

Application for (Check One):

- New permit for Recreational Marihuana Facility (MRTMA)
Renewal permit for Recreational Marihuana Facility (MRTMA)

Type of Commercial Medical Marihuana Facility (CMMF) (Check One):

- Grower Facility, Class A,
Grower Facility Class B,
Grower Facility Class C,
Safety Compliance Facility
Processor Facility
Secure Transporter Facility
Provisioning/Retail Center
Marihuana Micro Business

RECEIVED APR 12 2023 CITY OF HARTFORD

Proposed Recreational Marihuana Facility (MTRMA) will operate within (Check One)

- A structure or structures pre-existing on the real property
A structure or structures to be built pending issuance of a permit
A combination of structures pre-existing on the real property and structures to be built pending issuance of a permit.

Applicant(s) Information(In addition to the information required below, the names, home addresses, and personal phone numbers for all owners, directors, officers, and managers of the proposed MRTMA are required and must be attached to this application)

Name Med leaf, LLC Janel Napier & Alexander Vonkoenig
Address 301 West Main Street (Business) 3315 circle Drive St. Joseph(home)
Phone (269) 308-3111 (Business) Email med.leaf11@gmail.com
Legal Interest in Premise Property to be Licensed (269) 277-0199 (cell Janel) (269) 519-8203 (cell Alex)
Premise Property Owner Name Judy Smith Rentals (hers)
Address Mike Smith 309 west main Street Hartford
Phone (269) 208-9529 Email Smithlumber@hotmail.com
Address of Real Property 301 west Main Street Hartford
Parcel Identification Number 80-52 900-245-00



**CITY OF HARTFORD  
PROPOSED BUDGET  
JULY 2023 – JUNE 2024**

# Memo

**To:** Mayor Hall  
**From:** Sanya Vitale  
**cc:** City Council  
**Date:** 04/24/23  
**Re:** Proposed FY23/24 Budget

The Proposed FY 23/24 Budget contains the items as required by the City's Charter.

Some items that I request Council specifically review and consider as a whole:

**1. General Fund (101) Dept. 760.00 Cultural Programs 885.000 Miscellaneous Contract Payments**

- a. This line item has historically been a budget line for City of Hartford support to the Community Float (Queens), Strawberry Festival, Lion's Club Concerts in the Park, Lion's Club Hispanic Heritage Festival, Lion's Club Holiday Decorations at Ely Park and similar programs and projects.

This line item was \$6,707 in FY 21/22 and is budgeted for \$4,500 for this year, however, as of March 31, Council had already authorized the expenditure of \$5,058 to date.

As I understand, in the past, the former City Manager would make recommendations to the Council on amounts to be donated to these endeavors through the creation of the proposed budget and/or through Council Agenda. However, given State law and in the absence of Charter provisions allowing for these expenditures, I would ask the Council to consider the budget for these programs and projects given the following guidance.

- b. The **State of Michigan Constitution** (<https://www.legislature.mi.gov/documents/mcl/pdf/mcl-chap1.pdf>) specifically, Article 9 Section 18 and the **Michigan Home Rule City Act** (<https://www.legislature.mi.gov/documents/mcl/pdf/mcl-Act-279-of-1909.pdf>) as it relates to allowable Charter provisions outlines allowable expenditures for local units of government in the State of Michigan. Expenditures must meet a public purpose.
- c. Here is the guidance offered by the MML on allowable expenditures; these include Fact Sheets, Reviews of Court Cases, and Guidance from the State Treasury:
- i. [https://www.mml.org/resources/publications/one\\_pagers/lawful\\_expenditures.pdf](https://www.mml.org/resources/publications/one_pagers/lawful_expenditures.pdf)
  - ii. [https://mml.org/resources/publications/one\\_pagers/x%20FS%20Muni%20Expenditures.pdf](https://mml.org/resources/publications/one_pagers/x%20FS%20Muni%20Expenditures.pdf)
  - iii. [https://mml.org/resources/publications/one\\_pagers/municipal\\_expenditures.pdf](https://mml.org/resources/publications/one_pagers/municipal_expenditures.pdf)
- d. The City of Hartford Charter does not make the suggested Charter provision as outlined in the Home Rule City Act for expenditures related to Civic, artistic, and cultural activities; public funds (**Sect. 117.4k**) for communities wanting to provide support for cultural activities and events in support of a valid public purpose as outlined in the associated guidance.
- e. The **State of MI Dept of Treasury Audit Manual for Local Units of Government** attached as Appendix H to the **MML Fact Sheet on Lawful Expenditures** states that



donations for observances for Veteran's Day, Independence Day, Memorial Day, Diamond Jubilee or Centennial Celebrations are allowable expenses.

Item 32.

- i. The **State of MI Dept of Treasury Audit Manual for Local Units of Government** states: *Charitable Donations to Non-Profit Organizations: Unless the payment is in exchange for the provision of a governmental service that the local unit could have provided itself, this is not a valid public purpose. In general, such expenditures should be documented through a written agreement. This prohibition includes churches, veterans' organizations, community organizations, Little League, Boy Scouts, Big brothers/ Big Sisters, etc.*
  - ii. The **State of MI Dept of Treasury Audit Manual for Local Units of Government** states: *It is improper for a unit of government to expend public money for an annual picnic or other celebration that is not specifically authorized by law and does not serve a public purpose.*
  - iii. *City funds may not be used for contributing to the expenses of private voluntary groups operating recreation facilities for children (Opinion of the Attorney General, 1957, No. 3066, page 476).*
- f. In determining public purpose, the Michigan Municipal League provides the following guidance in their **Handbook for Municipal Officials**:
- i. The **Michigan Supreme Court** has defined the objective of a public purpose: *Generally, a public purpose has for its objective the promotion of the public health, safety, morals, general welfare, security, prosperity, and contentment of all the inhabitants or residents within the municipal corporation, the sovereign powers of which are used to promote such public purpose.... The right of the public to receive and enjoy the benefit of the use determines whether the use is public or private. (Hays v City of Kalamazoo, 316 Mich 443, 453-454 (1947))*
  - ii. The **MML Handbook for Municipal Officials** provides the following questions which may be helpful in determining whether an expenditure is appropriate:
    1. Is the purpose specifically granted by the Michigan Constitution, by statute, or by court decision?
    2. Is the expenditure for a public purpose?
    3. Is the municipality contracting for services that the municipality is legally authorized to provide?
    4. Is the operation or service under the direct control of the municipality?
    5. If you can answer "yes" to these questions, the expenditure is most likely appropriate.
- g. I would recommend that the Council consider the above guidance as outlined and institute a policy that conforms with State law.
- i. The Council should consider creating agreements for the provision of services offered by nonprofit entities seeking donations from the City of Hartford as noted in the **State of MI Dept of Treasury Audit Manual for Local Units of Government**.
    1. These agreements should include verification of active nonprofit status
    2. These agreements should include proof of insurance when utilizing City property for events or services
    3. These agreements should include details on the provision of a governmental service that the local unit could have provided itself
    4. These agreements should include details related to the event and event holder, emergency contacts, City services requested and other specific details related to the event
    5. These agreements should include language that indemnifies the City from legal action arising from the provision of these services and events.
  - ii. These agreements should each take Council action to authorize

2. **General Fund (101) Dept. 722.000 Zoning Commission/Appeals 702.000 Salary, 715.000 Employer's FICA, 721.000 Worker's Compensation** Item 32.

I am recommending that these line items are moved to the **Building Department Fund (249)** beginning July 1, 2023.

- a. These line items have been historically meant to pay the City's Ordinance Officer/Code Enforcement Officer.
- b. It is a better fit for the City's Budget to include this staff position in the Building Department Fund given the duties related to the position.

3. **Major Streets (202) Dept. 966.00 Operating Transfer 972.000 Transfer- Capital Improvement**

I am recommending that the Council transfer \$60,000 to the Comprehensive Improvement Fund (245) to save for a Major Street Project during FY 24/25 or 25/26 depending on available funding.

4. **Comprehensive Improvement Fund (245)**

- a. I am not proposing that the City take on any major capital projects this year through the Comprehensive Improvement Fund.
- b. The capital improvements needed at for the Water System are included in the Water Fund (591) request.
- c. I am recommending that the City Council consider saving \$60,000 in Major Street funds (202) as described above in the Comprehensive Improvement Fund (245).
- d. The City has active contracts for the following capital projects:
  - i. CDBG funded- E. Linden and Clark Street (\$1,860,400 grant with \$319,850 local match)
  - ii. USDA RDBG funded- South Parking Lot Resurfacing & Downtown Streetscape (\$99,000 grant, \$68,500 local match)
  - iii. City Hall Roof- (\$89,484 local cost)
  - iv. Drinking Water Asset Management (\$375,000 grant)
  - v. SRF Wastewater Project (\$4,695,500- \$3.748M Bond + \$947,500 grant)
    1. WWTP Upgrades (Equalization Tank, Ferric Chloride Day Tank & Piping, Polymer Mixer, Effluent Launder Covers, Leveling Equipment, Lift Station Rehab & Pavement Replacement)
    2. Force Main & Gravity Sewer Replacements
    3. Sewer Lining
- e. As part of the FY 24/25 Budget process, I will suggest the following Capital Projects dependent on available funding
  - i. **Lead Service Line Replacement estimated costs \$6.5M.** Please keep in mind that the City of Hartford qualifies as a severely overburdened community according to the State. This designation should help position the community to receive discounted funds from the State to support projects for the Water System with greater grants.
  - ii. **Water System Upgrades estimated costs \$3.5M** Because of the designation outlined above, Wightman is recommending that the City consider applying for an additional \$3.5M as part of the LSLR project to undertake additional capital projects outlined in the City's **Water Capital Improvement Plan in the Water Reliability Study**.
  - iii. **Water Tower Upgrades estimated costs \$350,000**

1. According to the City's Public Works Superintendent the City's Water Tower should be serviced and the interior painted during the early part of the next FY (June/July of 2024).
2. As such, I am recommending that the Council to consider utilizing resources for these upcoming upgrades.
  - a. The exterior of the water tower has a mascot that no longer applies to Hartford.
  - b. There is a grant from the Native American Heritage Fund that may help pay for changes to this outdated imagery.

**5. DDA (248)**

The DDA has not met to prepare their budget for FY 23/24. As such, a recommendation for line-item budget is not available at this time.

**6. Sewer Fund (590) Dept. 570.000 Sewer Treatment Plant 968.000 Depreciation Expense**

Included in this budget is the estimated depreciation for the Sewer Fund. Each year, the auditor makes a journal entry and adds this expense in at the end of the year. I am proposing that we plan for this expense at the beginning of each fiscal year.

**7. Water Fund (501) Dept. 560.00 Water Distribution System 973.001 Capital Improvements**

- a. The Public Works Superintendent has indicated that Well 5 will need rebuilt during the upcoming FY. As such I am including a recommendation to fund the rebuilding.
- b. The Public Works Superintendent has indicated that the chlorination system at the IRP will need significant updates now. As such I am including a recommendation to fund these updates. \*This may come up before the current FY ends, if it does, I will alert the City Council of the need to amend the current Budget.

**8. Water Fund (501) Dept. 541.00 Iron Removal Plan 968.000 Depreciation Expense  
Water Fund (501) Dept. 560.00 Water Distribution System 968.000 Depreciation Expense**

Included in this budget are the estimated depreciation expenses for the Water Fund. Each year, the auditor makes these journal entries and adds these expenses in at the end of the year. I am proposing that we plan for these expenses at the beginning of each fiscal year.

**9. CDBG Matching**

Included in this budget is the required cash match for the City's CDBG project at E. Clark and Linden. This cash match is \$319,850. I worked with Mickey Bittner, our Wightman Engineer and CDBG Project Manager to allocate the project to the CDBG match funds as follows:

- a. Water Fund (591): \$131,250
- b. Sewer Fund (590): \$68,600
- c. Local Streets Fund (203): \$35,000
- d. General Fund (101): \$85,000

CITY OF HARTFORD  
PROPOSED BUDGET FY 23/24  
TABLE OF CONTENTS

Item 32.

<b>PAGES</b>	<b>ITEM</b>
1	TABLE OF CONTENTS
2	COMPARISON OF TOTALS
3	REPORT ON INVESTMENTS FY22/23 YTS
4	TAX CAPTURE ESTIMATES
5-6	PROJECTED INCOME BY FUND & SOURCE
7-14	VARIANCE REPORT
15-22	PROPOSED EXPENSES- <b>101</b> - GENERAL FUND
23-25	PROPOSED EXPENSES- <b>202</b> MAJOR STREETS
26-28	PROPOSED EXPENSES- <b>203</b> LOCAL STREETS
29	PROPOSED EXPENSES- <b>245</b> COMPREHENSIVE IMPROVEMENT FUND
30	PROPOSED EXPENSES- <b>248</b> DDA FUND
31	PROPOSED EXPENSES- <b>249</b> BUILDING DEPARTMENT FUND
32	PROPOSED EXPENSES- <b>255</b> BUILDING AUTHORITY FUND
33-36	PROPOSED EXPENSES- <b>590</b> SEWER FUND
37-39	PROPOSED EXPENSES- <b>591</b> WATER FUND

FUND	21/22 Actual Revenue	% of Audited Budget	FY 21/22 Actual Expenses	% of Audited Budget	Net Gain/Loss
GEN	\$ 1,429,684.00	43.30%	\$ 1,392,480.00	40.52%	\$ 37,204.00
MAJ ST	\$ 301,151.00	9.12%	\$ 312,340.00	9.09%	\$ (11,189.00)
LOC ST	\$ 41,108.00	1.25%	\$ 64,781.00	1.89%	\$ (23,673.00)
COM IMP	\$ 324,030.00	9.81%	\$ 375,584.00	10.93%	\$ (51,554.00)
DDA	\$ 13,230.00	0.40%	\$ 15,504.00	0.45%	\$ (2,274.00)
BLD DEP	\$ 25,579.00	0.77%	\$ 21,435.00	0.62%	\$ 4,144.00
BLD AUTH	\$ 50,203.00	1.52%	\$ 43,313.00	1.26%	\$ 6,890.00
SEWER*	\$ 564,598.00	17.10%	\$ 780,994.00	22.73%	\$ (216,396.00)
WATER*	\$ 551,888.00	16.72%	\$ 429,679.00	12.50%	\$ 122,209.00
TOTALS	\$ 3,301,471.00		\$ 3,436,110.00		\$ (134,639.00)

FUND	FY 22/23 UNAUDITED REVENUE	% OF ADJUSTED BUDGET	FY22/23 UNAUDITED EXPENSES	% OF ADJUSTED BUDGET	NET GAIN/LOSS
GEN	\$ 1,456,119.00	42.16%	\$ 1,450,952.00	43.23%	\$ 5,167.00
MAJ ST	\$ 301,150.00	8.72%	\$ 299,454.00	8.92%	\$ 1,696.00
LOC ST	\$ 133,142.00	3.85%	\$ 127,900.00	3.81%	\$ 5,242.00
COM IMP	\$ 276,000.00	7.99%	\$ 229,000.00	6.82%	\$ 47,000.00
DDA	\$ 12,000.00	0.35%	\$ 12,000.00	0.36%	\$ -
BLD DEP	\$ 21,098.00	0.61%	\$ 21,098.00	0.63%	\$ -
BLD AUTH	\$ 50,000.00	1.45%	\$ 48,000.00	1.43%	\$ 2,000.00
SEWER*	\$ 639,315.00	18.51%	\$ 650,637.00	19.39%	\$ (11,322.00)
WATER*	\$ 565,337.00	16.37%	\$ 517,077.00	15.41%	\$ 48,260.00
TOTALS	\$ 3,454,161.00		\$ 3,356,118.00		\$ 98,043.00

FUND	FY 23/24 PROPOSED REVENUE	% OF TOTAL BUDGET	PROPOSED EXPENSES	% OF TOTAL BUDGET	NET GAIN/LOSS
GEN	\$ 1,366,325.00	41.95%	\$ 1,626,123.49	41.11%	\$ (259,798.49)
MAJ ST	\$ 300,000.00	9.21%	\$ 197,257.00	4.99%	\$ 102,743.00
LOC ST	\$ 103,000.00	3.16%	\$ 99,675.00	2.52%	\$ 3,325.00
COM IMP	\$ 210,000.00	6.45%	\$ 210,000.00	5.31%	\$ -
DDA	\$ 13,764.00	0.42%	\$ 2,400.00	0.06%	\$ 11,364.00
BLD DEP	\$ 63,500.00	1.95%	\$ 51,948.00	1.31%	\$ 11,552.00
BLD AUTH	\$ 50,250.00	1.54%	\$ 45,000.00	1.14%	\$ 5,250.00
SEWER*	\$ 671,550.00	20.62%	\$ 1,085,645.71	27.45%	\$ (414,095.71)
WATER*	\$ 478,515.00	14.69%	\$ 637,427.00	16.12%	\$ (158,912.00)
TOTALS	\$ 3,256,904.00		\$ 3,955,476.20		\$ (698,572.20)

Item 32.

CITY OF HARTFORD  
PROPOSED BUDGET FY 23/24  
REPORT ON INVESTMENTS

DATE	HUNTINGTON CD	STURGIS CD	STURGIS/OAKLEAF RAYMOND JAMES	TOTAL
1/31/2022	106,527.05	167,581.69	1,371,266.19	1,645,374.93
2/28/2022	106,527.05	167,581.69	1,363,492.41	1,637,601.15
3/2/2022	106,527.05	167,746.98	1,397,778.45	1,672,052.48
3/31/2022	106,527.05	167,746.98	1,323,709.36	1,597,983.39
4/30/2022	106,527.05	167,746.98	1,283,160.73	1,557,434.76
5/31/2022	106,527.05	167,746.98	1,298,275.89	1,572,549.92
6/8/2022	106,623.48	167,755.25	1,323,709.36	1,598,088.09
6/10/2022	106,672.53	167,755.25	1,323,709.36	1,598,137.14
6/10/2022	-	167,755.25	1,323,709.36	1,491,464.61
6/30/2022	-	167,755.25	1,274,366.49	1,442,121.74
7/29/2022	-	167,755.25	1,306,904.70	1,474,659.95
8/31/2022	-	167,755.25	1,271,700.68	1,439,455.93
9/8/2022	-	167,882.10	1,274,366.49	1,442,248.59
9/30/2022	-	167,882.10	1,217,584.59	1,385,466.69
10/31/2022	-	167,882.10	1,204,863.75	1,372,745.85
11/30/2022	-	167,882.10	1,256,918.99	1,424,801.09
12/8/2022	-	168,009.05	1,217,584.59	1,385,593.64
12/30/2022	-	168,009.05	1,250,518.83	1,418,527.88
1/25/2023	-	168,199.66	1,250,518.83	1,418,718.49
1/31/2023	-	168,199.66	1,287,136.82	1,455,336.48
2/28/2023	-	168,199.66	1,254,880.90	1,423,080.56
3/31/2023	-	168,199.66	1,279,417.75	1,447,617.41

CITY OF HARTFORD  
FY 23/24 PROPOSED BUDGET  
TAX CAPTURE ESTIMATES

<b>FUND</b>	<b>LINE ITEM</b>	<b>TAX CAPTURE</b>
101	402.000 Real Property Tax-Current	\$ 378,236.00
101	403.000 VAN BUREN ROAD MILLAGE	\$ 24,000.00
101	410.000 Personal Property Tax-Current	\$ 126,532.00
101	447.000 PROPERTY TAX ADMIN FEE	\$ 20,000.00
101	448.000 DELINQUENT ADMIN FEE ON TAX	\$ 2,500.00
248	434.000 DDA CAPTURED TAX	\$ 13,764.00
590	402.000 Real Property Tax-Current	\$ 55,500.00
590	410.000 Personal Property Tax-Current	\$ 18,250.00
		<b>\$ 638,782.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROJECTED INCOME BY SOURCE FUND

FUND	INCOME BY SOURCES	AMOUNT
101	402.000 Real Property Tax-Current	\$ 378,236.00
101	403.000 VAN BUREN ROAD MILLAGE	\$ 24,000.00
101	404.000 Municipal Services Agreements	\$ 46,000.00
101	410.000 Personal Property Tax-Current	\$ 126,532.00
101	411.000 LOCAL COMMUNITY STABILIZATION	\$ 7,000.00
101	444.000 TRAILER COURT FEES	\$ 400.00
101	445.000 PENALTIES AND INT ON TAXES	\$ 2,000.00
101	447.000 PROPERTY TAX ADMIN FEE	\$ 20,000.00
101	448.000 DELINQUENT ADMIN FEE ON TAX	\$ 2,500.00
101	451.000 BUSINESS LICENSE AND PERMITS	\$ 500.00
101	454.000 FRANCHISE FEE, CABLE TV	\$ 18,000.00
101	476.000 NON-BUSINESS LICENSE & PERMITS	\$ 200.00
101	477.000 TEMPORARY DUMPSTER PERMIT	\$ 50.00
101	478.000 MEDICAL MARIJUANA FEES	\$ 5,000.00
101	479.000 RECREATIONAL MARIJUANA FEES	\$ 85,000.00
101	574.000 STATE SHARED REVENUE	\$ 275,435.00
101	574.001 CVTRS STATE SHARED REVENUE	\$ 113,659.00
101	574.002 CVTRS STATE SHARED REVENUE PUBLIC SAFETY	\$ 7,233.00
101	575.301 ST SHARED REV-LIQUOR LICENSE	\$ 1,800.00
101	577.000 STATE REIMB FOR ELECTION	\$ 1,500.00
101	607.000 SPLIT/COMBINE FEE	\$ 150.00
101	610.000 NSF CHECK FEE	\$ 90.00
101	615.301 FINGERPRINT SERVICE	\$ 50.00
101	626.201 COPY FEES-FISCAL	\$ 50.00
101	627.301 LABOR-XING GUARDS/RESOURCE OFF	\$ 2,340.00
101	635.201 NOTARY FEES	\$ 350.00
101	641.440 MOWING & MISC. SERVICES	\$ 200.00
101	653.301 SALE OF INSURANCE REPORTS	\$ 150.00
101	655.301 RESTITUTION	\$ 1,000.00
101	662.301 ORDINANCE FINES-DISTRICT COURT	\$ 500.00
101	665.002 BANK INTEREST ON ACCOUNTS	\$ 3,500.00
101	671.202 ADMINISTRATION FEE - MAJOR	\$ 12,000.00
101	671.248 DDA - ADMINISTRATION FEE	\$ 2,400.00
101	671.251 ADMIN. FEE- BUILDING FUND	\$ 5,000.00
101	671.253 FEE FOR TAX BILL REQUEST	\$ 300.00
101	671.590 ADMINISTRATION FEE - SEWER	\$ 90,500.00
101	671.591 ADMIN. FEE- WATER	\$ 63,000.00
101	672.410 ZONING BOARD/PLANNING COMMISSION FEES	\$ 1,000.00
101	687.000 INSURANCE REFUNDS	\$ 5,000.00
101	695.001 UNREALIZED (GAIN)/LOSS ON INV.	\$ (21,600.00)
101	699.440 EQUIPMENT USE-DPW	\$ 85,300.00
<b>101 Total</b>		<b>\$ 1,366,325.00</b>



CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROJECTED INCOME BY SOURCE FUND

FUND	INCOME BY SOURCES	AMOUNT
202	546.000 STATE REVENUE	\$ 255,000.00
202	546.001 STABILIZATION AUTHORITY	\$ 5,000.00
202	699.101 TRANSFER FROM GENERAL FUND	\$ 40,000.00
<b>202 Total</b>		<b>\$ 300,000.00</b>
203	455.000 RIGHT OF WAY PERMIT	\$ 3,000.00
203	546.000 STATE REVENUE	\$ 95,000.00
203	546.001 STABILIZATION AUTHORITY	\$ 5,000.00
<b>203 Total</b>		<b>\$ 103,000.00</b>
245	583.000 CONTR FROM LOCAL UNIT	\$ 100,000.00
245	699.202 TRANSFER FROM MAJOR STREETS FROM 972	\$ 60,000.00
245	699.591 TRANSFER FROM WATER FUND	\$ 50,000.00
<b>245 Total</b>		<b>\$ 210,000.00</b>
248	434.000 DDA CAPTURED TAX	\$ 13,764.00
<b>248 Total</b>		<b>\$ 13,764.00</b>
249	451.371 BUILDING PERMITS	\$ 13,000.00
249	452.371 ELECTRICAL PERMITS	\$ 5,500.00
249	453.371 MECHANICAL INSPECTION FEES	\$ 4,000.00
249	608.000 RENTAL ORDINANCE FEES	\$ 6,000.00
249	699.101 TRANSFER FROM GENERAL FUND	\$ 35,000.00
<b>249 Total</b>		<b>\$ 63,500.00</b>
255	665.002 BANK INTEREST ON ACCOUNTS	\$ 250.00
255	667.000 RENT - CITY OF HARTFORD	\$ 50,000.00
<b>255 Total</b>		<b>\$ 50,250.00</b>
590	402.000 Real Property Tax-Current	\$ 55,500.00
590	410.000 Personal Property Tax-Current	\$ 18,250.00
590	643.000 SERVICES-SALES	\$ 425,000.00
590	643.001 CAPITAL RESERVE ESCROW SALES	\$ 145,800.00
590	656.000 PENALITIES ON DELINQ BILLS	\$ 20,000.00
590	671.000 MISCELLANEOUS REVENUE	\$ 12,000.00
590	695.001 UNREALIZED (GAIN)/LOSS ON INV.	\$ (5,000.00)
<b>590 Total</b>		<b>\$ 671,550.00</b>
591	643.000 SERVICES-SALES	\$ 360,000.00
591	643.001 CAPITAL RESERVE ESCROW SALES	\$ 80,575.00
591	646.000 SHUT-OFF AND TURN-ON	\$ 350.00
591	656.000 PENALITIES ON DELINQ BILLS	\$ 15,500.00
591	667.001 RENTAL OF WATER TOWER-AT&T	\$ 24,840.00
591	671.000 MISCELLANEOUS REVENUE	\$ 250.00
591	695.001 UNREALIZED (GAIN)/LOSS ON INV.	\$ (3,000.00)
<b>591 Total</b>		<b>\$ 478,515.00</b>
<b>Total Revenues</b>		<b>\$ 3,256,904.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

General Fund:				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
REVENUES				
411	LOCAL COMMUNITY STABILIZATION	-	\$ 7,000.00	
445	PENALTIES AND INTEREST ON TAXES	\$ 18,000.00	\$ 2,000.00	No justification over past two years to estimate higher
447	PROPERTY TAX ADMIN FEE	-	\$ 20,000.00	
451	BUSINESS LICENSE AND PERMITS	-	\$ 500.00	Proposal to include Liquor Control Permits
478	Recreational Marijuana Fees	\$ 12,777.00	\$ 85,000.00	Projected to come in higher. Actual FY23/23 amount
528.001	ARPA - OTHER FEDERAL GRANTS	\$ 136,193.00		No longer available
574.002	CVTRS STATE SHARED REVENUE PUBLIC SAFETY	-	\$ 7,233.00	New available funding from revenue sharing dedicated to PD
577	STATE REIMB FOR ELECTION	-	\$ 1,500.00	There will be an election in 2024
627.301	LABOR-XING GUARDS/RESOURCE OFF	-	\$ 2,340.00	Unbudgeted during FY 22/23
665	INTEREST ON INVESTMENTS	\$ 30,000.00		Negative returns on investments during FY 22/23
671	MISCELLANEOUS REVENUE	\$ 2,881.00		No resources available to gain revenue from during FY22/23
672.41	ZONING BOARD/PLANNING COMMISSION FEES	\$ 250.00	\$ 1,000.00	Estimated for 2-4 projects requiring site plan review or SLU
687	INSURANCE REFUNDS	-	\$ 5,000.00	Refunds due from MML Insurance Pool
695.001	UNREALIZED (GAIN)/LOSS ON INV.	\$ 6,540.00	\$ (21,600.00)	Audited FY 21/22 indicate between (\$102,535) and FY22/23 estimates over (\$16,000) losses on investments
699.44	EQUIPMENT USE DPW	\$ 170,221.00	\$ 85,300.00	FY 22/23 use at less than \$75,000 in Q3

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

General Fund Continued:					
EXPENSES	Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
	172.702-721	CITY MANAGER SALARY & BENEFITS	\$ 118,148.00	\$ 95,212.85	New City Manager
	172.818	CITY MANAGER- CONTRACTUAL SERVICES	\$ 1,500.00		No Services Estimated
	172.958	CITY MANAGER TRAINING	-	\$ 2,000.00	As stated in City Manager Contract
	172.96	CITY MANAGER INSURANCE AND BONDS	\$ 4,302.00	\$ 1,230.00	Allocated by Treasurer by Dept.
	215.702-721	CITY CLERK SALARY & BENEFITS	\$ 86,500.00	\$ 108,336.24	Creation of Deputy Clerk Position and Wage Increase for Clerk
	215.727-818	CITY CLERK SUPPLIES POSTAGE & CONTRACTUAL SERVICES	\$ 2,000.00	-	Accounted for in Central Supply, No Contractual Services Estimated
	215.9	CLERK- PUBLISHING	\$ 2,000.00	\$ 10,000.00	Budgeting for Codification of Code of Ordinances in FY 23/24
	215.98	CLERK OFFICE EQUIPMENT	\$ 500.00	\$ 5,000.00	Capital Purchase of New Computer System for Clerk
	233.818	CLERK CONTRACTUAL SERVICES	-	\$ 3,500.00	Various contracts on office equipment
	247.958	BOR TRAINING FUND	\$ 1,500.00	\$ 350.00	Few members seeking training.
	253.728-730	TREASURER SUPPLIES & POSTAGE	\$ 1,650.00	-	Shifted to Central Supply
	253.933	TREASURER EQUIPMENT REPAIR	\$ 1,500.00		No equipment to repair at this time
	253.96	TREASURER INSURANE & BONDS	\$ 2,500.00	\$ 1,230.00	Allocated by Treasurer by Dept.
	257.728	ASSESSOR SUPPLIES	\$ 5,000.00		Shifted to Central Supply
	257.818	ASSESSOR CONTRACTUAL SERVICES	\$ 14,800.00	\$ 18,000.00	Increases in fees assigned by County
	257.956	ASSESSOR MISCELLANEOUS	-	\$ 500.00	Misc expenses
	262.702	ELECTIONS SALARY	-	\$ 7,500.00	Elections in 2024
	262.729	ELECTIONS POSTAGE	-	\$ 550.00	Elections in 2024
	262.956	ELECTIONS MISCELLANEOUS	-	\$ 500.00	Elections in 2024
	265.702	CITY HALL & GROUNDS SALARY	\$ 4,000.00	-	No use in FY 22/23
	265.73	CITY HALL & GROUNDS SUPPLIES	\$ 3,000.00	-	Shifted to Central Supply

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

General Fund Continued:					
EXPENSES	Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
	265.818	CITY HALL & GROUNDS CONTRACTUAL SERVICES	\$ 5,000.00	\$ 20,000.00	FY21/22 \$21,833, FY22/23 through March 23: \$17,487, Previously underbudgeted for costs associated with trash, cleaning, PC Support, Landscaping, etc.
	265.975	CITY HALL & GROUNDS BUILDING IMPROVEMENTS	\$ 4,000.00	\$ 30,000.00	Completion of Roof Contract
	301.702	HPD SALARY & BENEFITS	\$ 407,610.00	\$ 456,730.38	Increase in wages
	301.748	HPD GASOLINE & OIL	\$ 12,000.00	\$ 10,000.00	Decrease in use over past 2 FYs
	301.818	HPD CONTRACTUAL SERVICES	\$ 5,000.00	\$ 2,500.00	Decrease in use over past 2 FYs
	301.851	HPD TELEPHONE	\$ 4,500.00	\$ 1,000.00	Decrease in cost over past 2 FYs
	301.933	HPD REPAIRS/MAINTENANCE	\$ 5,500.00	\$ 7,500.00	Increase in costs associated with repairs
	301.96	HPD INSURANCE & BONDS	\$ 8,000.00	\$ 11,815.00	Allocated by Treasurer by Dept.
	336.886	FIRE DEPT. CONTRACT PAYMENT	\$ 129,785.00	\$ 140,411.00	Increase due to arbitration
	441.702-721	DPW GF SALARY & BENEFITS	\$ 157,000.00	\$ 154,329.75	Reductions in costs due to change in employees
	441.73	DPW GF OPERATING SUPPLIES	\$ 13,000.00	\$ 4,500.00	Decrease in use over past 2 FYs
	441.93	DPW GF REPAIRS/MAINTENANCE	\$ 15,000.00	\$ 10,000.00	Decrease in use over past 2 FYs
	441.977	DPW GF CAPITAL EQUIPMENT OUTLAY	\$ 3,000.00		Decrease in use over past 2 FYs
	550.818	WHPP CONTRACTUAL SERVICES	\$ 5,000.00		Proposal to eliminate use of Spike Wells in City as protection measure of water system as suggested by EGLE
	722.702	ZONING COMMISSION SALARY	\$ 16,000.00	-	Moved to BLDG DEPT FUND 219
	722.702.001	SALARIES ZBA	\$ 500.00	-	ZBA Members are CONTRACTUAL
	722.715-721	ZONING COMMISSION BENEFITS	\$ 1,200.00	-	Moved to BLDG DEPT FUND 219

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

General Fund Continued:					
EXPENSES	Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
	722.729	ZONING COMMISSION POSTAGE	-	\$ 100.00	Updates to Ordinance Require Mailings
	722.9	ZONING COMMISSION PUBLISHING	-	\$ 3,500.00	Codification of the Updated Zoning Ordinance in FY23/24
	722.73	ZONING COMMISSION OPERATING SUPPLIES	\$ 300.00	-	Shifted to Central Supply
	722.96	ZONING COMMISSION INSURANCE & BONDS	\$ 1,000.00	-	Not required under current policy
	751.93	PARKS & REC REPAIRS/MAINT	\$ 580.00	\$ 2,500.00	Updates and repairs needed for Ely Park
	760.885	CULTURAL PROGRAMS	\$ 4,500.00	-	Cultural Programs are not authorized under Charter
	996.999	OPERATING TRANSFER	\$ 15,000.00	-	No request to transfer
		TRANSFER OUT TO CDBG	-	\$ 85,000.00	Required portion of match due to CDBG
		TRANSFER OUT TO BLDG DEPT FUND	-	\$ 35,000.00	Reclassifying Ordinance Officer to Bldg Dept Fund
Major Streets:					
EXPENSES	Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
	442.96	INSURANCE & BONDS	\$ 1,400.00	\$ 675.00	Allocated by Treasurer by Department
	451.803.001	STREET CONSTRUCTION ENGINEERING	\$ 50,000.00	-	No new projects
	451.974	STREET CONSTRUCTION STREET IMPROVEMENTS	\$ 50,000.00	-	Improvements made outside of large contracts
	463.702-721	DPW SALARY & BENEFITS ROUTINE MAINTENANCE	\$ 8,900.00	\$ 6,300.00	Decrease due to new employees
	463.818	ROUTINE MAINTENANCE- CONTRACTUAL SERVICES	\$ 5,000.00	\$ 7,500.00	Increased costs over last 2 FYs
	474.702-715	DPW SALARY & BENEFITS TRAFFIC SERVICES	\$ 4,850.00	\$ 305.00	No new projects requiring traffic services
	474.921	TRAFFIC SERVICES ELECTRIC	-	\$ 12,000.00	Electric for streetlights
	474.93	TRAFFIC SERVICES REPAIRS & MAINTENANCE	\$ 500.00	\$ 2,500.00	Increased costs over last 2 FYs
	474.943	TRAFFIC SERVICES EQUIPMENT RENTAL	\$ 4,000.00	\$ 1,000.00	Decrease in costs over last 2 FYs
	476	NON-MOTORIZED TRANSPORTATION	\$ 1,304.00	-	No costs in last 2 FYs
	478.702-715	DPW SALARY & BENEFITS WINTER MAINTENANCE	\$ 27,300.00	\$ 3,845.00	Decrease in costs over last 2 FYs and new employees
	478.728	WINTER MAINTENANCE SUPPLIES	\$ 13,000.00	\$ 4,500.00	Decrease in costs last 2 FYs
	478.818	WINTER MAINTENANCE CONTRACTUAL SERVICES	\$ 6,000.00	-	No projects slated
	478.93	WINTER MAINTENANCE REPAIRS/MAINTENANCE	\$ 4,500.00	\$ 2,500.00	Decrease in use over last 2 FYs
	478.943	WINTER MAINTENANCE EQUIPMENT RENTAL	\$ 13,000.00	\$ 11,500.00	Varying use over last year

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

<b>Local Streets</b>				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
<b>INCOME</b>				
203.455	ROW PERMITS	\$ 1,500.00	\$ 3,000.00	Increase in number of ROW Applications
203.546	STATE REVENUE	\$ 128,642.00	\$ 95,000.00	Varying revenues from ACT51 over last 2 FYs, no actual data as of 4/18/23
<b>EXPENSES</b>				
442.73	DPW ADMIN OPERATING SUPPLIES	\$ 500.00	-	No use in last 2 FYs
463.802	ROUTINE MAINT- PAVING CONTRACTORS	\$ 5,000.00		No paving contracts scheduled for FY23/24
463.818	ROUTINE MAINT- CONTRACTUAL SERVICES	\$ 16,500.00		Projects identified in grant budgets
463.93	ROUTINE MAINT- REPAIRS/MAINT	\$ 1,500.00	\$ 3,500.00	Increased use over last 2 FYs
463.943	ROUTINE MAINT- EQUIPMENT RENTAL	\$ 6,500.00	\$ 15,000.00	Increased use over last 2 FYs
474.818	TRAFFIC SERVICES- CONTRACTUAL SERVICES	\$ 1,000.00	\$ 2,000.00	Increased use over last 2 FYs
474.921	TRAFFIC SERVICES- ELECTRIC	\$ 8,000.00		No use of line item over last 2 FYs
478.702-715	DPW SALARY & BENEFITS WINTER MAINTENANCE	\$ 10,800.00	\$ 4,575.00	Decrease in costs over last 2 FYs
966.976	CAPITAL IMPROVEMENT TRANSFER	\$ 30,000.00		Improvement Projects funded through CDBG Transfer
966.468	TRANSFER OUT CDBG FUND	\$ 50,000.00	\$ 35,000.00	Required portion of CDBG match
<b>Comprehensive Improvement Fund</b>				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
<b>INCOME</b>				
245.583	CONT FROM LOCAL UNIT (POKAGON FUND)	\$ 102,006.00	\$ 100,000.00	Decreasing amounts over last 2 FYs
245.584	TRANSFER FROM GENERAL FUND	\$ 15,000.00		Not Proposed in FY23/24
245.699.202	TRANSFER FROM MAJOR STREETS	\$ 40,000.00	\$ 60,000.00	Bank funds for FY24/25 project
245.699.203	TRANSFER FROM LOCAL STREETS	\$ 30,000.00		Not proposed in FY23/24
245.699.590	TRANSFER FROM SEWER FUND	\$ 19,000.00		Not proposed in FY23/24
<b>EXPENSES</b>				
265.984	CITY HALL CAPITAL OUTLAY- EQUIPMENT	\$ 15,000.00		Not proposed in FY23/24
441.984	DPW CAPITAL OUTLAY EQUIPMENT	\$ 35,000.00		Not proposed in FY23/24
444.973.001	SIDEWALKS CAPITAL IMPROVEMENTS	\$ 5,000.00		Not proposed in FY23/24
451.974	STREET IMPROVEMENTS	\$ 55,000.00		Funded through CDBG
537.973	SEWER SYSTEM GENERAL OPERATIONS	\$ 19,000.00		Not proposed in FY23/24
560.972	WATER DISTRIBUTION SYSTEM CAPITAL IMPROVEMENT	\$ 50,000.00		Not proposed in FY23/24

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

DDA Fund				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
<b>EXPENSES</b>				
729.818	DDA CONTRACTUAL SERVICES	\$ 3,600.00		DDA has not met to review budget
729.89	DDA FAÇADE IMPROVEMENTS	\$ 5,500.00		DDA has not met to review budget
<b>Building Department Fund</b>				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
<b>INCOME</b>				
251.451.371	BUILDING PERMITS	\$ 11,670.00	\$ 13,000.00	Increase in projects over last 2 FYs
251.452.371	ELECTRICAL PERMITS	\$ 3,193.00	\$ 5,500.00	Increase in projects over last 2 FYs
251.453.371	MECHANICAL PERMITS	\$ 2,055.00	\$ 4,000.00	Increase in projects over last 2 FYs
251.608	RENTAL ORDINANCE FEES	\$ 4,800.00	\$ 6,000.00	Increase in projects over last 2 FYs
<b>EXPENSES</b>				
251.699.101	TRANSFER FROM GENERAL FUND		\$ 35,000.00	Reclassifying Ordinance/Code Officer to Building Department
371.702-721	CODE ENFORCEMENT OFFICER SALARY & BENEFITS	\$ 300.00	\$ 27,300.00	Reclassifying Ordinance/Code Officer to Building Department
371.801	AUDIT FEES		\$ 398.00	Allocated cost of audit
371.81	ADMIN FEE	\$ 3,600.00	\$ 5,000.00	Increased costs to administer Dept.
<b>Building Authority Fund</b>				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
<b>EXPENSE</b>				
265.992	DEBT SERVICE- INTEREST	\$ 40,000.00	\$ 26,000.00	Adjusted to meet schedule of interest payments in bond agreement
<b>Sewer Fund</b>				
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
<b>INCOME</b>				
590.643.001	CAPITAL RESERVE ESCROW SALES	\$ 108,510.00	\$ 145,800.00	As calculated by Baker Tilly in final Sewer Rate Study
590.695.001	UNREALIZED GAIN/LOSS ON INVESTMENTS	\$ 2,148.00	\$ (5,000.00)	Negative returns on investments during FY 22/23
537.702-721	SEWER SYSTEM GENERAL OPERATIONS- SALARY & BENEFITS	\$ 50,920.00	\$ 14,100.00	Change in staff
537.729	SEWER SYSTEM GENERAL OPERATIONS- POSTAGE		\$ 2,500.00	Required mailings
537.73	SEWER SYSTEM GENERAL OPERATIONS-SUPPLIES	\$ 3,500.00	\$ 750.00	Decrease in use over last 2 FYs
537.818	SEWER SYSTEM GENERAL OPERATIONS- CONTRACTUAL SERVICES	\$ 5,000.00	\$ 9,000.00	Increase due to contracted operator

CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

Sewer Fund	Line Item	Item	Current FY	Requested Budget	Note Regarding Variance
	537.934	SEWER SYSTEM GENERAL OPERATIONS-EQUIPMENT RENTAL	\$ 30,000.00	\$ 15,000.00	Decrease in use over last 2 FYs
	570.702-721	SEWER TREATMENT PLANT- SALARY & BENEFITS	\$ 122,117.00	\$ 168,595.08	Includes hiring of certified Operator at rate previously authorized
	570.73	SEWER TREATMENT PLANT- OPERATING SUPPLIES	-	\$ 60,000.00	Actual Costs over last 2 FYs show use at or above \$57k
	570.730.001	SEWER TREATMENT PLANT- LAB SUPPLIES & EQUIP	\$ 3,000.00	\$ 5,000.00	Increased costs over last FY
	570.748	SEWER TREATMENT PLANT- GASOLINE & OIL	\$ 2,000.00	\$ 7,500.00	Increased costs over last 2 FYs
	570.818	SEWER TREATMENT PLANT- CONTRACTUAL SERVICES	\$ 38,000.00	\$ 60,000.00	Actual costs over last 2 FYs show use at or above \$53K
	570.851	SEWER TREATMENT PLANT-TELEPHONE	\$ 2,500.00	\$ 3,700.00	Increased costs over last 2 FYs
	570.943	SEWER TREATMENT PLANT-EQUIPMENT RENTAL	\$ 10,000.00	\$ 2,500.00	Decreased use over last 2 FYs
	570.968	SEWER TREATMENT PLANT- DEPRECIATION EXPENSE	\$ 50,000.00	\$ 250,000.00	Actual costs assigned during audit at over \$225k/FY
	570.972.001	SEWER TREATMENT PLANT-CAPITAL OUTLAY	\$ 5,000.00	-	Not planned in FY 23/24
	570.991.001	SEWER TREATMENT PLANT-PRINCIPAL BOND PAYMENT	-	\$ 38,000.00	Unbudgeted expense in prior years, note from treasury, actual number from bond schedule
	570.991.002	SEWER TREATMENT PLANT- PRINCIPAL PAYMENT IMPROVEMENT LOAN		\$ 93,700.00	Actual numbers from bond schedule
	570.996	SEWER TREATMENT PLANT- INTEREST EXPENSE	\$ 31,000.00	\$ 57,633.00	Actual numbers from bond schedule
	570.996.001	SEWER TREATMENT PLANT-INTEREST EXP IMPROVEMENT LOAN	\$ 63,000.00		Reclassified per auditor
	570.996.003	SEWER TREATMENT PLANT- INTEREST EXP SERIES 2022		\$ 39,165.63	Actual numbers from bond schedule
	575.702-715	DPW STAFF SEWER LIFT STATIONS SALARY & BENEFITS	\$ 25,600.00	\$ 17,400.00	Decrease due to new staff
	575.73	SEWER LIFT STATIONS-OPERATING SUPPLIES	\$ 2,000.00	\$ 500.00	Decrease in use over last 2 FYs
	575.818	SEWER LIFT STATIONS- CONTRACTUAL SERVICES		\$ 2,500.00	Possible support of lift stations in upcoming FY
	966.972	TRANSFER CAPITAL IMPROVEMENT	\$ 19,000.00		Not planned for FY23/24
	966.468	TRANSFER TO CDBG FUND	\$ 10,000.00	\$ 68,600.00	Required match for CDBG
<b>Water Fund</b>					
Line Item	Item	Current FY	Requested Budget	Note Regarding Variance	
<b>INCOME</b>					
591.539.002	STATE PFAS GRANT	\$ 32,451.00		Reclassified to PFAS Grant Fund	
591.55	STATE GRANTS DWAM	\$ 83,212.00		Reclassified to DWAM Grant Fund	
591.643	SERVICE SALES	\$ 313,695.00	\$ 360,000.00	Estimated based on current rates as of 4/18/2023	
591.643.001	CAPITAL RESERVE ESCROW SALES	\$ 90,128.00	\$ 80,575.00	Estimated based on current rates as of 4/18/2023	
591.656	PENALTIES ON DELINQ BILLS	\$ 12,687.00	\$ 15,500.00	Estimated based on current rates as of 4/18/2023	



CITY OF HARTFORD  
 PROPOSED BUDGET  
 VARIANCE REPORT FY23/24

Water Fund		Current FY	Requested Budget	Note Regarding Variance
Line Item	Item			
<b>EXPENSES</b>				
541.702-715	IRP OPERATIONS SALARY & BENEFITS	\$ 39,000.00	\$ 21,650.00	Decrease in hours by staff
541.73	IRP OPERATING SUPPLIES	\$ 18,000.00	\$ 10,000.00	Decrease in use over last 2 FYs
560.702-721	DPW WATER DISTRIBUTION SALARY & BENEFITS	\$ 51,677.00	\$ 20,975.00	Reductions due to new staff in department
560.729	WATER DISTRIBUTION POSTAGE	\$ 2,500.00	\$ 2,500.00	Mandatory mailings
560.801	WATER DISTRIBUTION AUDIT FEES	\$ 3,002.00	\$ 3,002.00	Allocated costs
560.826	WATER DISTRIBUTION LEGAL FEES	\$ 1,000.00		No use during last 2 FYs
560.861	WATER DISTRIBUTION TRAVEL EXPENSE	\$ 500.00		No use during last 2 FYs
560.9	WATER DISTRIBUTION PUBLISHING	\$ 500.00		No use during last 2 FYs
560.959	WATER DISTRIBUTION MEMBERSHIP FEES	\$ 1,000.00	\$ 1,000.00	Membership to State Associations
560.96	WATER DISTRIBUTION INSURANCE AND BONDS	\$ 4,000.00	\$ 2,500.00	As allocated by Treasurer by Dept.
560.968	WATER DISTRIBUTION DEPRECIATION EXPENSE	\$ 60,000.00	\$ 150,000.00	Amended during audit to over \$139k/FY 21/23
560.972	WATER DISTRIBUTION CAPITAL OUTLAY	\$ 2,000.00		Not planned for this FY
560.973.001	WATER DISTRIBUTION CAPITAL IMPROVEMENTS		\$ 75,000.00	Rebuild Well 5 & Repair Chlorine
560.991	WATER DISTRIBUTION DEBT SERVICE	\$ 35,000.00		No debt service on water system
560.992	WATER DISTRIBUTION DEBT SERVICE INTEREST	\$ 4,000.00		No debt service on water system
996.972	TRANSFER CAPITAL IMPROVEMENT	\$ 50,000.00		Not planned this FY
996.999.468	TRANSFER TO CDBG FUND	\$ 10,000.00	\$ 131,250.00	Required cash match for CDBG



**CITY OF HARTFORD  
PROPOSED BUDGET  
DEPARTMENTAL – GENERAL FUND  
JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
<b>Expenditures</b>			
Dept: 101.000 City Commission			
702.000 SALARY	8,640	8,900	\$ 9,000.00
715.000 EMPLOYER'S FICA	661	680	\$ 688.50
721.000 WORKERS COMPENSATION	36	500	\$ 75.19
956.000 MISCELLANEOUS	1,192	2,700	\$ 2,700.00
958.000 TRAINING FUND	130	2,700	\$ 2,700.00
959.000 MEMBERSHIP FEES	2,577	2,500	\$ 2,500.00
960.000 INSURANCE AND BONDS	7,438	3,242	\$ 3,100.00
<b>City Commission</b>	<b>20,674</b>	<b>21,222</b>	<b>\$ 20,763.69</b>
Dept: 171.000 Mayor			
702.000 SALARY	1,740	1,800	\$ 1,800.00
715.000 EMPLOYER'S FICA	133	200	\$ 137.70
956.000 MISCELLANEOUS	14	1,450	\$ 1,500.00
<b>Mayor</b>	<b>1,887</b>	<b>3,450</b>	<b>\$ 3,437.70</b>
Dept: 172.000 City Manager			
702.000 SALARY	88,846	87,720	\$ 75,000.00
704.000 DEFERRED COMP	5,301	7,200	\$ 2,250.00
714.000 FRINGE BENEFITS	8,112	15,000	\$ 11,982.78
715.000 EMPLOYER'S FICA	6,498	6,628	\$ 5,737.50
721.000 WORKERS COMPENSATION	120	1,600	\$ 242.60
818.000 CONTRACTUAL SERVICES	0	1,500	\$ -
861.000 TRAVEL EXPENSE	0	0	\$ 750.00
956.000 MISCELLANEOUS	0	6,000	\$ 5,000.00
958.00 TRAINING			\$ 2,000.00
959.000 MEMBERSHIP FEES	50	500	\$ 1,000.00
960.000 INSURANCE AND BONDS	756	4,302	\$ 1,230.00
980.000 OFFICE EQUIPMENT	0	0	\$ -
<b>City Manager</b>	<b>109,683</b>	<b>130,450</b>	<b>\$ 105,192.88</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 215.000 Clerk			
702.000 SALARY	54,270	57,000	\$ 77,250.00
703.000 SALARIES - OVERTIME	0	0	\$ -
704.000 DEFERRED COMP	3,226	3,360	\$ 3,600.00
714.000 FRINGE BENEFITS	18,139	21,224	\$ 21,334.04
715.000 EMPLOYER'S FICA	4,063	4,116	\$ 5,909.60
721.000 WORKERS COMPENSATION	120	800	\$ 242.60
727.000 OFFICE SUPPLIES	0	400	\$ -
728.000 SUPPLIES	0	500	\$ -
729.000 POSTAGE	0	100	\$ -
818.000 CONTRACTUAL SERVICES	0	1,000	\$ -
851.000 TELEPHONE	0	0	\$ 565.20
861.000 TRAVEL EXPENSE	412	1,000	\$ 1,250.00
900.000 PUBLISHING	1,803	2,000	\$ 10,000.00
933.000 EQUIPMENT REPAIR	0	500	\$ -
956.000 MISCELLANEOUS	235	500	\$ 1,000.00
958.000 TRAINING FUND	450	1,000	\$ 1,500.00
960.000 INSURANCE AND BONDS	756	1,000	\$ 1,230.00
980.000 OFFICE EQUIPMENT	0	500	\$ 5,000.00
<b>Clerk</b>	<b>83,474</b>	<b>95,000</b>	<b>\$ 128,881.44</b>
Dept: 223.000 Independent Audit			
801.000 AUDIT FEES	11,150	12,300	\$ 12,220.00
<b>Independent Audit</b>	<b>11,150</b>	<b>12,300</b>	<b>\$ 12,220.00</b>
Dept: 233.000 Central Supply			
727.000 OFFICE SUPPLIES	6,570	9,500	\$ 9,500.00
729.000 POSTAGE	4,001	7,500	\$ 7,500.00
730.000 OPERATING SUPPLIES	2,215	1,420	\$ 1,600.00
801.000 AUDIT FEES	0	0	\$ -
818.000 CONTRACTUAL SERVICES			\$ 3,500.00
930.000 REPAIRS/MAINTENANCE	3,327	3,500	\$ 5,000.00
<b>Central Supply</b>	<b>16,113</b>	<b>21,920</b>	<b>\$ 27,100.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 247.000 Board of Review			
702.000 SALARY	0	0	\$ -
715.000 EMPLOYER'S FICA	0	0	\$ -
818.000 CONTRACTUAL SERVICES	605	3,000	\$ 3,500.00
900.000 PUBLISHING	0	500	\$ 750.00
956.000 MISCELLANEOUS	127	0	\$ 250.00
958.000 TRAINING FUND	0	1,500	\$ 350.00
<b>Board of Review</b>	<b>732</b>	<b>5,000</b>	<b>\$ 4,850.00</b>
Dept: 253.000 Treasurer			
702.000 SALARY	51,470	53,100	\$ 57,100.00
703.000 SALARIES - OVERTIME	0	0	\$ -
704.000 DEFERRED COMP	3,058	3,183	\$ 3,426.00
714.000 FRINGE BENEFITS	9,047	11,829	\$ 10,350.20
715.000 EMPLOYER'S FICA	3,928	4,058	\$ 4,368.15
721.000 WORKERS COMPENSATION	119	780	\$ 242.60
728.000 SUPPLIES	0	150	\$ -
729.000 POSTAGE	1	1,000	\$ -
730.000 OPERATING SUPPLIES	148	500	\$ -
818.000 CONTRACTUAL SERVICES	1,566	1,000	\$ 1,000.00
825.000 BANK SERVICE CHARGES	698	400	\$ 250.00
861.000 TRAVEL EXPENSE	657	500	\$ 1,000.00
933.000 EQUIPMENT REPAIR	0	1,500	\$ -
956.000 MISCELLANEOUS	75	500	\$ 1,000.00
958.000 TRAINING FUND	909	500	\$ 1,000.00
960.000 INSURANCE AND BONDS	756	2,500	\$ 1,230.00
980.000 OFFICE EQUIPMENT	1,174	1,500	\$ 500.00
<b>Treasurer</b>	<b>73,606</b>	<b>83,000</b>	<b>\$ 81,466.95</b>

CITY OF HARTFORD  
PROPOSED BUDGET FY 23/24  
PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 257.000 Assessor			
702.000 SALARY	0	0	\$ -
728.000 SUPPLIES	0	5,000	\$ -
729.000 POSTAGE	561	1,000	\$ 1,000.00
818.000 CONTRACTUAL SERVICES	16,968	14,800	\$ 18,000.00
956.000 MISCELLANEOUS	975	4,200	\$ 4,000.00
<b>Assessor</b>	<b>18,504</b>	<b>25,000</b>	<b>\$ 23,000.00</b>
Dept: 262.000 Elections			
702.000 SALARY	0	0	\$ 7,500.00
729.000 POSTAGE	125	0	\$ 550.00
730.000 OPERATING SUPPLIES	561	3,000	\$ 3,000.00
818.000 CONTRACTUAL SERVICES	2,984	7,500	\$ 7,500.00
861.000 TRAVEL EXPENSE	86	500	\$ 250.00
900.000 PUBLISHING	337	1,000	\$ 1,500.00
956.000 MISCELLANEOUS	81	0	\$ 500.00
<b>Elections</b>	<b>4,174</b>	<b>12,000</b>	<b>\$ 20,800.00</b>
Dept: 265.000 City Hall & Grounds			
702.000 SALARY	0	4,000	\$ -
715.000 EMPLOYER'S FICA	0	0	\$ -
730.000 OPERATING SUPPLIES	540	3,000	\$ -
818.000 CONTRACTUAL SERVICES	21,833	5,000	\$ 20,000.00
851.000 TELEPHONE	4,501	5,000	\$ 5,000.00
921.000 ELECTRIC	5,625	5,000	\$ 6,000.00
923.000 HEAT	1,818	4,000	\$ 2,500.00
930.000 REPAIRS/MAINTENANCE	3,710	3,500	\$ 3,500.00
940.000 RENTAL/USE FEE	50,000	48,000	\$ 50,000.00
960.000 INSURANCE AND BONDS	1,865	3,500	\$ 2,500.00
975.000 BUILDING IMPROVEMENTS	0	4,000	\$ 30,000.00
980.000 OFFICE EQUIPMENT	423	5,000	\$ 5,000.00
991.000 DEBT SERVICE - PRINCIPAL	0	0	\$ -
992.000 DEBT SERVICE - INTEREST	0	0	\$ -
999.000 OPERATING TRANSFER	0	0	\$ -
999.001 TRANSFER	0	0	\$ -
<b>City Hall &amp; Grounds</b>	<b>90,315</b>	<b>90,000</b>	<b>\$ 124,500.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 266.000 Legal Services			
826.000 LEGAL SERVICES	3,623	14,760	\$ 15,000.00
<b>Legal Services</b>	<b>3,623</b>	<b>14,760</b>	<b>\$ 15,000.00</b>
Dept: 301.000 Police Department			
702.000 SALARY	219,572	256,000	\$ 325,000.00
702.002 COPS GRANT	0	0	\$ -
702.003 CROSSING GUARD SALARY	4,968	5,000	\$ 5,000.00
702.020 SHARING OFFICER	0	0	\$ -
703.000 SALARIES - OVERTIME	11,940	17,000	\$ 15,000.00
704.000 DEFERRED COMP	9,330	15,810	\$ 17,415.06
705.000 LONGEVITY	950	1,800	\$ 2,000.00
714.000 FRINGE BENEFITS	63,144	85,000	\$ 61,125.79
715.000 EMPLOYER'S FICA	17,577	21,000	\$ 24,679.79
721.000 WORKERS COMPENSATION	3,062	6,000	\$ 6,509.74
727.000 OFFICE SUPPLIES	0	0	\$ -
729.000 POSTAGE	0	0	\$ -
730.000 OPERATING SUPPLIES	6,414	2,000	\$ 2,000.00
731.000 DRUG ENFORCEMENT	0	0	\$ -
732.000 FINGERPRINT ID SYSTEM	0	200	\$ -
744.000 CLOTHING ALLOWANCE	1,987	6,825	\$ 6,875.00
748.000 GASOLINE AND OIL	9,501	12,000	\$ 10,000.00
818.000 CONTRACTUAL SERVICES	5,057	5,000	\$ 2,500.00
826.000 LEGAL SERVICES	0	3,000	\$ 3,000.00
851.000 TELEPHONE	1,173	4,500	\$ 1,000.00
900.000 PUBLISHING	0	0	\$ -
930.000 REPAIRS/MAINTENANCE	4,429	5,500	\$ 7,500.00
933.000 EQUIPMENT REPAIR	34	1,500	\$ 1,500.00
958.000 TRAINING FUND	7,322	2,000	\$ 2,750.00
959.000 MEMBERSHIP FEES	45	500	\$ 500.00
960.000 INSURANCE AND BONDS	10,211	8,000	\$ 11,815.00
980.000 OFFICE EQUIPMENT	3,940	1,000	\$ 2,500.00
981.000 CAPITAL OUTLAY - VEHICLE	0	1,000	\$ -
984.000 CAPITAL OUTLAY - EQUIPMENT	0	0	\$ -
991.000 DEBT SERVICE - PRINCIPAL	0	0	\$ -
992.000 DEBT SERVICE - INTEREST	0	0	\$ -
999.001 TRANSFER	0	0	\$ -
<b>Police Department</b>	<b>380,656</b>	<b>460,635</b>	<b>\$ 508,670.38</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 336.000 Fire Board			
714.000 FRINGE BENEFITS	0	0	\$ -
886.000 FIRE DEPT CONTRACT PAYMENT	111,502	129,785	\$ 140,411.70
<b>Fire Board</b>	<b>111,502</b>	<b>129,785</b>	<b>\$ 140,411.70</b>
Dept: 441.000 Public Works Department			
702.000 SALARY	47,392	64,000	\$ 36,961.63
702.004 DPW - GROUND & BUILDING MAINT.	47,618	0	\$ 37,137.89
702.005 DPW - PARKS- salary	2,089	0	\$ 1,629.24
702.006 DPW - GARAGE	15,010	0	\$ 11,706.49
702.007 DPW STREET MAINTENANCE	4,425	0	\$ 3,451.11
702.008 DPW SIDEWALK MAINTENANCE	1,289	0	\$ 1,005.31
703.000 SALARIES - OVERTIME	5,941	15,000	\$ 10,447.25
704.000 DEFERRED COMP	5,917	8,000	\$ 4,352.97
714.000 FRINGE BENEFITS	43,692	60,000	\$ 36,760.38
715.000 EMPLOYER'S FICA	9,314	6,000	\$ 7,338.72
721.000 WORKERS COMPENSATION	1,660	4,000	\$ 3,538.76
730.000 OPERATING SUPPLIES	4,466	13,000	\$ 4,500.00
744.000 CLOTHING ALLOWANCE	1,455	4,000	\$ 4,000.00
748.000 GASOLINE AND OIL	21,714	20,150	\$ 20,000.00
818.000 CONTRACTUAL SERVICES	7,706	12,000	\$ 7,500.00
851.000 TELEPHONE	2,900	3,600	\$ 3,600.00
921.000 ELECTRIC	1,805	4,500	\$ 1,800.00
923.000 HEAT	2,333	4,500	\$ 2,500.00
926.000 STREET LIGHTING	0	0	\$ -
930.000 REPAIRS/MAINTENANCE	8,397	15,000	\$ 10,000.00
933.000 EQUIPMENT REPAIR	4,163	6,000	\$ 5,000.00
956.000 MISCELLANEOUS	0	0	\$ -
958.000 TRAINING FUND	0	1,500	\$ 1,500.00
959.000 MEMBERSHIP FEES	0	500	\$ -
960.000 INSURANCE AND BONDS	6,182	7,600	\$ 7,600.00
977.000 CAPITAL OUTLAY-EQUIPMENT	1,228	3,000	\$ -
991.000 DEBT SERVICE - PRINCIPAL	0	0	\$ -
992.000 DEBT SERVICE - INTEREST	0	0	\$ -
999.001 TRANSFER	0	0	\$ -
<b>Public Works Department</b>	<b>\$ 246,696.00</b>	<b>\$ 252,350.00</b>	<b>\$ 222,329.75</b>



CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 446.000 Streets			
999.000 OPERATING TRANSFER- STREET LIG	35,000	40,000	\$ 40,000.00
<b>Streets</b>	<b>35,000</b>	<b>40,000</b>	<b>\$ 40,000.00</b>
Dept: 550.000 Wellhead Protection Grant			
818.000 CONTRACTUAL SERVICES	0	0	\$ 5,000.00
<b>Wellhead Protection Grant</b>	<b>0</b>	<b>0</b>	<b>\$ 5,000.00</b>
Dept: 722.000 Zoning Commission/Appeals			
702.000 SALARY	12,831	16,000	\$ -
702.001 SALARIES-ZONING BD OF APPEALS	0	500	\$ -
715.000 EMPLOYER'S FICA	982	1,200	\$ -
721.000 WORKERS COMPENSATION	41	0	\$ -
729.000 POSTAGE	0	100	\$ 100.00
900.000 PUBLISHING			\$ 3,500.00
730.000 OPERATING SUPPLIES	0	300	\$ -
818.000 CONTRACTUAL SERVICES	4,150	5,800	\$ 7,500.00
826.000 LEGAL SERVICES	0	3,000	\$ 3,000.00
956.000 MISCELLANEOUS	60	200	\$ -
958.000 TRAINING FUND	0	1,200	\$ 1,000.00
959.000 MEMBERSHIP FEES	0	700	\$ 700.00
960.000 INSURANCE AND BONDS	0	1,000	\$ -
<b>Zoning Commission/Appeals</b>	<b>18,064</b>	<b>30,000</b>	<b>\$ 15,800.00</b>
Dept: 751.000 PARKS & RECREATION			
702.000 SALARY	2,131	0	\$ -
715.000 EMPLOYER'S FICA	154	0	\$ -
730.000 OPERATING SUPPLIES	613	0	\$ -
930.000 REPAIRS/MAINTENANCE	2,418	580	\$ 2,500.00
<b>PARKS &amp; RECREATION</b>	<b>5,316</b>	<b>580</b>	<b>\$ 2,500.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

GENERALFUND	FY 22 Actual	Amended Budget	Requested
Dept: 760.000 Cultural Programs			
818.000 CONTRACTUAL SERVICES	2,984	3,000	\$ 4,000.00
880.000 LOAN CLOSET CONTRACT PAYMENT	0	0	\$ -
885.000 MISCELLANEOUS CONTRACT PAYME	6,707	4,500	
887.000 REC COUNCIL CONTRACT PAYMENT	0	0	\$ -
960.000 INSURANCE AND BONDS	620	1,000	\$ 199.00
999.000 OPERATING TRANSFER	0	0	\$ -
<b>Cultural Programs</b>	<b>10,311</b>	<b>8,500</b>	<b>\$ 4,199.00</b>
Dept: 966.000 Operating Transfer			
974.000 STREET IMPROVEMENTS	0	0	\$ -
999.000 OPERATING TRANSFER	151,000	15,000	\$ -
999.425 TRANSFER TO FUND 425	0	0	\$ -
TRANSFER OUT CDBG			\$ 85,000.00
<b>Operating Transfer</b>	<b>151,000</b>	<b>15,000</b>	<b>\$ 85,000.00</b>
<b>TRANSFER OUT BUILDING DEPT</b>			<b>\$ 35,000.00</b>
<b>Total Expenditures</b>	<b>1,392,480</b>	<b>1,450,952</b>	<b>\$ 1,626,123.49</b>



**CITY OF HARTFORD  
PROPOSED BUDGET  
MAJOR & LOCAL STREET FUND  
JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

MAJOR STREETS FUND	Actual	Amended Budget	Requested
<b>Expenditures</b>			
Dept: 442.000 DPW Administration			
702.000 SALARY	0	0	\$ -
727.000 OFFICE SUPPLIES	0	0	\$ -
801.000 AUDIT FEES	600	600	\$ 1,882.00
810.000 ADMINISTRATION FEE	12,000	12,000	\$ 12,000.00
825.000 BANK SERVICE CHARGES	0	0	\$ -
960.000 INSURANCE AND BONDS	716	1,400	\$ 675.00
DPW Administration	13,316	14,000	\$ 14,557.00
Dept: 451.000 Street Construction			
702.000 SALARY	0	0	\$ -
703.000 SALARIES - OVERTIME	0	0	\$ -
728.000 SUPPLIES	0	0	\$ -
803.000 CONTRACTURAL SERVICES	0	2,000	\$ -
803.001 ENGINEERING	49,728	50,000	\$ -
818.000 CONTRACTUAL SERVICES	0	0	\$ -
900.000 PUBLISHING	0	0	\$ -
943.000 EQUIPMENTAL RENTAL	0	0	\$ -
972.000 TRANSFER -CAPITAL IMPROVEMENT	0	0	\$ -
974.000 STREET IMPROVEMENTS	174,955	60,000	\$ 50,000.00
999.001 TRANSFER	0	0	\$ -
Street Construction	224,683	112,000	\$ 50,000.00

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

MAJOR STREETS FUND	Actual	Amended Budget	Requested
Dept: 463.000 Routine Maintenance			
702.000 SALARY	5,125	5,000	\$ 4,000.00
703.000 SALARIES - OVERTIME	104	0	\$ 185.00
704.000 DEFERRED COMP	301	1,000	\$ 225.00
714.000 FRINGE BENEFITS	1,008	2,000	\$ 850.00
715.000 EMPLOYER'S FICA	349	650	\$ 275.00
721.000 WORKERS COMPENSATION	358	300	\$ 765.00
728.000 SUPPLIES	1,148	1,050	\$ 1,000.00
818.000 CONTRACTUAL SERVICES	7,497	5,000	\$ 7,500.00
900.000 PUBLISHING	0	0	\$ -
943.000 EQUIPMENTAL RENTAL	14,436	17,000	\$ 17,000.00
Routine Maintenance	30,326	32,000	\$ 31,800.00
Dept: 474.000 Traffic Services			
702.000 SALARY	35	4,000	\$ 30.00
703.000 SALARIES - OVERTIME	0	500	\$ 250.00
715.000 EMPLOYER'S FICA	2	350	\$ 25.00
728.000 SUPPLIES	0	3,000	\$ 250.00
818.000 CONTRACTUAL SERVICES	1,978	4,000	\$ 2,500.00
921.000 ELECTRIC	15,916	0	\$ 12,000.00
930.000 REPAIRS/MAINTENANCE	1,978	500	\$ 2,500.00
943.000 EQUIPMENTAL RENTAL	0	4,000	\$ 1,000.00
Traffic Services	19,909	16,350	\$ 18,555.00

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

MAJOR STREETS FUND	Actual	Amended Budget	Requested
Dept: 476.000 Non-Motorized Transporation			
702.000 SALARY	0	500	\$ -
715.000 EMPLOYER'S FICA	0	100	\$ -
818.000 CONTRACTUAL SERVICES	0	500	\$ -
943.000 EQUIPMENTAL RENTAL	0	204	\$ -
Non-Motorized Transporation	0	1,304	\$ -
Dept: 478.000 Winter Maintenance			
702.000 SALARY	4,113	15,000	\$ 3,250.00
703.000 SALARIES - OVERTIME	204	3,000	\$ 360.00
714.000 FRINGE BENEFITS	0	8,000	\$ -
715.000 EMPLOYER'S FICA	294	1,300	\$ 235.00
728.000 SUPPLIES	4,302	13,000	\$ 4,500.00
818.000 CONTRACTUAL SERVICES	0	6,000	\$ -
930.000 REPAIRS/MAINTENANCE	0	4,500	\$ 2,500.00
943.000 EQUIPMENTAL RENTAL	15,193	13,000	\$ 11,500.00
Winter Maintenance	24,106	63,800	\$ 22,345.00
Dept: 966.000 Operating Transfer			
972.000 TRANSFER -CAPITAL IMPROVEMENT	0	60,000	\$ 60,000.00
<b>Total Expenditures</b>	<b>312,340</b>	<b>299,454</b>	<b>\$ 197,257.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

LOCAL STREET FUND	Actual	Amended Budget	Requested
Dept: 442.000 DPW Administration			
702.000 SALARY	0	0	\$ -
730.000 OPERATING SUPPLIES	0	500	\$ -
801.000 AUDIT FEES	600	0	\$ -
810.000 ADMINISTRATION FEE	0	0	\$ -
960.000 INSURANCE AND BONDS	716	1,000	\$ 675.00
DPW Administration	1,316	1,500	\$ 675.00
Dept: 451.000 Street Construction			
703.000 SALARIES - OVERTIME	0	0	\$ -
803.000 CONTRACTURAL SERVICES	0	0	\$ -
974.000 STREET IMPROVEMENTS	0	0	\$ -
999.000 OPERATING TRANSFER	0	0	\$ -
Street Construction	0	0	\$ -
Dept: 463.000 Routine Maintenance			
702.000 SALARY	6,075	8,000	\$ 7,000.00
703.000 SALARIES - OVERTIME	0	0	\$ -
704.000 DEFERRED COMP	355	0	\$ 275.00
714.000 FRINGE BENEFITS	1,008	1,500	\$ 900.00
715.000 EMPLOYER'S FICA	403	800	\$ 550.00
721.000 WORKERS COMPENSATION	358	600	\$ 1,100.00
728.000 SUPPLIES	0	1,500	\$ 2,000.00
730.000 OPERATING SUPPLIES	2,796	0	\$ -

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

LOCAL STREET FUND	Actual	Amended Budget	Requested
802.000 PAVING CONTRACTORS	0	5,000	\$ -
818.000 CONTRACTUAL SERVICES	8,440	16,500	\$ 7,500.00
900.000 PUBLISHING	0	0	\$ -
930.000 REPAIRS/MAINTENANCE	3,350	1,500	\$ 3,500.00
943.000 EQUIPMENTAL RENTAL	17,307	6,500	\$ 15,000.00
Routine Maintenance	40,092	41,900	\$ 37,825.00
Dept: 474.000 Traffic Services			
702.000 SALARY	149	500	\$ 275.00
703.000 SALARIES - OVERTIME	100	0	
715.000 EMPLOYER'S FICA	16	0	\$ 25.00
728.000 SUPPLIES	0	200	\$ -
818.000 CONTRACTUAL SERVICES	1,978	1,000	\$ 2,000.00
921.000 ELECTRIC	0	8,000	\$ -
930.000 REPAIRS/MAINTENANCE	0	0	\$ -
943.000 EQUIPMENTAL RENTAL	0	300	\$ 300.00
Traffic Services	2,243	10,000	\$ 2,600.00
Dept: 476.000 Non-Motorized Transporation			
702.000 SALARY	0	100	\$ -
703.000 SALARIES - OVERTIME	0	0	\$ -
715.000 EMPLOYER'S FICA	0	50	\$ -
730.000 OPERATING SUPPLIES	0	350	\$ -
943.000 EQUIPMENTAL RENTAL	0	200	\$ -
Non-Motorized Transporation	0	700	\$ -



CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

LOCAL STREET FUND	Actual	Amended Budget	Requested
Dept: 478.000 Winter Maintenance			
702.000 SALARY	3,506	9,000	\$ 2,750.00
703.000 SALARIES - OVERTIME	627	1,000	\$ 1,500.00
715.000 EMPLOYER'S FICA	286	800	\$ 325.00
728.000 SUPPLIES	2,151	4,000	\$ 10,000.00
818.000 CONTRACTUAL SERVICES	0	0	\$ -
930.000 REPAIRS/MAINTENANCE	0	1,000	\$ 1,000.00
943.000 EQUIPMENTAL RENTAL	14,560	8,000	\$ 8,000.00
Winter Maintenance	21,130	23,800	\$ 23,575.00
Dept: 966.000 Operating Transfer			
972.000 TRANSFER -CAPITAL IMPROVEMENT	0	30,000	\$ -
999.468 TRANSFER TO CDBG FUND	0	20,000	\$ -
468.000 TRANSFER OUT - CDBG GRANT FUND	-64,995	0	\$ 35,000.00
Operating Transfer	0	50,000	\$ 35,000.00
Total Expenditures	64,781	127,900	\$ 99,675.00



**CITY OF HARTFORD**  
**COMPREHENSIVE IMPROVEMENT**  
**FUND**  
**JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

COMPREHENSIVE IMPROVEMENT FUND	Actual	Amended Budget	Requested
700.732 BLIGHT REMOVAL	\$ -	\$ -	\$ -
956.000 MISCELLANEOUS	\$ 36,184.00	\$ -	\$ -
991.000 DEBT SERVICE - PRINCIPAL	\$ -	\$ -	\$ -
992.000 DEBT SERVICE - INTEREST	\$ -	\$ -	\$ -
997.000 PAYING AGENT	\$ -	\$ -	\$ -
999.101 TRANSFER TO GENERAL FUND	\$ 1,500.00	\$ -	\$ -
<b>Dept: 000.000</b>	<b>\$ 37,684.00</b>	<b>\$ -</b>	<b>\$ -</b>
Dept: 265.000 City Hall & Grounds			
984.000 CAPITAL OUTLAY - EQUIPMENT	\$ 6,255.00	\$ 15,000.00	\$ -
<b>City Hall &amp; Grounds</b>	<b>\$ 6,255.00</b>	<b>\$ 15,000.00</b>	<b>\$ -</b>
Dept: 301.000 Police Department			
984.000 CAPITAL OUTLAY - EQUIPMENT	\$ -	\$ 50,000.00	\$ -
<b>Police Department</b>	<b>\$ -</b>	<b>\$ 50,000.00</b>	<b>\$ -</b>
Dept: 441.000 Public Works Department			
984.000 CAPITAL OUTLAY - EQUIPMENT	\$ -	\$ 35,000.00	\$ -
<b>Public Works Department</b>	<b>\$ -</b>	<b>\$ 35,000.00</b>	<b>\$ -</b>
Dept: 444.000 Sidewalks			
973.001 CAPITAL IMPROVEMENTS	\$ -	\$ 5,000.00	\$ -
<b>Sidewalks</b>	<b>\$ -</b>	<b>\$ 5,000.00</b>	<b>\$ -</b>
Dept: 451.000 Street Construction			
972.000 TRANSFER -CAPITAL IMPROVEMENT	\$ -	\$ -	\$ -
974.000 STREET IMPROVEMENTS	\$ 260,936.00	\$ 55,000.00	\$ -
<b>Street Construction</b>	<b>\$ 260,936.00</b>	<b>\$ 55,000.00</b>	<b>\$ -</b>
Dept: 537.000 Sewer System-Genl Operations			
972.000 TRANSFER -CAPITAL IMPROVEMENT	\$ -	\$ -	\$ -
973.000 SEWER SYSTEM IMPROVEMENTS	\$ 1,418.00	\$ 19,000.00	\$ -
<b>Sewer System-Genl Operations</b>	<b>\$ 1,418.00</b>	<b>\$ 19,000.00</b>	<b>\$ -</b>
Dept: 560.000 Water Distribution System			
972.000 TRANSFER -CAPITAL IMPROVEMENT	\$ -	\$ 50,000.00	
973.001 CAPITAL IMPROVEMENTS	\$ 69,291.00	\$ -	\$ -
<b>Water Distribution System</b>	<b>\$ 69,291.00</b>	<b>\$ 50,000.00</b>	<b>\$ -</b>
<b>Total Expenditures</b>	<b>\$ 375,584.00</b>	<b>\$ 229,000.00</b>	<b>\$ -</b>



**CITY OF HARTFORD**  
**DDA FUND**  
**JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

DDA FUND	Actual	Amended Budget	Requested
Dept: 729.000 Downtown Dev. Authority			
730.000 OPERATING SUPPLIES	0	500	0
810.000 ADMINISTRATION FEE	2,400	2,400	2,400
818.000 CONTRACTUAL SERVICES	3,104	3,600	0
825.000 BANK SERVICE CHARGES	0	0	0
890.000 FACADE IMPROVEMENTS	0	5,500	0
956.000 MISCELLANEOUS	0	0	0
<b>Downtown Dev. Authority</b>	<b>5,504</b>	<b>12,000</b>	<b>2,400</b>
Dept: 959.000 DONATIONS			
999.000 OPERATING TRANSFER	10,000	0	0
<b>DONATIONS</b>	<b>10,000</b>	<b>0</b>	<b>0</b>
<b>Total Expenditures</b>	<b>15,504</b>	<b>12,000</b>	<b>2,400</b>



**CITY OF HARTFORD**  
**BUILDING DEPARTMENT FUND**  
**JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

BUILDING DEPARTMENT FUND	Actual	Amended Budget	Requested
Expenditures			
Dept: 371.000 Building Inspector			
702.000 SALARY- CODE ENFORCEMENT	0	0	\$ 25,000.00
715.000 EMPLOYER'S FICA			\$ 2,000.00
721.000 WORKERS COMPENSATION	0	300	\$ 300.00
729.000 POSTAGE	0	0	\$ -
730.000 OPERATING SUPPLIES	97	250	\$ 250.00
801.000 AUDIT FEES			\$ 398.00
803.000 CONTRACTURAL SERVICES- BUILD	4,855	7,470	\$ 7,500.00
810.000 ADMINISTRATION FEE	3,600	3,600	\$ 5,000.00
818.000 CONTRACTUAL SERVICES- MECH	2,685	2,055	\$ 3,000.00
818.002 ENGINEERING	0	0	\$ -
818.003 RENTAL INSPECTIONS	5,915	3,880	\$ 5,000.00
819.000 ELECTRICAL INSP-CONTRAC SERV	4,138	2,193	\$ 3,500.00
900.000 PUBLISHING	0	500	\$ -
959.000 MEMBERSHIP FEES	145	500	\$ -
960.000 INSURANCE AND BONDS	0	350	\$ -
<b>Building Inspector</b>	<b>21,435</b>	<b>21,098</b>	<b>\$ 51,948.00</b>



**CITY OF HARTFORD  
BUILDING AUTHORITY FUND  
JULY 2023 – JUNE 2024**



CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

BUILDING AUTHORITY FUND	Actual	Amended Budget	Requested
Expenditures			
Dept: 265.000 City Hall & Grounds			
825.000 BANK SERVICE CHARGES	0	0	0
991.000 DEBT SERVICE - PRINCIPAL	16,000	8,000	19,000
992.000 DEBT SERVICE - INTEREST	27,313	40,000	26,000
<b>City Hall &amp; Grounds</b>	<b>43,313</b>	<b>48,000</b>	<b>45,000</b>



**CITY OF HARTFORD  
PROPOSED BUDGET  
SEWER FUNDS  
JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

SEWER FUND	Actual	Amended Budget	Requested
Dept: 537.000 Sewer System-Genl Operations			
702.000 SALARY	9,565	25,000	\$ 7,500.00
703.000 SALARIES - OVERTIME	762	3,600	\$ 1,500.00
704.000 DEFERRED COMP	563	6,120	\$ 450.00
714.000 FRINGE BENEFITS	4,033	13,500	\$ 3,500.00
715.000 EMPLOYER'S FICA	699	2,100	\$ 600.00
721.000 WORKERS COMPENSATION	272	600	\$ 550.00
727.000 OFFICE SUPPLIES	0	0	\$ -
729.000 POSTAGE	2,297	0	\$ 2,500.00
730.000 OPERATING SUPPLIES	835	3,500	\$ 750.00
810.000 ADMINISTRATION FEE	46,000	47,500	\$ 47,500.00
818.000 CONTRACTUAL SERVICES	5,786	5,000	\$ 9,000.00
900.000 PUBLISHING	0	300	\$ 300.00
930.000 REPAIRS/MAINTENANCE	7,796	3,000	\$ 3,000.00
933.000 EQUIPMENT REPAIR	0	0	\$ -
943.000 EQUIPMENTAL RENTAL	17,012	30,000	\$ 15,000.00
956.000 MISCELLANEOUS	0	0	\$ -
960.000 INSURANCE AND BONDS	0	0	\$ -
967.000 PROJECT COSTS	201	0	\$ -
972.000 TRANSFER -CAPITAL IMPROVEMENT	0	0	\$ -
973.001 CAPITAL IMPROVEMENTS	0	0	\$ -
996.000 INTEREST EXPENSE	0	0	\$ -
997.000 PAYING AGENT	0	0	\$ -
<b>Sewer System-Genl Operations</b>	<b>95,821</b>	<b>140,220</b>	<b>\$ 92,150.00</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

SEWER FUND	Actual	Amended Budget	Requested
Dept: 570.000 Sewer Treatment Plant			
702.000 SALARY	89,416	87,653	\$ 125,000.00
703.000 SALARIES - OVERTIME	1,145	2,300	\$ 2,500.00
704.000 DEFERRED COMP	5,059	5,306	\$ 2,500.00
714.000 FRINGE BENEFITS	16,265	18,000	\$ 25,000.00
715.000 EMPLOYER'S FICA	7,182	6,858	\$ 12,500.00
721.000 WORKERS COMPENSATION	544	2,000	\$ 1,095.08
727.000 OFFICE SUPPLIES	0	0	\$ -
728.000 SUPPLIES	0	0	\$ -
729.000 POSTAGE	0	0	\$ -
730.000 OPERATING SUPPLIES	59,574	0	\$ 60,000.00
730.001 LAB SUPPLIES AND EQUIP	0	3,000	\$ 5,000.00
744.000 CLOTHING ALLOWANCE	397	1,500	\$ 1,500.00
748.000 GASOLINE AND OIL	9,012	2,000	\$ 7,500.00
801.000 AUDIT FEES	5,000	6,000	\$ 7,752.00
810.000 ADMINISTRATION FEE	43,000	43,000	\$ 43,000.00
818.000 CONTRACTUAL SERVICES	53,858	38,000	\$ 60,000.00
826.000 LEGAL SERVICES	0	1,800	\$ -
851.000 TELEPHONE	3,601	2,500	\$ 3,700.00
861.000 TRAVEL EXPENSE	0	200	\$ -
921.000 ELECTRIC	21,829	20,000	\$ 20,000.00
930.000 REPAIRS/MAINTENANCE	13,224	10,000	\$ 10,000.00
933.000 EQUIPMENT REPAIR	2,072	1,500	\$ 1,500.00
940.000 RENTAL/USE FEE	0	0	\$ -
943.000 EQUIPMENTAL RENTAL	2,372	10,000	\$ 2,500.00
956.000 MISCELLANEOUS	0	500	\$ 500.00

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

SEWER FUND	Actual	Amended Budget	Requested
958.000 TRAINING FUND	0	1,500	\$ 1,500.00
959.000 MEMBERSHIP FEES	2,030	300	\$ 750.00
960.000 INSURANCE AND BONDS	7,278	9,500	\$ 8,500.00
968.000 DEPRECIATION EXPENSE	226,567	50,000	\$ 250,000.00
969.000 AMORTIZATION	0	0	\$ -
972.001 CAPITAL OUTLAY	0	5,000	\$ -
980.000 OFFICE EQUIPMENT	423	0	\$ -
991.000 DEBT SERVICE - PRINCIPAL	0	5,000	\$ -
991.001 PRINCIPAL PAYMENT-BOND	0	0	\$ 38,000.00
991.002 PRINCIPAL PMT-IMPROVEMENT LOAN	0	0	\$ 93,700.00
991.003 PRINCIPAL PMT- SERIES 2022			
996.000 INTEREST EXPENSE	59,534	31,000	\$ 57,633.00
996.001 INTEREST EXP-IMPROVEMENT LOAN	0	63,000	
996.003 INTEREST EXPENSE- SERIES 2022			\$ 39,165.63
997.000 PAYING AGENT	0	0	\$ -
<b>Sewer Treatment Plant</b>	<b>629,382</b>	<b>427,417</b>	<b>\$ 880,795.71</b>

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

SEWER FUND	Actual	Amended Budget	Requested
Dept: 575.000 Sewer Lift Stations			
702.000 SALARY	15,441	16,500	\$ 12,100.00
703.000 SALARIES - OVERTIME	208	2,500	\$ 375.00
704.000 DEFERRED COMP	899	5,100	\$ 675.00
714.000 FRINGE BENEFITS	4,033	0	\$ 3,400.00
715.000 EMPLOYER'S FICA	1,057	1,500	\$ 850.00
730.000 OPERATING SUPPLIES	790	2,000	\$ 500.00
818.000 CONTRACTUAL SERVICES	1,906	0	\$ 2,500.00
851.000 TELEPHONE	1,172	1,000	\$ 1,200.00
921.000 ELECTRIC	8,218	8,500	\$ 8,500.00
933.000 EQUIPMENT REPAIR	5,566	4,000	\$ 2,500.00
943.000 EQUIPMENTAL RENTAL	15,141	11,000	\$ 10,000.00
960.000 INSURANCE AND BONDS	1,360	1,900	\$ 1,500.00
972.001 CAPITAL OUTLAY	0	0	\$ -
<b>Sewer Lift Stations</b>	<b>55,791</b>	<b>54,000</b>	<b>\$ 44,100.00</b>
Dept: 966.000 Operating Transfer			
972.000 TRANSFER -CAPITAL IMPROVEMENT	0	19,000	\$ -
999.468 TRANSFER TO CDBG FUND	0	10,000	\$ 68,600.00
<b>Operating Transfer</b>	<b>0</b>	<b>29,000</b>	<b>\$ 68,600.00</b>
<b>Total Expenditures</b>	<b>780,994</b>	<b>650,637</b>	<b>\$ 1,085,645.71</b>



**CITY OF HARTFORD  
PROPOSED BUDGET  
WATER FUNDS  
JULY 2023 – JUNE 2024**

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

WATER FUND	Actual	Amended Budget	Requested
Dept: 541.000 Iron Removal PlantOperations			
702.000 SALARY	17,076	20,000	\$ 13,500.00
703.000 SALARIES - OVERTIME	217	3,000	\$ 400.00
704.000 DEFERRED COMP	984	7,000	\$ 750.00
714.000 FRINGE BENEFITS	6,722	9,000	\$ 6,000.00
715.000 EMPLOYER'S FICA	1,201	1,500	\$ 1,000.00
727.000 OFFICE SUPPLIES	0	0	
730.000 OPERATING SUPPLIES	9,796	18,000	\$ 10,000.00
810.000 ADMINISTRATION FEE	15,000	16,000	\$ 16,000.00
818.000 CONTRACTUAL SERVICES	7,094	3,500	\$ 10,000.00
851.000 TELEPHONE	1,674	1,700	\$ 1,700.00
921.000 ELECTRIC	9,875	12,000	\$ 9,000.00
923.000 HEAT	1,637	12,000	\$ 1,500.00
930.000 REPAIRS/MAINTENANCE	7,061	2,500	\$ 7,500.00
943.000 EQUIPMENTAL RENTAL	29,097	7,500	\$ 7,000.00
960.000 INSURANCE AND BONDS	1,487	1,000	\$ 1,500.00
968.000 DEPRECIATION EXPENSE	0	50,000	\$ 50,000.00
973.001 CAPITAL IMPROVEMENTS	0	0	
980.000 OFFICE EQUIPMENT	0	0	\$ -
991.000 DEBT SERVICE - PRINCIPAL	0	0	\$ -
992.000 DEBT SERVICE - INTEREST	0	0	\$ -
997.000 PAYING AGENT	0	0	\$ -
<b>Iron Removal PlantOperations</b>	<b>108,921</b>	<b>164,700</b>	<b>\$ 135,850.00</b>



CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

WATER FUND	Actual	Amended Budget	Requested
Dept: 560.000 Water Distribution System			
702.000 SALARIES	15,883	27,000	\$ 12,500.00
703.000 SALARIES - OVERTIME	367	4,000	\$ 650.00
704.000 DEFERRED COMP	905	0	
714.000 FRINGE BENEFITS	6,722	17,000	\$ 6,000.00
715.000 EMPLOYER'S FICA	1,129	2,177	\$ 900.00
721.000 WORKERS COMPENSATION	516	1,500	\$ 925.00
727.000 OFFICE SUPPLIES	0	0	\$ -
729.000 POSTAGE	2,297	0	\$ 2,500.00
730.000 OPERATING SUPPLIES	7,464	12,000	\$ 5,000.00
801.000 AUDIT FEES	5,000	6,000	\$ 3,002.00
810.000 ADMINISTRATION FEE	45,000	47,000	\$ 47,000.00
818.000 CONTRACTUAL SERVICES	5,488	5,000	\$ 6,000.00
820.001 DWAM GRANT EXPENDITURES	-1	0	\$ -
820.002 TWP PFAS WATER MAIN EXTENSION	1	0	\$ -
826.000 LEGAL SERVICES	0	1,000	\$ -
851.000 TELEPHONE	0	500	\$ 600.00
861.000 TRAVEL EXPENSE	0	500	\$ -
900.000 PUBLISHING	0	500	\$ -
921.000 ELECTRIC	6,963	5,000	\$ 5,000.00
930.000 REPAIRS/MAINTENANCE	2,889	20,000	\$ 20,000.00
943.000 EQUIPMENTAL RENTAL	26,977	36,000	\$ 30,000.00
956.000 MISCELLANEOUS	755	500	\$ 250.00
958.000 TRAINING FUND	83	1,500	\$ 1,500.00
959.000 MEMBERSHIP FEES	0	0	\$ 1,000.00
960.000 INSURANCE AND BONDS	2,549	4,000	\$ 2,500.00

CITY OF HARTFORD  
 PROPOSED BUDGET FY 23/24  
 PROPOSED EXPENSES

Item 32.

WATER FUND	Actual	Amended Budget	Requested
968.000 DEPRECIATION EXPENSE	139,772	60,000	\$ 150,000.00
972.000 TRANSFER -CAPITAL IMPROVEMENT	0	0	\$ -
972.001 CAPITAL OUTLAY	0	2,000	\$ -
973.001 CAPITAL IMPROVEMENTS	0	0	\$ 75,000.00
991.000 DEBT SERVICE - PRINCIPAL	0	35,000	
992.000 DEBT SERVICE - INTEREST	-1	4,000	
992.001 1999 WATER & SEWER BONDS	0	0	\$ -
997.000 PAYING AGENT	0	200	\$ -
<b>Water Distribution System</b>	<b>270,758</b>	<b>292,377</b>	<b>\$ 370,327.00</b>
Dept: 966.000 Operating Transfer			
972.000 TRANSFER -CAPITAL IMPROVEMENT	50,000	50,000	
972.590 TRANSFER OUT - SEWER FUND	0	0	\$ -
999.468 TRANSFER TO CDBG FUND	0	10,000	\$ 131,250.00
<b>Operating Transfer</b>	<b>50,000</b>	<b>60,000</b>	<b>\$ 131,250.00</b>
<b>Total Expenditures</b>	<b>429,679</b>	<b>517,077</b>	<b>\$ 637,427.00</b>

# Memo

**To:** Mayor Hall

**From:** Sanya Vitale

**cc:** City Council

**Date:** 04/11/2023

**Re:** Planning Commission Compliance

Under the current set of Ordinances, the City's Planning Commission and associated zoning powers are authorized through Public Act 207 of 1921.

This Act was repealed and replaced by two new acts:

1. The Michigan Planning Enabling Act 33 of 2008
2. The Michigan Zoning Enabling Act 110 of 2006

Per our colleagues at MSU Extension, *the Michigan Planning Enabling Act changes how various planning procedures are done and provides new duties and power to planning commissions in the state. The purpose of this act was to create a single set of procedures to follow regardless of whether planning is being done by a city, village, township, or county. After September 1, 2008 (the effective date of the act) only the procedures in the Michigan Planning Enabling Act should be used as the act replaced the former authorizing legislation used by the City of Hartford (PA 207 of 1921 as well as two other Acts used by County and Townships).*

Communities were provided time to transition their ordinances and planning commissions to the new legislation and while most finalized the work prior to the July 1, 2011, deadline, there are still communities, like Hartford, that still need to transition. The good news is that while we have not transitioned to the new laws, our colleagues at the MSU Extension have shared that this should not undermine the planning commission's day-to-day decision-making. We can break this process of transitioning towards compliance into 2 phases as outlined below.

**Phase 1:** I have utilized best practice guidance provided by the MSU Extension in creating a draft Planning Commission ordinance for review and consideration, my comments are in blue. The attached draft Planning Commission ordinance was provided by MSU Extension with an algorithm on how to prepare the document dependent on if your municipality is a city, township or county.

1. The ordinance or resolution creating the local unit of government's planning commission, will need to be updated. This will need to be done by July 1, 2011, or sooner if the ordinance, or resolution, is updated/amended for any other reason at any point sooner than July 1, 2011. *(I am attaching a draft Planning Commission ordinance to comply with this provision. We will need to amend Section 151.290 of the current Code of Ordinances to comply with the MPEA.)*

2. The planning commission's bylaws, will need to be updated. This will need to be done by July 1, or sooner, if the bylaws are updated/amended for any other reason at any point sooner than July 1, 2011. (I have spoken to the Planning Commission and will take a draft of compliant Bylaws to the next meeting for review and consideration)
3. Any existing plan (like the City's Master Plan) adopted prior to the effective date of the Michigan Planning Enabling Act, continues to be the adopted plan(s) for a local unit of government. Any amendments to those plan(s) must be done in conformance with the new act. Once the plan(s) are five or more years old, the planning commission shall conduct a five-year review of the plan(s). (Because the City's Master Plan is more than 5-years old, we need to reconsider it for approval it under the MPEA or begin working on a new one as outlined in the MPEA- this is a function of the Planning Commission)
4. Any ordinance or rules which govern subdivisions of land (under authority of §105 of the Land Division Act (M.C.L. 560.105)) does not need to be readapted or amended. If a local unit of government does choose to amend or re-adopt an ordinance or rules, then it must do so following the new act. (The City's Ordinances do govern subdivisions of land but at this time, there is no recommendation to change the Zoning Ordinance. The Planning Commission will conduct a complete review of the Zoning Ordinance this year and make recommendations for changes based on the MPEA and MZEA)
5. If the planning commission has had zoning powers and duties transferred to it (which ours does), those powers and duties continue. Even if amendments or updates to ordinances, rules, or bylaws are not done, that authority continues. However, the updating of ordinances, rules, and bylaws still must be completed by July 1, 2011.
6. Since the ordinance or resolution creating the planning commission must comply with the Michigan Planning Enabling Act prior to any change to the adopted plan, including amendments to the amendments, it is recommended that local governments update the Planning Commission Ordinance sooner rather than later. (See attached recommended draft Planning Commission ordinance)

**Phase 2:** With regards to the City's Zoning Ordinance and compliance with the Michigan Zoning Enabling Act, the process for compliance is a bit different. The process for amending the Zoning Ordinance is outlined as follows with guidance from our colleagues at the MSU Extension:

**Step 1:** Propose to amend the Zoning Ordinance CHAPTER 151 of the CITY OF HARTFORD CODE OF ORDINANCES. I recommend that the City Council recommend that the Planning Commission start work on preparing changes to the Zoning Ordinance as outlined below:

**Step 2:** The Planning Commission should cause preparation of a draft of (1) the text of a zoning amendment

**Step 3:** The planning commission should review existing procedure, policy for the administration and enforcement of the zoning ordinance to determine if the proposed amendments require any modification to those procedures and policies

Generally, we must update certain sections of the City's current Zoning Ordinance which are built into the City's General Code of Ordinances to comply with the MZEA.

- a. Legal Basis for formation must be amended to comply with P.A. 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, M.C.L. 125.3101 et seq.
- b. Zoning Commission duties must be transferred to the Planning Commission (our ordinance reads Zoning Commission 151.290)
- c. Public Notice requirements change as follows:
  - i. Zoning amendments by §306 (M.C.L. 125.3306) with cross reference to §202 (M.C.L. 125.3202), and by §401(2) (M.C.L. 125.3401(2) with cross reference to §202 (M.C.L. 125.3202) (currently outlined at 151.253, 151.291, 151.293);
  - ii. Special use permits by §502(2)-502(3) (M.C.L. 125.3502(2)-125.3502(3)) (currently outlined at 151.292);
  - iii. Planned unit developments by §503(5) (M.C.L. 125.3503(5));

- iv. Planned unit development as a zoning amendment by §306 (M.C.L. 125.3306) with cross reference to §202 (M.C.L. 125.3202);
  - v. Purchase of a development rights by §508(4), (M.C.L. 125.3508(4)); and
  - vi. Appeals board hearings by §604(4) (M.C.L. 125.3604(4) and §604(5) (M.C.L. 125.3604(5)) ([151.308.B.2.f](#))
- d. Removal of a Planning Commission Member or Zoning Board of Appeals member for conflict of interest, misfeasance, malfeasance or nonfeasance
- i. The legislative body shall provide for the removal of a member of a zoning commission for misfeasance, malfeasance or nonfeasance in office upon written charges and after public hearing.” (§301(9) (M.C.L. 125.3301(9)))
  - ii. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.” (§601(9) (M.C.L. 125.3601(9)))
- e. Special Use Changes:
- i. Review the zoning ordinance requirements for special uses with §502 (M.C.L. 125.3502) and §504 (M.C.L. 125.3504) ([151.292](#)). If there are any discrepancies between what your zoning ordinance reads and what the Michigan Zoning Enabling Act requires, then prepare an amendment to the zoning ordinance to comply with the statute. It is likely the discrepancy which will be found is the notice requirements for hearings or when a decision on a special use will be made.
  - ii. The new Act has incorporated the Michigan Appellate Court distinction that a use variance requires a showing of “unnecessary hardship” while a dimensional variance (non-use variance) requires a showing of “practical difficulty” (§604(7) (M.C.L. 125.3604(7))). If your ordinance requires a showing of either or both, an ordinance change will be needed.
  - iii. A written “statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed” (§502(4) (M.C.L. 125.3502(4))) is now required with any special land use decision. The “findings” language is new. The zoning ordinance should be amended to include this requirement.
- f. Planned Unit Development (PUD) Review the zoning ordinance requirements for planned unit developments (PUD) with §503 (M.C.L. 125.3503) and §504 (M.C.L. 125.3504).
- g. Zoning Board of Appeals:
- i. Review the zoning ordinance requirements for zoning board of appeals with §601-607 (M.C.L. 125.3601- 125.3607) ([151.313](#))
  - ii. [As our ZBA has not met in several years, we will have to reorganize it.](#) Reorganized appeals boards shall have a membership of: ([151.305](#))
    1. Three or more members if the local unit of government has a population of less than 5,000 (§601(3) (M.C.L. 125.3601(3))).
    2. The fixed number of members shall be specified in the zoning ordinance.
    3. One member shall be a member of the planning commission in counties and townships. It continues to be optional in cities and villages. (§601(4) (M.C.L. 125.3601(4))). (It was always required in counties and townships.)
    4. The remaining members shall be selected from the electors residing in the zoning jurisdiction. (For a county members shall not live in a city or village.)
    5. Membership shall be representative of the population distribution and of the various interests present in the local unit of government.
    6. Terms are for three years, staggered. (Unless they are the member from the planning commission or legislative body. In those cases the term of office on the appeals board is the same as their term of office on the planning commission or legislative body.)
    7. Appointments to vacancies must be made within one month after the preceding member’s term has expired. This is a new requirement for everyone. (§601(10) (M.C.L. 125.3601(10)))

8. Up to two alternate members may be selected from the electors residing in zoning jurisdiction. (Having the same term as regular members. Alternates are called to serve for the duration of a case when a regular member is absent for one or more meetings (absent due to illness, vacation, conflict of interest, etc.)) (§601(7) (M.C.L. 125.3601(7)))
  9. One member may be a member of the legislative body (but cannot be chair of the appeals board).
  10. Any member, or alternate member can be removed from office by the legislative body for misfeasance, malfeasance, or nonfeasance upon written charges and a public hearing.
- iii. Requirements for appeals/variances hearings must comply as follows: (151.307)
1. The notices shall be given not less than 15 days before the date of the hearing on an appeal. Notice is considered to be given when personally delivered or when deposited during normal business hours for delivery with the U.S. Postal Service or other public or private delivery service.
    - a. Notices shall be sent to: (151.311)
      - i. The individual demanding the appeal.
      - ii. The owner (or other owners) of the property, if different.
      - iii. The owners of all real property within 300 feet of the boundary for the property for which the approval has been requested, as shown by the latest assessment roll, regardless of whether the owner and property is located in the zoning jurisdiction or not.
      - iv. One occupant of each structure, or each unit within multiple-unit structures, within 300 feet of the boundary for the property for which the approval has been requested, regardless of whether the owner and property is located in the zoning jurisdiction or not. (For multiple-unit structures containing more than four dwelling units, only the manager of the structure needs to be notified and post the information at the main entrance to the structure.)
      - v. The general public by publication in a newspaper which circulates in the City of Hartford.
      - vi. Members of the appeals board.
    - b. The notice shall include:
      - i. The nature of the appeal being requested.
      - ii. The property(ies) for which the appeal or variance has been made.
      - iii. A listing of all existing street addresses within the property(ies) which is(are) subject of the appeal. (Street addresses do not need to be created and listed if no such addresses currently exist. If there are no street addresses another means of identification may be used.)
      - iv. The location where the demand for appeal can be viewed and copied prior to the date of the hearing.
      - v. The date, time and location of when the hearing before the appeals board will take place.
      - vi. The address at which written comments should be directed prior to the hearing.
      - vii. For members of the appeals board only, a copy of the demand for appeal being requested.
- iv. Use Variances: Under no circumstances shall the Appeals Board grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

- v. If the demand for appeal is for a variance the appeals board shall either grant, grant conditions, or deny the application. The appeals board may reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination and may issue or direct the issuance of a permit. A majority vote of the membership of the appeals board is necessary to grant a dimensional variance and rule on an interpretation of the ordinance. The decision shall be in writing and reflect the reasons for the decision.
  - 1. At a minimum the record of the decision shall include:
    - a. Formal determination of the facts,
    - b. The conclusions derived from the facts (reasons for the decision)
    - c. The decision.
  - 2. Within eight days of the decision the record of the decision shall be certified and a copy delivered by first class mail to the person demanding the appeal, the administrator, and other parties.
- vi. Any person having an interest affected by such decision shall have a right to appeal to Circuit Court within 30 days of the certified decision of the appeals board, as provided by law.
- h. Zoning Amendments: Review the zoning ordinance requirements for zoning amendments (151.292) with §306 (M.C.L. 125.3306) with cross reference to §202 (M.C.L. 125.3202), and by §401(2) (M.C.L. 125.3401(2) with cross reference to §202 (M.C.L. 125.3202)
  - i. The notices shall be given not less than 15 days before the date of the hearing on a proposed zoning amendment. Notice is considered to be given when personally delivered or when deposited during normal business hours for delivery with the U.S. Postal Service or other public or private delivery service. Notices shall be sent to:
    - 1. The applicant
    - 2. The owner (or other owners) of the property, if different.
    - 3. If the zoning amendment is for less than 11 adjacent properties: the owners of all real property within 300 feet of the boundary for the property for which the approval has been requested, as shown by the latest assessment roll, regardless of whether the owner and property is located in the zoning jurisdiction or not.
    - 4. If the zoning amendment involves less than 11 adjacent properties: One occupant of each structure, or each unit within multiple-unit structures, within 300 feet of the boundary for the property for which the approval has been requested, regardless of whether the owner and property is located in the zoning jurisdiction or not. (For multiple-unit structures containing more than four dwelling units, only the manager of the structure needs to be notified and post the information at the main entrance to the structure.)
    - 5. The general public by publication in a newspaper which circulates in the [name of local government].
    - 6. Members of the planning commission.
  - ii. The notice shall include:
    - 1. The nature of the zoning amendment being requested.
    - 2. The property(ies) for which the zoning amendment has been made.
    - 3. If the zoning amendment is for less than 11 adjacent properties: a listing of all existing street addresses within the property(ies) which is(are) subject of the zoning amendment. (Street addresses do not need to be created and listed if no such addresses currently exist. If there are no street addresses another means of identification may be used.)
    - 4. The location where the application documents can be viewed and copied prior to the date the zoning amendment hearing.
    - 5. The date, time when and location where the hearing on the zoning amendment will take place.
    - 6. The address at which written comments should be directed prior to the hearing on the zoning amendment.

7. For members of the planning commission only, a copy of the request for the zoning amendment, the draft of the zoning amendment, and supporting documents in the record.
  - i. Nonconformities: Review the zoning ordinance requirements for nonconformities with §208 (M.C.L. 125.3208) (151.201)
  - j. Site Plans: Review the zoning ordinance requirements for site plans with §501 (M.C.L. 125.3501) (151.250-151.257)
  - k. Discretionary Decisions: Review the zoning ordinance requirements for discretionary decisions with §504 (M.C.L. 125.3504)
  - l. Performance Guarantees: Review the zoning ordinance requirements for performance guarantees with §505 (M.C.L. 125.3505)
  - m. Update Resolution/Ordinance Creating Planning Commission: See previous section
  - n. Update Rules of Procedure (Bylaws): Compare rules of procedure to MZEA.

**Step 4** Submit the proposed ordinance for an informal review to a third party like MSU Extension **and review by an attorney is strongly recommended.**

**Step 5.** The planning commission shall hold at least one public hearing on the zoning ordinance (§306(1), M.C.L. 125.3306(1)). Notices for the public hearing are required.

**Step 6.** After the hearing, the planning commission should consider adoption of the zoning amendment. Action may be to recommend to the legislative body adoption, or not. The determination as to if the zoning amendment should be recommended for adoption, or not, is based mainly on if the amendment complies with, or furthers, the plan upon which the zoning ordinance is based.

**Step 7:** The planning commission should adopt a resolution recommending to the legislative body to adopt the zoning amendment, or to not adopt the zoning amendment, and file with the legislative body (§305, M.C.L. 125.3305).

**Step 8:** The legislative body shall review the proposed zoning amendment.

**Step 9:** (Optional, which may or may not happen) The legislative body may hold an additional hearing on the proposed ordinance/amendment if it considers it necessary (§401(1), M.C.L. 125.3401(1)). Notices for the public hearing are required (§401(2), M.C.L. 125.3401(2)). The notice shall include the following information

**Step 10:** If the legislative body considers changes, additions or amendments to the proposed zoning amendment; the changes, etc., may be referred back to the planning commission for consideration and comment within the legislative body's specified period of time. (§401(3), M.C.L. 125.3401(3))

**Step 11:** Protest petition (abutter's challenge) concerning the proposed zoning amendment may be filed with the city or village. The protest petition shall be signed by one or more of the following:

- Be signed by owners of at least 20% of the area of land included in the proposed zoning amendment.
- Be signed by owners of at least 20% of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change (not including publicly owned land).
- (§202(4), M.C.L. 125.3202(4) and §403, M.C.L. 125.3403)

**Step 12:** The legislative body shall vote on the adoption of the proposed zoning amendment, with or without amendments. The vote to adopt is done with a majority vote of the members of the legislative body (unless subject to a protest petition in a village or city, see step 11b) (§401(5), M.C.L. 125.3401(5)). The zoning amendment shall take effect (§401(6), M.C.L. 125.3401(6)) seven days after a "notice of adoption" has been published.



**Step 13:** A copy of the zoning amendment, amendments, supplements, and maps shall be filed with the unit of government's clerk (§401(7), M.C.L. 125.3401(7))

**Step 14.** One notice of "ordinance adoption", within 15 days of adoption (step 12), shall be published in a local newspaper (§401(7), M.C.L. 125.3401(7)). (Note: "General circulation" means a newspaper which has a paid subscription, and does not mean a free-distribution advertiser or similar type publication.) The notice shall include (§401(9), M.C.L. 125.3401(9)):

- Either:
  - A summary of the regulatory effect of the amendment, including the geographic area affected, or
  - The text of the amendment.
- The effective date of the ordinance or amendment.
- The place where and the time when a copy of the ordinance or amendment may be purchased or inspected.

**MICHIGAN ZONING ENABLING ACT**  
**Act 110 of 2006**

AN ACT to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

**History:** 2006, Act 110, Eff. July 1, 2006.

*The People of the State of Michigan enact:*

ARTICLE I  
GENERAL PROVISIONS

**125.3101 Short title.**

Sec. 101. This act shall be known and may be cited as the "Michigan zoning enabling act".

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3102 Definitions.**

Sec. 102. As used in this act:

(a) "Agricultural land" means substantially undeveloped land devoted to the production of plants and animals useful to humans, including, but not limited to, forage and sod crops, grains, feed crops, field crops, dairy products, poultry and poultry products, livestock, herbs, flowers, seeds, grasses, nursery stock, fruits, vegetables, Christmas trees, and other similar uses and activities.

(b) "Airport" means an airport licensed under section 86 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.86.

(c) "Airport approach plan" and "airport layout plan" mean a plan, or an amendment to a plan, filed with the zoning commission under section 151 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.151.

(d) "Airport manager" means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2.

(e) "Airport zoning regulations" means airport zoning regulations under the airport zoning act, 1950 (Ex Sess) PA 23, MCL 259.431 to 259.465, for an airport hazard area that lies in whole or part in the area affected by a zoning ordinance under this act.

(f) "Conservation easement" means that term as defined in section 2140 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2140.

(g) "Coordinating zoning committee" means a coordinating zoning committee as described under section 307.

(h) "Development rights" means the rights to develop land to the maximum intensity of development authorized by law.

(i) "Development rights ordinance" means an ordinance, which may comprise part of a zoning ordinance, adopted under section 507.

(j) "Family child care home" and "group child care home" mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111, and only apply to the bona fide private residence of the operator of the family or group child care home.

(k) "Greenway" means a contiguous or linear open space, including habitats, wildlife corridors, and trails, that links parks, nature reserves, cultural features, or historic sites with each other, for recreation and conservation purposes.

(l) "Improvements" means those features and actions associated with a project that are considered necessary by the body or official granting zoning approval to protect natural resources or the health, safety, and welfare of the residents of a local unit of government and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, and drainage. Improvements do not include the entire project that is the subject of zoning approval.

(m) "Intensity of development" means the height, bulk, area, density, setback, use, and other similar characteristics of development.

(n) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other similar elected governing body of a city or village.

(o) "Local unit of government" means a county, township, city, or village.

(p) "Other eligible land" means land that has a common property line with agricultural land from which development rights have been purchased and is not divided from that agricultural land by a state or federal limited access highway.

(q) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

(r) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is later.

(s) "Qualified residential treatment program" means that term as defined in section 1 of 1973 PA 116, MCL 722.111.

(t) "Site plan" includes the documents and drawings required by the zoning ordinance to ensure that a proposed land use or activity is in compliance with local ordinances and state and federal statutes.

(u) "State licensed residential facility" means a structure constructed for residential purposes that is licensed by the state under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for 6 or fewer individuals under 24-hour supervision or care.

(v) "Undeveloped state" means a natural state preserving natural resources, natural features, scenic or wooded conditions, agricultural use, open space, or a similar use or condition. Land in an undeveloped state does not include a golf course but may include a recreational trail, picnic area, children's play area, greenway, or linear park. Land in an undeveloped state may be, but is not required to be, dedicated to the use of the public.

(w) "Zoning commission" means a zoning commission as described under section 301.

(x) "Zoning jurisdiction" means the area encompassed by the legal boundaries of a city or village or the area encompassed by the legal boundaries of a county or township outside the limits of incorporated cities and villages. The zoning jurisdiction of a county does not include the areas subject to a township zoning ordinance.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2007, Act 219, Imd. Eff. Dec. 28, 2007;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2022, Act 206, Imd. Eff. Oct. 7, 2022.

### **125.3103 Notice; publication; mail or personal delivery; requirements.**

Sec. 103. (1) Except as otherwise provided under this act, if a local unit of government conducts a public hearing required under this act, the local unit of government shall publish notice of the hearing in a newspaper of general circulation in the local unit of government not less than 15 days before the date of the hearing.

(2) Notice required under this act shall be given as provided under subsection (3) to the owners of property that is the subject of the request. Notice shall also be given as provided under subsection (3) to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notification need not be given to more than 1 occupant of a structure, except that if a structure contains more than 1 dwelling unit or spatial area owned or leased by different persons, 1 occupant of each unit or spatial area shall be given notice. If a single structure contains more than 4 dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure.

(3) The notice under subsection (2) is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States postal service or other public or private delivery service. The notice shall be given not less than 15 days before the date the request will be considered. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.

(4) A notice under this section shall do all of the following:

(a) Describe the nature of the request.

(b) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.

(c) State when and where the request will be considered.

(d) Indicate when and where written comments will be received concerning the request.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

ARTICLE II  
ZONING AUTHORIZATION AND INITIATION

**125.3201 Regulation of land development and establishment of districts; provisions; uniformity of regulations; designations; limitations.**

Sec. 201. (1) A local unit of government may provide by zoning ordinance for the regulation of land development and the establishment of 1 or more districts within its zoning jurisdiction which regulate the use of land and structures to meet the needs of the state's citizens for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that use of the land is situated in appropriate locations and relationships, to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities, to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility requirements, and to promote public health, safety, and welfare.

(2) Except as otherwise provided under this act, the regulations shall be uniform for each class of land or buildings, dwellings, and structures within a district.

(3) A local unit of government may provide under the zoning ordinance for the regulation of land development and the establishment of districts which apply only to land areas and activities involved in a special program to achieve specific land management objectives and avert or solve specific land use problems, including the regulation of land development and the establishment of districts in areas subject to damage from flooding or beach erosion.

(4) A local unit of government may adopt land development regulations under the zoning ordinance designating or limiting the location, height, bulk, number of stories, uses, and size of dwellings, buildings, and structures that may be erected or altered, including tents and recreational vehicles.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3202 Zoning ordinance; determination by local legislative body; amendments or supplements; notice of proposed rezoning.**

Sec. 202. (1) The legislative body of a local unit of government may provide by ordinance for the manner in which the regulations and boundaries of districts or zones shall be determined and enforced or amended or supplemented. Amendments or supplements to the zoning ordinance shall be adopted in the same manner as provided under this act for the adoption of the original ordinance.

(2) Except as provided in subsection (3), the zoning commission shall give a notice of a proposed rezoning in the same manner as required under section 103.

(3) For any group of adjacent properties numbering 11 or more that is proposed for rezoning, the requirements of section 103(2) and the requirement of section 103(4)(b) that street addresses be listed do not apply to that group of adjacent properties.

(4) An amendment to a zoning ordinance by a city or village is subject to a protest petition under section 403.

(5) An amendment to conform a provision of the zoning ordinance to the decree of a court of competent jurisdiction as to any specific lands may be adopted by the legislative body and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for under this act.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

**125.3203 Zoning ordinance; plan; incorporation of airport layout plan or airport approach plan; zoning ordinance adopted before or after March 28, 2001; applicability of public transportation facilities.**

Sec. 203. (1) A zoning ordinance shall be based upon a plan designed to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population, to provide adequate light and air, to lessen congestion on the public roads and streets, to reduce hazards to life and property, to facilitate adequate provision for a system of transportation including, subject to subsection (5), public transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements, and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and

properties. A zoning ordinance shall be made with reasonable consideration of the character of each district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and appropriate trend and character of land, building, and population development.

(2) If a local unit of government adopts or revises a plan required under subsection (1) after an airport layout plan or airport approach plan has been filed with the local unit of government, the local unit of government shall incorporate the airport layout plan or airport approach plan into the plan adopted under subsection (1).

(3) In addition to the requirements of subsection (1), a zoning ordinance adopted after March 28, 2001 shall be adopted after reasonable consideration of both of the following:

(a) The environs of any airport within a district.

(b) Comments received at or before a public hearing under section 306 from the airport manager of any airport.

(4) If a zoning ordinance was adopted before March 28, 2001, the zoning ordinance is not required to be consistent with any airport zoning regulations, airport layout plan, or airport approach plan. A zoning ordinance amendment adopted or variance granted after March 28, 2001 shall not increase any inconsistency that may exist between the zoning ordinance or structures or uses and any airport zoning regulations, airport layout plan, or airport approach plan. This section does not limit the right to petition for submission of a zoning ordinance amendment to the electors under section 402 or the right to file a protest petition under section 403.

(5) The reference to public transportation facilities in subsection (1) only applies to a plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2010, Act 305, Imd. Eff. Dec. 17, 2010.

#### **125.3204 Single-family residence; instruction in craft or fine art as home occupation.**

Sec. 204. A zoning ordinance adopted under this act shall provide for the use of a single-family residence by an occupant of that residence for a home occupation to give instruction in a craft or fine art within the residence. This section does not prohibit the regulation of noise, advertising, traffic, hours of operation, or other conditions that may accompany the use of a residence under this section.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3205 Zoning ordinance subject to certain acts; regulation or control of oil or gas wells; prohibition; extraction of valuable natural resource; challenge to zoning decision; serious consequences resulting from extraction; factors; regulations not limited.**

Sec. 205. (1) A zoning ordinance is subject to all of the following:

(a) The electric transmission line certification act, 1995 PA 30, MCL 460.561 to 460.575.

(b) The regional transit authority act, 2012 PA 387, MCL 124.541 to 124.558.

(c) The small wireless communications facilities deployment act.

(2) A county or township shall not regulate or control the drilling, completion, or operation of oil or gas wells or other wells drilled for oil or gas exploration purposes and shall not have jurisdiction with reference to the issuance of permits for the location, drilling, completion, operation, or abandonment of such wells.

(3) An ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit.

(4) A person challenging a zoning decision under subsection (3) has the initial burden of showing that there are valuable natural resources located on the relevant property, that there is a need for the natural resources by the person or in the market served by the person, and that no very serious consequences would result from the extraction, by mining, of the natural resources.

(5) In determining under this section whether very serious consequences would result from the extraction, by mining, of natural resources, the standards set forth in *Silva v Ada Township*, 416 Mich 153 (1982), shall be applied and all of the following factors may be considered, if applicable:

(a) The relationship of extraction and associated activities with existing land uses.

(b) The impact on existing land uses in the vicinity of the property.

(c) The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.

(d) The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.

(e) The impact on other identifiable health, safety, and welfare interests in the local unit of government.

(f) The overall public interest in the extraction of the specific natural resources on the property.

(6) Subsections (3) to (5) do not limit a local unit of government's reasonable regulation of hours of operation, blasting hours, noise levels, dust control measures, and traffic, not preempted by part 632 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.63201 to 324.63223. However, such regulation shall be reasonable in accommodating customary mining operations.

(7) This act does not limit state regulatory authority under other statutes or rules.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2011, Act 113, Imd. Eff. July 20, 2011;—Am. 2012, Act 389, Eff. Mar. 28, 2013;—Am. 2018, Act 366, Eff. Mar. 12, 2019.

### **125.3205a Amateur radio service station antenna structures.**

Sec. 205a. (1) 47 CFR 97.15 provides that owners of certain amateur radio service station antenna structures more than 60.96 meters (200 feet) above ground level at the site or located near or at a public use airport must notify the federal aviation administration and register with the federal communications commission as required by 47 CFR part 17.

(2) An amateur radio service station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur radio service communications. Regulation of an amateur radio service station antenna structure by a local unit of government must not preclude amateur radio service communications. Rather, it must reasonably accommodate those communications and must constitute the minimum practicable regulation to accomplish the local unit of government's legitimate purpose.

(3) To obtain information about the regulation of amateur radio service station antenna structures, a person may contact any advisory board that is jointly established by the Michigan section of the American radio relay league and 1 or more state organizations representing local units of government.

**History:** Add. 2014, Act 556, Imd. Eff. Jan. 15, 2014.

### **125.3205d Zoning ordinance; prohibition or regulation of commemorative signs.**

Sec. 205d. (1) A zoning ordinance shall not regulate or prohibit a sign that is located on or within a building and that commemorates any of the following:

(a) Any of the following who die in the line of duty:

(i) Police officers.

(ii) Firefighters.

(iii) Medical first responders.

(iv) Members of the United States Armed Forces.

(v) Corrections officers.

(b) Veterans of the United States Armed Forces.

(2) As used in this section, "medical first responder" means that term as defined in section 20906 of the public health code, 1978 PA 368, MCL 333.20906.

**History:** Add. 2018, Act 506, Eff. Mar. 28, 2019.

### **125.3206 Residential use of property; adult foster care facilities; family, group child care homes, or qualified residential treatment programs.**

Sec. 206. (1) Except as provided in subsection (2), each of the following is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone:

(a) A state licensed residential facility.

(b) A facility in use as described in section 3(4)(k) of the adult foster care facility licensing act, 1979 PA 218, MCL 400.703.

(c) A qualified residential treatment program that provides services for 10 or fewer individuals.

(2) Subsection (1) does not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions.

(3) For a county or township, a family child care home is a residential use of property for the purposes of zoning and a permitted use in all residential zones and is not subject to a special use or conditional use permit or procedure different from those required for other dwellings of similar density in the same zone.

(4) For a county or township, a group child care home shall be issued a special use permit, conditional use permit, or other similar permit if the group child care home meets all of the following standards:

(a) Is located not closer than 1,500 feet to any of the following:

(i) Another licensed group child care home.

(ii) An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.

(iii) A facility offering substance use disorder services to 7 or more people that is licensed under part 62 of the public health code, 1978 PA 368, MCL 333.6230 to 333.6251.

(iv) A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the department of corrections.

(b) Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government.

(c) Maintains the property consistent with the visible characteristics of the neighborhood.

(d) Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a group child care home between the hours of 10 p.m. and 6 a.m.

(e) Meets regulations, if any, governing signs used by a group child care home to identify itself.

(f) Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

(5) For a city or village, a group child care home may be issued a special use permit, conditional use permit, or other similar permit.

(6) A licensed or registered family or group child care home that operated before March 30, 1989 is not required to comply with this section.

(7) This section does not prohibit a local unit of government from inspecting a family or group child care home for the home's compliance with and enforcing the local unit of government's zoning ordinance. For a county or township, an ordinance shall not be more restrictive for a family or group child care home than 1973 PA 116, MCL 722.111 to 722.128.

(8) The establishment of any of the facilities listed under subsection (4)(a) after issuance of a special use permit, conditional use permit, or other similar permit pertaining to the group child care home does not affect renewal of that permit.

(9) This section does not prohibit a local unit of government from issuing a special use permit, conditional use permit, or other similar permit to a licensed group child care home that does not meet the standards listed under subsection (4).

(10) The distances required under subsection (4)(a) shall be measured along a road, street, or place maintained by this state or a local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an alley.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2007, Act 219, Imd. Eff. Dec. 28, 2007;—Am. 2018, Act 513, Eff. Mar. 28, 2019;—Am. 2022, Act 206, Imd. Eff. Oct. 7, 2022.

### **125.3207 Zoning ordinance or decision; effect as prohibiting establishment of land use.**

Sec. 207. A zoning ordinance or zoning decision shall not have the effect of totally prohibiting the establishment of a land use within a local unit of government in the presence of a demonstrated need for that land use within either that local unit of government or the surrounding area within the state, unless a location within the local unit of government does not exist where the use may be appropriately located or the use is unlawful.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3208 Nonconforming uses or structures.**

Sec. 208. (1) If the use of a dwelling, building, or structure or of the land is lawful at the time of enactment of a zoning ordinance or an amendment to a zoning ordinance, then that use may be continued although the use does not conform to the zoning ordinance or amendment. This subsection is intended to codify the law as it existed before July 1, 2006 in section 16(1) of the former county zoning act, 1943 PA 183, section 16(1) of the former township zoning act, 1943 PA 184, and section 3a(1) of the former city and village zoning act, 1921 PA 207, as they applied to counties, townships, and cities and villages, respectively, and shall be construed as a continuation of those laws and not as a new enactment.

(2) The legislative body may provide in a zoning ordinance for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures upon terms and conditions provided in the zoning ordinance. In establishing terms for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures, different classes of nonconforming uses may be established in the zoning ordinance with different requirements applicable to each class.

(3) The legislative body may acquire, by purchase, condemnation, or otherwise, private property or an interest in private property for the removal of nonconforming uses and structures. The legislative body may

provide that the cost and expense of acquiring private property may be paid from general funds or assessed to a special district in accordance with the applicable statutory provisions relating to the creation and operation of special assessment districts for public improvements in local units of government. Property acquired under this subsection by a city or village shall not be used for public housing.

(4) The elimination of the nonconforming uses and structures in a zoning district is declared to be for a public purpose and for a public use. The legislative body may institute proceedings for condemnation of nonconforming uses and structures under 1911 PA 149, MCL 213.21 to 213.25.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

**125.3209 Township zoning ordinance not subject to county ordinance, rule, or regulation.**

Sec. 209. Except as otherwise provided under this act, a township that has enacted a zoning ordinance under this act is not subject to an ordinance, rule, or regulation adopted by a county under this act.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3210 Ordinance as controlling.**

Sec. 210. Except as otherwise provided under this act, an ordinance adopted under this act shall be controlling in the case of any inconsistencies between the ordinance and an ordinance adopted under any other law.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3211 Appointment of zoning commission by legislative body; purposes; petition; initiation of action to formulate zoning commission and zoning ordinance.**

Sec. 211. (1) The legislative body may proceed with the adoption of a zoning ordinance containing land development regulations and establishing zoning districts under this act upon appointment of a zoning commission as provided in section 301.

(2) The legislative body may appoint a zoning commission for purposes of formulating a zoning ordinance on its own initiative or upon receipt of a petition requesting that action as provided under subsection (3).

(3) Upon receipt of a petition signed by a number of qualified and registered voters residing in the zoning jurisdiction equal to not less than 8% of the total votes cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, filed with the clerk of the local unit of government requesting the legislative body to appoint a zoning commission for purposes of formulating a zoning ordinance, the legislative body, at the next regular meeting, may initiate action to formulate a zoning commission and zoning ordinance under this act.

**History:** 2006, Act 110, Eff. July 1, 2006.

ARTICLE III  
ZONING COMMISSION

**125.3301 Zoning commission; creation; transfer of powers to planning commission; resolution; membership; terms; successors; vacancy; limitation; removal of member; officers.**

Sec. 301. (1) Each local unit of government in which the legislative body exercises authority under this act shall create a zoning commission unless 1 of the following applies:

(a) A county zoning commission created under former 1943 PA 183, a township zoning board created under former 1943 PA 184, or a city or village zoning commission created under former 1921 PA 207 was in existence in the local unit of government as of June 30, 2006. Unless abolished by the legislative body, that existing board or commission shall continue as and exercise the powers and perform the duties of a zoning commission under this act, subject to a transfer of power under subsection (2).

(b) A planning commission was, as of June 30, 2006, in existence in the local unit of government and pursuant to the applicable planning enabling act exercising the powers and performing the duties of a county zoning commission created under former 1943 PA 185, of a township zoning board created under former 1943 PA 184, or of a city or village zoning commission created under former 1921 PA 207. Unless abolished by the legislative body, that existing planning commission shall continue and exercise the powers and perform the duties of a zoning commission under this act.

(c) The local unit of government has created a planning commission on or after July 1, 2006 and transferred the powers and duties of a zoning commission to the planning commission pursuant to the applicable planning enabling act.



(2) Except as otherwise provided under this subsection, if the powers and duties of the zoning commission have been transferred to the planning commission as provided by law, the planning commission shall function as the zoning commission of the local unit of government. By July 1, 2011, the legislative body shall transfer the powers and duties of the zoning commission to the planning commission. Except as provided under this subsection, beginning July 1, 2011, a zoning commission's powers or duties under this act or an ordinance adopted under this act shall only be exercised or performed by a planning commission.

(3) If a zoning commission is created on or after July 1, 2006, the zoning commission shall be created by resolution and be composed of not fewer than 5 or more than 11 members appointed by the legislative body. Not fewer than 2 of the members of a county zoning commission shall be recommended for membership by the legislative bodies of townships that are, or will be, subject to the county zoning ordinance. This requirement may be met as vacancies occur on a county zoning commission that existed on June 30, 2006.

(4) The members of a zoning commission shall be selected upon the basis of the members' qualifications and fitness to serve as members of a zoning commission.

(5) The first zoning commission appointed under subsection (3) shall be divided as nearly as possible into 3 equal groups, with terms of each group as follows:

- (a) One group for 1 year.
- (b) One group for 2 years.
- (c) One group for 3 years.

(6) Upon the expiration of the terms of the members first appointed, successors shall be appointed in the same manner for terms of 3 years each. A member of the zoning commission shall serve until a successor is appointed and has been qualified.

(7) A vacancy on a zoning commission shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(8) An elected officer of a local unit of government shall not serve simultaneously as a member or an employee of the zoning commission of that local unit of government, except that 1 member of the legislative body may be a member of the zoning commission.

(9) The legislative body shall provide for the removal of a member of a zoning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after public hearing.

(10) A zoning commission shall elect from its members a chairperson, a secretary, and other officers and establish such committees it considers necessary and may engage any employees, including for technical assistance, it requires. The election of officers shall be held not less than once in every 2-year period.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

### **125.3302 Expenses; compensation.**

Sec. 302. Members of the zoning commission may be reimbursed for reasonable expenses actually incurred in the discharge of their duties and may receive compensation as fixed by the legislative body.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3303 Planning expert; compensation.**

Sec. 303. (1) With the approval of the legislative body, the zoning commission may engage the services of a planning expert. Compensation for the planning expert shall be paid by the legislative body.

(2) The zoning commission shall consider any information and recommendations furnished by appropriate public officials, departments, or agencies.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3304 Regular meetings; notice; zoning commission subject to open meetings act.**

Sec. 304. The zoning commission shall hold a minimum of 2 regular meetings annually, giving notice of the time and place by publication in a newspaper of general circulation in the zoning jurisdiction. Notice shall be given not less than 15 days before the meeting. The zoning commission is subject to the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3305 Recommendations of zoning commission; adoption and filing.**

Sec. 305. The zoning commission shall adopt and file with the legislative body the following recommendations:

- (a) A zoning plan for the areas subject to zoning of the local unit of government.
- (b) The establishment of zoning districts, including the boundaries of those districts.
- (c) The text of a zoning ordinance with the necessary maps and zoning regulations to be adopted for a

zoning district or the zoning jurisdiction as a whole.

(d) The manner of administering and enforcing the zoning ordinance.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3306 Recommendations of zoning commission; submission to legislative body; public hearing; notice; examination of proposed text and maps.**

Sec. 306. (1) Before submitting its recommendations for a proposed zoning ordinance to the legislative body, the zoning commission shall hold at least 1 public hearing. Notice of the time and place of the public hearing shall be given in the same manner as required under section 103(1) for the initial adoption of a zoning ordinance or section 202 for any other subsequent zoning text or map amendments.

(2) Notice of the time and place of the public hearing shall also be given by mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the clerk of the legislative body for the purpose of receiving the notice of public hearing.

(3) The notices required under this section shall include the places and times at which the proposed text and any maps of the zoning ordinance may be examined.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3307 Review and recommendations after hearing; submission to township; submission to coordinating zoning committee; waiver of right to review.**

Sec. 307. (1) Following the hearing required in section 306, a township shall submit for review and recommendation the proposed zoning ordinance, including any zoning maps, to the zoning commission of the county in which the township is situated if a county zoning commission has been appointed as provided under this act.

(2) If there is not a county zoning commission or county planning commission, the proposed zoning ordinance shall be submitted to the coordinating zoning committee. The coordinating zoning committee shall be composed of either 3 or 5 members appointed by the legislative body of the county for the purpose of coordinating the zoning ordinances proposed for adoption under this act with the zoning ordinances of a township, city, or village having a common boundary with the township.

(3) The county will have waived its right for review and recommendation of an ordinance if the recommendation of the county zoning commission, planning commission, or coordinating zoning committee has not been received by the township within 30 days from the date the proposed ordinance is received by the county.

(4) The legislative body of a county by resolution may waive its right to review township ordinances and amendments under this section.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3308 Summary of public hearing comments; transmission to legislative body by zoning commission; report.**

Sec. 308. (1) Following the required public hearing under section 306, the zoning commission shall transmit a summary of comments received at the hearing and its proposed zoning ordinance, including any zoning maps and recommendations, to the legislative body of the local unit of government.

(2) Following the enactment of the zoning ordinance, the zoning commission shall at least once per year prepare for the legislative body a report on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the ordinance.

**History:** 2006, Act 110, Eff. July 1, 2006.

ARTICLE IV

ZONING ADOPTION AND ENFORCEMENT

**125.3401 Public hearing to be held by legislative body; conditions; notice; approval of zoning ordinance and amendments by legislative body; filing; notice of ordinance adoption; notice mailed to airport manager; information to be included in notice; other statutory requirements superseded.**

Sec. 401. (1) After receiving a zoning ordinance under section 308(1) or an amendment under sections 202 and 308(1), the legislative body may hold a public hearing if it considers it necessary or if otherwise required.

(2) Notice of a public hearing to be held by the legislative body shall be given in the same manner as required under section 103(1) for the initial adoption of a zoning ordinance or section 202 for any zoning text

or map amendments.

(3) The legislative body may refer any proposed amendments to the zoning commission for consideration and comment within a time specified by the legislative body.

(4) The legislative body shall grant a hearing on a proposed ordinance provision to an interested property owner who requests a hearing by certified mail, addressed to the clerk of the legislative body. A hearing under this subsection is not subject to the requirements of section 103, except that notice of the hearing shall be given to the interested property owner in the manner required in section 103(3) and (4).

(5) After any proceedings under subsections (1) to (4), the legislative body shall consider and vote upon the adoption of a zoning ordinance, with or without amendments. A zoning ordinance and any amendments shall be approved by a majority vote of the members of the legislative body.

(6) Except as otherwise provided under section 402, a zoning ordinance shall take effect upon the expiration of 7 days after publication as required by subsection (7) or at such later date after publication as may be specified by the legislative body or charter.

(7) Following adoption of a zoning ordinance or any subsequent amendments by the legislative body, the zoning ordinance or subsequent amendments shall be filed with the clerk of the legislative body, and a notice of ordinance adoption shall be published in a newspaper of general circulation in the local unit of government within 15 days after adoption.

(8) A copy of the notice required under subsection (7) shall be mailed to the airport manager of an airport entitled to notice under section 306.

(9) The notice required under this section shall include all of the following information:

(a) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the [county, township, city, or village] of \_\_\_\_\_."

(b) In the case of an amendment to an existing zoning ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.

(c) The effective date of the ordinance or amendment.

(d) The place where and time when a copy of the ordinance or amendment may be purchased or inspected.

(10) The filing and publication requirements under this section supersede any other statutory or charter requirements relating to the filing and publication of county, township, city, or village ordinances.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

### **125.3402 Notice of intent to file petition.**

Sec. 402. (1) Within 7 days after publication of a zoning ordinance under section 401, a registered elector residing in the zoning jurisdiction of a county or township may file with the clerk of the legislative body a notice of intent to file a petition under this section.

(2) If a notice of intent is filed under subsection (1), the petitioner shall have 30 days following the publication of the zoning ordinance to file a petition signed by a number of registered electors residing in the zoning jurisdiction not less than 15% of the total vote cast within the zoning jurisdiction for all candidates for governor at the last preceding general election at which a governor was elected, with the clerk of the legislative body requesting the submission of a zoning ordinance or part of a zoning ordinance to the electors residing in the zoning jurisdiction for their approval.

(3) Upon the filing of a notice of intent under subsection (1), the zoning ordinance or part of the zoning ordinance adopted by the legislative body shall not take effect until 1 of the following occurs:

(a) The expiration of 30 days after publication of the ordinance, if a petition is not filed within that time.

(b) If a petition is filed within 30 days after publication of the ordinance, the clerk of the legislative body determines that the petition is inadequate.

(c) If a petition is filed within 30 days after publication of the ordinance, the clerk of the legislative body determines that the petition is adequate and the ordinance or part of the ordinance is approved by a majority of the registered electors residing in the zoning jurisdiction voting on the petition at the next regular election or at any special election called for that purpose. The legislative body shall provide the manner of submitting the zoning ordinance or part of the zoning ordinance to the electors for their approval or rejection and determining the result of the election.

(4) A petition and an election under this section are subject to the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3403 Amendment to zoning ordinance; filing of protest petition; vote.**

Sec. 403. (1) An amendment to a zoning ordinance by a city or village is subject to a protest petition as

required by this subsection. If a protest petition is filed, approval of the amendment to the zoning ordinance shall require a 2/3 vote of the legislative body, unless a larger vote, not to exceed a 3/4 vote, is required by ordinance or charter. The protest petition shall be presented to the legislative body of the city or village before final legislative action on the amendment and shall be signed by 1 or more of the following:

- (a) The owners of at least 20% of the area of land included in the proposed change.
- (b) The owners of at least 20% of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.
- (2) Publicly owned land shall be excluded in calculating the 20% land area requirement under subsection (1).

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3404 Interim zoning ordinance.**

Sec. 404. (1) To protect the public health, safety, and general welfare of the inhabitants and the lands and resources of a local unit of government during the period required for the preparation and enactment of an initial zoning ordinance under this act, the legislative body of a local unit of government may direct the zoning commission to submit, within a specified period of time, recommendations as to the provisions of an interim zoning ordinance.

(2) Before presenting its recommendations to the legislative body, the zoning commission of a township shall submit the interim zoning ordinance, or an amendment to the ordinance, to the county zoning commission or the coordinating zoning committee, for the purpose of coordinating the zoning ordinance with the zoning ordinances of a township, city, or village having a common boundary with the township. The ordinance shall be considered approved 15 days from the date the zoning ordinance is submitted to the legislative body.

(3) After approval, the legislative body, by majority vote of its members, may give the interim ordinance or amendments to the interim ordinance immediate effect. An interim ordinance and subsequent amendments shall be filed and published as required under section 401.

(4) The interim ordinance, including any amendments, shall be limited to 1 year from the effective date and to not more than 2 years of renewal thereafter by resolution of the local unit of government.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3405 Use and development of land as condition to rezoning.**

Sec. 405. (1) An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map.

(2) In approving the conditions under subsection (1), the local unit of government may establish a time period during which the conditions apply to the land. Except for an extension under subsection (4), if the conditions are not satisfied within the time specified under this subsection, the land shall revert to its former zoning classification.

(3) The local government shall not add to or alter the conditions approved under subsection (1) during the time period specified under subsection (2) of this section.

(4) The time period specified under subsection (2) may be extended upon the application of the landowner and approval of the local unit of government.

(5) A local unit of government shall not require a landowner to offer conditions as a requirement for rezoning. The lack of an offer under subsection (1) shall not otherwise affect a landowner's rights under this act, the ordinances of the local unit of government, or any other laws of this state.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3406 Zoning permits; fees; effect of delinquent payment of fine, costs, or assessment.**

Sec. 406. (1) The legislative body may charge reasonable fees for zoning permits as a condition of granting authority to use, erect, alter, or locate dwellings, buildings, and structures, including tents and recreational vehicles, within a zoning district established under this act.

(2) A zoning ordinance adopted by a city may provide that a person is not eligible to apply for a rezoning, site plan approval, special land use approval, planned unit development approval, variance, or other zoning authorization if the person is delinquent in paying a civil fine, costs, or a justice system assessment imposed by an administrative hearings bureau established in that city pursuant to section 4q of the home rule city act, 1909 PA 279, MCL 117.4q.

(3) A zoning ordinance provision adopted under subsection (2) does not apply to an applicant for a zoning authorization if the applicant became the owner of the property by foreclosure or by taking a deed in lieu of

foreclosure and is 1 of the following:

(a) A government-sponsored enterprise. As used in this subdivision, "government-sponsored enterprise" means that term as defined in 2 USC 622(8), or the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

(b) A financial institution. As used in this subdivision, "financial institution" means that term as defined in section 4(c) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.

(c) A mortgage servicer, as that term is defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.

(d) A credit union service organization that is organized under the laws of this state or the United States.

(4) Subsection (2) does not apply to a zoning authorization if the authorization will correct, in whole or in part, the blight violation that was the subject of the delinquent payment referred to in subsection (2).

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2013, Act 189, Eff. Mar. 14, 2014.

### **125.3407 Certain violations as nuisance per se.**

Sec. 407. Except as otherwise provided by law, a use of land or a dwelling, building, or structure, including a tent or recreational vehicle, used, erected, altered, razed, or converted in violation of a zoning ordinance or regulation adopted under this act is a nuisance per se. The court shall order the nuisance abated, and the owner or agent in charge of the dwelling, building, structure, tent, recreational vehicle, or land is liable for maintaining a nuisance per se. The legislative body shall in the zoning ordinance enacted under this act designate the proper official or officials who shall administer and enforce the zoning ordinance and do 1 of the following for each violation of the zoning ordinance:

(a) Impose a penalty for the violation.

(b) Designate the violation as a municipal civil infraction and impose a civil fine for the violation.

(c) Designate the violation as a blight violation and impose a civil fine or other sanction authorized by law. This subdivision applies only to a city that establishes an administrative hearings bureau pursuant to section 4q of the home rule city act, 1909 PA 279, MCL 117.4q.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

## ARTICLE V SPECIAL ZONING PROVISIONS

### **125.3501 Submission and approval of site plan; procedures and requirements.**

Sec. 501. (1) The local unit of government may require the submission and approval of a site plan before authorization of a land use or activity regulated by a zoning ordinance. The zoning ordinance shall specify the body or official responsible for reviewing site plans and granting approval.

(2) If a zoning ordinance requires site plan approval, the site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance is agreed to by the landowner and the body or official that initially approved the site plan.

(3) The procedures and requirements for the submission and approval of site plans shall be specified in the zoning ordinance. Site plan submission, review, and approval shall be required for special land uses and planned unit developments.

(4) A decision rejecting, approving, or conditionally approving a site plan shall be based upon requirements and standards contained in the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.

(5) A site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the conditions imposed under the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

### **125.3502 Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions.**

Sec. 502. (1) The legislative body may provide in a zoning ordinance for special land uses in a zoning district. A special land use shall be subject to the review and approval of the zoning commission, the planning commission, an official charged with administering the zoning ordinance, or the legislative body as required

by the zoning ordinance. The zoning ordinance shall specify all of the following:

(a) The special land uses and activities eligible for approval and the body or official responsible for reviewing and granting approval.

(b) The requirements and standards for approving a request for a special land use.

(c) The procedures and supporting materials required for the application, review, and approval of a special land use.

(2) Upon receipt of an application for a special land use which requires a discretionary decision, the local unit of government shall provide notice of the request as required under section 103. The notice shall indicate that a public hearing on the special land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a special land use regardless of whether the property or occupant is located in the zoning jurisdiction.

(3) At the initiative of the body or official responsible for approving the special land use or upon the request of the applicant, a real property owner whose real property is assessed within 300 feet of the property, or the occupant of a structure located within 300 feet of the property, a public hearing shall be held before a discretionary decision is made on the special land use request.

(4) The body or official designated to review and approve special land uses may deny, approve, or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3503 Planned unit development.**

Sec. 503. (1) As used in this section, "planned unit development" includes such terms as cluster zoning, planned development, community unit plan, and planned residential development and other terminology denoting zoning requirements designed to accomplish the objectives of the zoning ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.

(2) The legislative body may establish planned unit development requirements in a zoning ordinance that permit flexibility in the regulation of land development, encourage innovation in land use and variety in design, layout, and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of this state. The review and approval of planned unit developments shall be by the zoning commission, an individual charged with administration of the zoning ordinance, or the legislative body, as specified in the zoning ordinance.

(3) Within a land development project designated as a planned unit development, regulations relating to the use of land, including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, and land use density, shall be determined in accordance with the planned unit development regulations specified in the zoning ordinance. The planned unit development regulations need not be uniform with regard to each type of land use if equitable procedures recognizing due process principles and avoiding arbitrary decisions are followed in making regulatory decisions. Unless explicitly prohibited by the planned unit development regulations, if requested by the landowner, a local unit of government may approve a planned unit development with open space that is not contiguous with the rest of the planned unit development.

(4) The planned unit development regulations established by the local unit of government shall specify all of the following:

(a) The body or official responsible for the review and approval of planned unit development requests.

(b) The conditions that create planned unit development eligibility, the participants in the review process, and the requirements and standards upon which applicants will be reviewed and approval granted.

(c) The procedures required for application, review, and approval.

(5) Following receipt of a request to approve a planned unit development, the body or official responsible for the review and approval shall hold at least 1 public hearing on the request. A zoning ordinance may provide for preapplication conferences before submission of a planned unit development request and the submission of preliminary site plans before the public hearing. Notification of the public hearing shall be given in the same manner as required under section 103.

(6) Within a reasonable time following the public hearing, the body or official responsible for approving planned unit developments shall meet for final consideration of the request and deny, approve, or approve with conditions the request. The body or official shall prepare a report stating its conclusions, its decision, the

basis for its decision, and any conditions imposed on an affirmative decision.

(7) If amendment of a zoning ordinance is required by the planned unit development regulations of a zoning ordinance, the requirements of this act for amendment of a zoning ordinance shall be followed, except that the hearing and notice required by this section shall fulfill the public hearing and notice requirements of section 306.

(8) If the planned unit development regulations of a zoning ordinance do not require amendment of the zoning ordinance to authorize a planned unit development, the body or official responsible for review and approval shall approve, approve with conditions, or deny a request.

(9) Final approval may be granted on each phase of a multiphased planned unit development if each phase contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area.

(10) In establishing planned unit development requirements, a local unit of government may incorporate by reference other ordinances or statutes which regulate land development. The planned unit development regulations contained in zoning ordinances shall encourage complementary relationships between zoning regulations and other regulations affecting the development of land.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3504 Special land uses; regulations and standards; compliance; conditions; record of conditions.**

Sec. 504. (1) If the zoning ordinance authorizes the consideration and approval of special land uses or planned unit developments under section 502 or 503 or otherwise provides for discretionary decisions, the regulations and standards upon which those decisions are made shall be specified in the zoning ordinance.

(2) The standards shall be consistent with and promote the intent and purpose of the zoning ordinance and shall insure that the land use or activity authorized shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use. The standards shall also insure that the land use or activity is consistent with the public health, safety, and welfare of the local unit of government.

(3) A request for approval of a land use or activity shall be approved if the request is in compliance with the standards stated in the zoning ordinance, the conditions imposed under the zoning ordinance, other applicable ordinances, and state and federal statutes.

(4) Reasonable conditions may be required with the approval of a special land use, planned unit development, or other land uses or activities permitted by discretionary decision. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

(a) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

(b) Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

(c) Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

(5) The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and remain unchanged except upon the mutual consent of the approving authority and the landowner. The approving authority shall maintain a record of conditions which are changed.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3505 Performance guarantee.**

Sec. 505. (1) To ensure compliance with a zoning ordinance and any conditions imposed under a zoning ordinance, a local unit of government may require that a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the local unit of government covering the estimated cost of improvements be deposited with the clerk of the legislative body to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The local unit of government may not require the deposit of the performance guarantee until it is

prepared to issue the permit. The local unit of government shall establish procedures by which a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements shall be made as work progresses.

(2) This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited under the land division act, 1967 PA 288, MCL 560.101 to 560.293.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3506 Open space preservation.**

Sec. 506. (1) Subject to subsection (4) and section 402, a qualified local unit of government shall provide in its zoning ordinance that land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land than specified in the zoning ordinance, but not more than 50% for a county or township or 80% for a city or village, that could otherwise be developed, as determined by the local unit of government under existing ordinances, laws, and rules on the entire land area, if all of the following apply:

(a) The land is zoned at a density equivalent to 2 or fewer dwelling units per acre or, if the land is served by a public sewer system, 3 or fewer dwelling units per acre.

(b) A percentage of the land area specified in the zoning ordinance, but not less than 50% for a county or township or 20% for a city or village, will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land, as prescribed by the zoning ordinance.

(c) The development does not depend upon the extension of a public sewer or public water supply system, unless development of the land without the exercise of the option provided by this subsection would also depend upon the extension.

(d) The option provided under this subsection has not previously been exercised with respect to that land.

(2) After a landowner exercises the option provided under subsection (1), the land may be rezoned accordingly.

(3) The development of land under subsection (1) is subject to other applicable ordinances, laws, and rules, including rules relating to suitability of groundwater for on-site water supply for land not served by public water and rules relating to suitability of soils for on-site sewage disposal for land not served by public sewers.

(4) Subsection (1) does not apply to a qualified local unit of government if both of the following apply:

(a) On or before October 1, 2001, the local unit of government had in effect a zoning ordinance provision providing for both of the following:

(i) Land zoned for residential development may be developed, at the option of the landowner, with the same number of dwelling units on a smaller portion of the land that, as determined by the local unit of government, could otherwise be developed under existing ordinances, laws, and rules on the entire land area.

(ii) If the landowner exercises the option provided by subparagraph (i), the portion of the land not developed will remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant, or other legal means that runs with the land.

(b) On or before December 15, 2001, a landowner exercised the option provided under the zoning ordinance provision referred to in subdivision (a) with at least 50% of the land area for a county or township or 20% of the land area for a city or village, remaining perpetually in an undeveloped state.

(5) The zoning ordinance provisions required by subsection (1) shall be cited as the "open space preservation" provisions of the zoning ordinance.

(6) As used in this section, "qualified local unit of government" means a county, township, city, or village that meets all of the following requirements:

(a) Has adopted a zoning ordinance.

(b) Has a population of 1,800 or more.

(c) Has land that is not developed and that is zoned for residential development at a density described in subsection (1)(a).

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3507 Purchase of development rights program; adoption of ordinance; limitations; agreements with other local governments.**

Sec. 507. (1) As used in this section and sections 508 and 509, "PDR program" means a purchase of development rights program.

(2) The legislative body may adopt a development rights ordinance limited to the establishment, financing, and administration of a PDR program, as provided under this section and sections 508 and 509. The PDR



program may be used only to protect agricultural land and other eligible land. This section and sections 508 and 509 do not expand the condemnation authority of a local unit of government as otherwise provided for in this act.

(3) A PDR program shall not acquire development rights by condemnation. This section and sections 508 and 509 do not limit any authority that may otherwise be provided by law for a local unit of government to protect natural resources, preserve open space, provide for historic preservation, or accomplish similar purposes.

(4) A legislative body shall not establish, finance, or administer a PDR program unless the legislative body adopts a development rights ordinance. If the local unit of government has a zoning ordinance, the development rights ordinance may be adopted as part of the zoning ordinance under the procedures for a zoning ordinance under this act. A local unit of government may adopt a development rights ordinance in the same manner as required for a zoning ordinance.

(5) A legislative body may promote and enter into agreements with other local units of government for the purchase of development rights, including cross-jurisdictional purchases, subject to applicable development rights ordinances.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3508 PDR program; purchase of development rights by local unit of government; conveyance; notice; requirements for certain purchases.**

Sec. 508. (1) A development rights ordinance shall provide for a PDR program. Under a PDR program, the local unit of government purchases development rights, but only from a willing landowner. A development rights ordinance providing for a PDR program shall specify all of the following:

(a) The public benefits that the local unit of government may seek through the purchase of development rights.

(b) The procedure by which the local unit of government or a landowner may by application initiate purchase of development rights.

(c) The development rights authorized to be purchased subject to a determination under standards and procedures required by subdivision (d).

(d) The standards and procedures to be followed by the legislative body for approving, modifying, or rejecting an application to purchase development rights, including the determination of all the following:

(i) Whether to purchase development rights.

(ii) Which development rights to purchase.

(iii) The intensity of development permitted after the purchase on the land from which the development rights are purchased.

(iv) The price at which development rights will be purchased and the method of payment.

(v) The procedure for ensuring that the purchase or sale of development rights is legally fixed so as to run with the land.

(e) The circumstances under which an owner of land from which development rights have been purchased under a PDR program may repurchase those development rights and how the proceeds of the purchase are to be used by the local unit of government.

(2) If the local unit of government has a zoning ordinance, the purchase of development rights shall be consistent with the plan referred to in section 203 upon which the zoning ordinance is based.

(3) Development rights acquired under a PDR program may be conveyed only as provided under subsection (1)(e).

(4) A county shall notify each township, city, or village, and a township shall notify each village, in which is located land from which development rights are proposed to be purchased of the receipt of an application for the purchase of development rights and shall notify each township, city, or village of the disposition of that application.

(5) A county shall not purchase development rights under a development rights ordinance from land subject to a township, city, or village zoning ordinance unless all of the following requirements are met:

(a) The development rights ordinance provisions for the PDR program are consistent with the plan upon which the township, city, or village zoning is based.

(b) The legislative body of the township, city, or village adopts a resolution authorizing the PDR program to apply in the township, city, or village.

(c) As part of the application procedure for the specific proposed purchase of development rights, the township, city, or village provides the county with written approval of the purchase.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3509 PDR program; financing sources; bonds or notes; special assessments.**

Sec. 509. (1) A PDR program may be financed through 1 or more of the following sources:

- (a) General appropriations by the local unit of government.
- (b) Proceeds from the sale of development rights by the local unit of government subject to section 508(3).
- (c) Grants.
- (d) Donations.
- (e) Bonds or notes issued under subsections (2) to (5).
- (f) General fund revenue.
- (g) Special assessments under subsection (6).
- (h) Other sources approved by the legislative body and permitted by law.

(2) The legislative body may borrow money and issue bonds or notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, subject to the general debt limit applicable to the local unit of government. The bonds or notes may be revenue bonds or notes, general obligation limited tax bonds or notes, or, subject to section 6 of article IX of the state constitution of 1963, general obligation unlimited tax bonds or notes.

(3) The legislative body may secure bonds or notes issued under this section by mortgage, assignment, or pledge of property, including, but not limited to, anticipated tax collections, revenue sharing payments, or special assessment revenues. A pledge made by the legislative body is valid and binding from the time the pledge is made. The pledge immediately shall be subject to the lien of the pledge without a filing or further act. The lien of the pledge shall be valid and binding as against parties having claims in tort, contract, or otherwise against the local unit of government, irrespective of whether the parties have notice of the lien. Filing of the resolution, the trust agreement, or another instrument by which a pledge is created is not required.

(4) Bonds or notes issued under this section are exempt from all taxation in this state except inheritance and transfer taxes, and the interest on the bonds or notes is exempt from all taxation in this state.

(5) The bonds and notes issued under this section may be invested in by the state treasurer and all other public officers, state agencies, and political subdivisions, insurance companies, financial institutions, investment companies, and fiduciaries and trustees and may be deposited with and received by the state treasurer and all other public officers and the agencies and political subdivisions of this state for all purposes for which the deposit of bonds or notes is authorized. The authority granted by this section is in addition to all other authority granted by law.

(6) A development rights ordinance may authorize the legislative body to finance a PDR program by special assessments. In addition to meeting the requirements of section 508, the development rights ordinance shall include in the procedure to approve and establish a special assessment district both of the following:

(a) The requirement that there be filed with the legislative body a petition containing all of the following:

(i) A description of the development rights to be purchased, including a legal description of the land from which the purchase is to be made.

(ii) A description of the proposed special assessment district.

(iii) The signatures of the owners of at least 66% of the land area in the proposed special assessment district.

(iv) The amount and duration of the proposed special assessments.

(b) The requirement that the legislative body specify how the proposed purchase of development rights will specially benefit the land in the proposed special assessment district.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3513 Biofuel production facility as permitted use of property; requirements; special land use approval; application; hearing; conditions; applicability of subsections (2) to (5); authority of local unit of government; definitions.**

Sec. 513. (1) A biofuel production facility with an annual production capacity of not more than 100,000 gallons of biofuel is a permitted use of property and is not subject to special land use approval if all of the following requirements are met:

(a) The biofuel production facility is located on a farm.

(b) The biofuel production facility is located not less than 100 feet from the boundary of any contiguous property under different ownership than the property on which the biofuel production facility is located and meets all applicable setback requirements of the zoning ordinance.

(c) On an annual basis, not less than 75% of the feedstock for the biofuel production facility is produced on the farm where the biofuel production facility is located, and not less than 75% of the biofuel or another

product or by-product produced by the biofuel production facility is used on that farm.

(2) Subject to subsections (6) and (7), each of the following is a permitted use of property if it receives special land use approval under subsections (3) to (5):

(a) A biofuel production facility with an annual production capacity of not more than 100,000 gallons of biofuel that meets the requirements of subsection (1)(a) and (b) but that does not meet the requirements of subsection (1)(c).

(b) A biofuel production facility with an annual production capacity of more than 100,000 gallons but not more than 500,000 gallons of biofuel that meets the requirements of subsection (1)(a) and (b).

(3) An application for special land use approval for a biofuel production facility described in subsection (2) shall include all of the following:

(a) A site plan as required under section 501, including a map of the property and existing and proposed buildings and other facilities.

(b) A description of the process to be used to produce biofuel.

(c) The number of gallons of biofuel anticipated to be produced annually.

(d) An emergency access and fire protection plan that has been reviewed and approved by the appropriate responding police and fire departments.

(e) For an ethanol production facility that will produce more than 10,000 proof gallons annually, completed United States department of the treasury, alcohol and tobacco tax and trade bureau, forms 5000.29 (environmental information) and 5000.30 (supplemental information on water quality considerations under 33 USC 1341(a)), or successor forms, required to implement regulations under the national environmental policy act of 1969, 42 USC 4321 to 4347, and the federal water pollution control act, 33 USC 1251 to 1387.

(f) Information that demonstrates that the biofuel production facility will comply with the requirements of subsections (2) and (5).

(g) Any additional information requested by the body or official responsible for granting special land use approval and relevant to compliance with a zoning ordinance provision described in section 502(1) or 504.

(4) A local unit of government shall hold a hearing on an application for special land use approval under subsection (2) not more than 60 days after the application is filed. For the purposes of this section, the notice required under section 502(2) shall provide notice of the hearing, rather than notice of a right to request a hearing.

(5) Special land use approval of a biofuel production facility described in subsection (2) shall be made expressly conditional on the facility's meeting all of the following requirements before the facility begins operation and no additional requirements:

(a) Buildings, facilities, and equipment used in the production or storage of biofuel comply with local, state, and federal laws.

(b) The owner or operator of the biofuel production facility provides the local unit of government with proof that all necessary approvals have been obtained from the department of environmental quality and other state and federal agencies that are involved in permitting any of the following aspects of biofuel production:

(i) Air pollution emissions.

(ii) Transportation of biofuel or additional products resulting from biofuel production.

(iii) Use or reuse of additional products resulting from biofuel production.

(iv) Storage of raw materials, fuel, or additional products used in, or resulting from, biofuel production.

(c) The biofuel production facility includes sufficient storage for both of the following:

(i) Raw materials and fuel.

(ii) Additional products resulting from biofuel production or the capacity to dispose of additional products through land application, livestock consumption, sale, or other legal use.

(6) Subsections (2) to (5) do not apply to a biofuel production facility if the zoning ordinance provides different criteria for special land use approval of a biofuel production facility located on a farm. An amendment to a zoning ordinance adopted only to provide such criteria is not subject to a protest petition under section 403.

(7) A local unit of government may authorize a biofuel production facility described in subsection (2) as a permitted use of property not subject to a special land use approval.

(8) This section does not affect the authority of a local unit of government to prohibit or authorize biofuel production facilities that are not located on farms.

(9) As used in this section:

(a) "Biofuel" means any renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and meets applicable quality standards, including, but not limited to, ethanol and biodiesel. Biofuel does not include methane or any other fuel product from an anaerobic digester.

(b) "Ethanol" means a substance that meets the ASTM international standard in effect on the effective date of this section as the D-4806 specification for denatured fuel grade ethanol for blending with gasoline.

(c) "Farm" means that term as defined in section 2 of the Michigan right to farm act, 1981 PA 93, MCL 286.472.

(d) "Proof gallon" means that term as defined in 27 CFR 19.907.

**History:** Add. 2011, Act 97, Imd. Eff. July 19, 2011.

**125.3514 Wireless communications equipment as permitted use of property; application for special land use approval; approval or denial; authorization by local unit of government; definitions; applicability to small cell wireless communications facilities.**

Sec. 514. (1) Wireless communications equipment is a permitted use of property and is not subject to special land use approval or any other approval under this act if all of the following requirements are met:

(a) The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.

(b) The existing wireless communications support structure or existing equipment compound is in compliance with the local unit of government's zoning ordinance or was approved by the appropriate zoning body or official for the local unit of government.

(c) The proposed collocation will not do any of the following:

(i) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

(ii) Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.

(iii) Increase the area of the existing equipment compound to greater than 2,500 square feet.

(d) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the appropriate zoning body or official of the local unit of government.

(2) Wireless communications equipment that meets the requirements of subsection (1)(a) and (b) but does not meet the requirements of subsection (1)(c) or (d) is a permitted use of property if it receives special land use approval under subsections (3) to (6).

(3) An application for special land use approval of wireless communications equipment described in subsection (2) shall include all of the following:

(a) A site plan as required under section 501, including a map of the property and existing and proposed buildings and other facilities.

(b) Any additional relevant information that is specifically required by a zoning ordinance provision described in section 502(1) or 504.

(4) After an application for a special land use approval is filed with the body or official responsible for approving special land uses, the body or official shall determine whether the application is administratively complete. Unless the body or official proceeds as provided under subsection (5), the application shall be considered to be administratively complete when the body or official makes that determination or 14 business days after the body or official receives the application, whichever is first.

(5) If, before the expiration of the 14-day period under subsection (4), the body or official responsible for approving special land uses notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period under subsection (4) is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification. A fee required to accompany any application shall not exceed the local unit of government's actual, reasonable costs to review and process the application or \$1,000.00, whichever is less.

(6) The body or official responsible for approving special land uses shall approve or deny the application not more than 60 days after the application is considered to be administratively complete. If the body or official fails to timely approve or deny the application, the application shall be considered approved and the body or official shall be considered to have made any determination required for approval.

(7) Special land use approval of wireless communications equipment described in subsection (2) may be made expressly conditional only on the wireless communications equipment's meeting the requirements of other local ordinances and of federal and state laws before the wireless communications equipment begins operation.

(8) If a local unit of government requires special land use approval for wireless communications equipment that does not meet the requirements of subsection (1)(a) or for a wireless communications support structure,

subsections (4) to (6) apply to the special land use approval process, except that the period for approval or denial under subsection (6) is 90 days.

(9) A local unit of government may authorize wireless communications equipment as a permitted use of property not subject to a special land use approval.

(10) This section does not apply to an activity or use that is regulated by the small cell wireless communications facilities deployment act.

(11) As used in this section:

(a) "Colocate" means to place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.

(b) "Equipment compound" means an area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.

(c) "Wireless communications equipment" means the set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.

(d) "Wireless communications support structure" means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

**History:** Add. 2012, Act 143, Imd. Eff. May 24, 2012;—Am. 2018, Act 366, Eff. Mar. 12, 2019.

## ARTICLE VI ZONING BOARD OF APPEALS

### **125.3601 Zoning board of appeals; appointment; procedural rules; membership; composition; alternate member; per diem; expenses; removal; terms of office; vacancies; conduct of meetings; conflict of interest.**

Sec. 601. (1) A zoning ordinance shall create a zoning board of appeals. A zoning board of appeals in existence on June 30, 2006 may continue to act as the zoning board of appeals subject to this act. Subject to subsection (2), members of a zoning board of appeals shall be appointed by majority vote of the members of the legislative body serving.

(2) The legislative body of a city or village may act as a zoning board of appeals and may establish rules to govern its procedure as a zoning board of appeals.

(3) A zoning board of appeals shall be composed of not fewer than 5 members if the local unit of government has a population of 5,000 or more or not fewer than 3 members if the local unit of government has a population of less than 5,000. The number of members of the zoning board of appeals shall be specified in the zoning ordinance.

(4) In a county or township, 1 of the regular members of the zoning board of appeals shall be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission. In a city or village, 1 of the regular members of the zoning board of appeals may be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission, unless the legislative body acts as the zoning board of appeals under subsection (2). A decision made by a city or village zoning board of appeals before February 29, 2008 is not invalidated by the failure of the zoning board of appeals to include a member of the city or village zoning commission or planning commission, as was required by this subsection before that date.

(5) The remaining regular members of a zoning board of appeals, and any alternate members under subsection (7), shall be selected from the electors of the local unit of government residing within the zoning jurisdiction of that local unit of government or, in the case of a county, residing within the county but outside of any city or village. The members selected shall be representative of the population distribution and of the various interests present in the local unit of government.

(6) Subject to subsection (2), 1 regular or alternate member of a zoning board of appeals may be a member of the legislative body. Such a member shall not serve as chairperson of the zoning board of appeals. An employee or contractor of the legislative body may not serve as a member of the zoning board of appeals.

(7) The legislative body may appoint to the zoning board of appeals not more than 2 alternate members for the same term as regular members. An alternate member may be called as specified in the zoning ordinance to serve as a member of the zoning board of appeals in the absence of a regular member if the regular member will be unable to attend 1 or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of

interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the zoning board of appeals has the same voting rights as a regular member.

(8) A member of the zoning board of appeals may be paid a reasonable per diem and reimbursed for expenses actually incurred in the discharge of his or her duties.

(9) A member of the zoning board of appeals may be removed by the legislative body for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

(10) The terms of office for an appointed member of the zoning board of appeals shall be 3 years, except for a member serving because of his or her membership on the zoning commission or legislative body, whose term shall be limited to the time he or she is a member of that body. When members are first appointed, appointments may be for less than 3 years to provide for staggered terms. A successor shall be appointed not more than 1 month after the term of the preceding member has expired.

(11) A vacancy on the zoning board of appeals shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(12) A zoning board of appeals shall not conduct business unless a majority of the regular members of the zoning board of appeals are present.

(13) A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other unrelated matters involving the same property.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

#### **125.3602 Meetings; call of the chairperson; oaths; attendance of witnesses; record of proceedings.**

Sec. 602. (1) Meetings of the zoning board of appeals shall be held at the call of the chairperson and at other times as the zoning board of appeals in its rules of procedure may specify. The chairperson or, in his or her absence, the acting chairperson may administer oaths and compel the attendance of witnesses.

(2) The zoning board of appeals shall maintain a record of its proceedings which shall be filed in the office of the clerk of the legislative body.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3603 Zoning board of appeals; powers; concurring vote of majority of members.**

Sec. 603. (1) The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under a zoning ordinance adopted under this act. It shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the zoning board of appeals only if provided for in the zoning ordinance.

(2) The concurring vote of a majority of the members of the zoning board of appeals is necessary to reverse an order, requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under the zoning ordinance, or to grant a variance in the zoning ordinance.

**History:** 2006, Act 110, Eff. July 1, 2006.

#### **125.3604 Zoning board of appeals; procedures.**

Sec. 604. (1) An appeal to the zoning board of appeals may be taken by a person aggrieved or by an officer, department, board, or bureau of this state or the local unit of government. In addition, a variance in the zoning ordinance may be applied for and granted under section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, and as provided under this act. The zoning board of appeals shall state the grounds of any determination made by the board.

(2) An appeal under this section shall be taken within such time as prescribed by the zoning board of

appeals by general rule, by filing with the body or officer from whom the appeal is taken and with the zoning board of appeals a notice of appeal specifying the grounds for the appeal. The body or officer from whom the appeal is taken shall immediately transmit to the zoning board of appeals all of the papers constituting the record upon which the action appealed from was taken.

(3) An appeal to the zoning board of appeals stays all proceedings in furtherance of the action appealed. However, if the body or officer from whom the appeal is taken certifies to the zoning board of appeals after the notice of appeal is filed that, by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril to life or property, proceedings may be stayed only by a restraining order issued by the zoning board of appeals or a circuit court.

(4) Following receipt of a written request for a variance, the zoning board of appeals shall fix a reasonable time for the hearing of the request and give notice as provided in section 103.

(5) If the zoning board of appeals receives a written request seeking an interpretation of the zoning ordinance or an appeal of an administrative decision, the zoning board of appeals shall conduct a public hearing on the request. Notice shall be given as required under section 103. However, if the request does not involve a specific parcel of property, notice need only be published as provided in section 103(1) and given to the person making the request as provided in section 103(3).

(6) At a hearing under subsection (5), a party may appear personally or by agent or attorney. The zoning board of appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit.

(7) If there are practical difficulties for nonuse variances as provided in subsection (8) or unnecessary hardship for use variances as provided in subsection (9) in the way of carrying out the strict letter of the zoning ordinance, the zoning board of appeals may grant a variance in accordance with this section, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done. The ordinance shall establish procedures for the review and standards for approval of all types of variances. The zoning board of appeals may impose conditions as otherwise allowed under this act.

(8) The zoning board of appeals of all local units of government shall have the authority to grant nonuse variances relating to the construction, structural changes, or alteration of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance.

(9) The authority to grant variances from uses of land is limited to the following:

(a) Cities and villages.

(b) Townships and counties that as of February 15, 2006 had an ordinance that uses the phrase "use variance" or "variances from uses of land" to expressly authorize the granting of use variances by the zoning board of appeals.

(c) Townships and counties that granted a use variance before February 15, 2006.

(10) The authority granted under subsection (9) is subject to the zoning ordinance of the local unit of government otherwise being in compliance with subsection (7) and having an ordinance provision that requires a vote of 2/3 of the members of the zoning board of appeals to approve a use variance.

(11) The authority to grant use variances under subsection (9) is permissive, and this section does not require a local unit of government to adopt ordinance provisions to allow for the granting of use variances.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.

### **125.3605 Decision as final; appeal to circuit court.**

Sec. 605. The decision of the zoning board of appeals shall be final. A party aggrieved by the decision may appeal to the circuit court for the county in which the property is located as provided under section 606.

**History:** 2006, Act 110, Eff. July 1, 2006.

### **125.3606 Circuit court; review; duties.**

Sec. 606. (1) Any party aggrieved by a decision of the zoning board of appeals may appeal to the circuit court for the county in which the property is located. The circuit court shall review the record and decision to ensure that the decision meets all of the following requirements:

(a) Complies with the constitution and laws of the state.

(b) Is based upon proper procedure.

(c) Is supported by competent, material, and substantial evidence on the record.

(d) Represents the reasonable exercise of discretion granted by law to the zoning board of appeals.

(2) If the court finds the record inadequate to make the review required by this section or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The zoning board of appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The

supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.

(3) An appeal from a decision of a zoning board of appeals shall be filed within whichever of the following deadlines comes first:

(a) Thirty days after the zoning board of appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson.

(b) Twenty-one days after the zoning board of appeals approves the minutes of its decision.

(4) The court may affirm, reverse, or modify the decision of the zoning board of appeals. The court may make other orders as justice requires.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008;—Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010.

**125.3607 Party aggrieved by order, determination, or decision; circuit court review; proper party.**

Sec. 607. (1) Any party aggrieved by any order, determination, or decision of any officer, agency, board, commission, zoning board of appeals, or legislative body of any local unit of government made under section 208 may obtain a review in the circuit court for the county in which the property is located. The review shall be in accordance with section 606.

(2) Any person required to be given notice under section 604(4) of the appeal of any order, determination, or decision made under section 208 shall be a proper party to any action for review under this section.

**History:** 2006, Act 110, Eff. July 1, 2006.

ARTICLE VII

STATUTORY COMPLIANCE AND REPEALER

**125.3701 Compliance with open meetings act; availability of writings to public.**

Sec. 701. (1) All meetings subject to this act shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(2) A writing prepared, owned, used, in the possession of, or retained as required by this act shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

**History:** 2006, Act 110, Eff. July 1, 2006.

**125.3702 Repeal of MCL 125.581 to 125.600, 125.201 to 125.240, and 125.271 to 125.310; construction of section.**

Sec. 702. (1) The following acts and parts of acts are repealed:

(a) The city and village zoning act, 1921 PA 207, MCL 125.581 to 125.600.

(b) The county zoning act, 1943 PA 183, MCL 125.201 to 125.240.

(c) The township zoning act, 1943 PA 184, MCL 125.271 to 125.310.

(2) This section does not alter, limit, void, affect, or abate any pending litigation, administrative proceeding, or appeal that existed on June 30, 2006 or any ordinance, order, permit, or decision that was based on the acts repealed under subsection (1). The zoning ordinance need not be readopted but is subject to the requirements of this act, including, but not limited to, the amendment procedures set forth in this act.

**History:** 2006, Act 110, Eff. July 1, 2006;—Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008.



**MICHIGAN PLANNING ENABLING ACT**  
**Act 33 of 2008**

AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

*The People of the State of Michigan enact:*

ARTICLE I.  
GENERAL PROVISIONS

**125.3801 Short title.**

Sec. 1. This act shall be known and may be cited as the "Michigan planning enabling act".

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3803 Definitions.**

Sec. 3. As used in this act:

(a) "Chief administrative official" means the manager or other highest nonelected administrative official of a city or village.

(b) "Chief elected official" means the mayor of a city, the president of a village, the supervisor of a township, or, subject to section 5, the chairperson of the county board of commissioners of a county.

(c) "County board of commissioners", subject to section 5, means the elected county board of commissioners, except that, as used in sections 39 and 41, county board of commissioners means 1 of the following:

(i) A committee of the county board of commissioners, if the county board of commissioners delegates its powers and duties under this act to the committee.

(ii) The regional planning commission for the region in which the county is located, if the county board of commissioners delegates its powers and duties under this act to the regional planning commission.

(d) "Ex officio member", in reference to a planning commission, means a member, with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office.

(e) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other elected governing body of a city or village.

(f) "Local unit of government" or "local unit" means a county or municipality.

(g) "Master plan" means either of the following:

(i) As provided in section 81(1), any plan adopted or amended before September 1, 2008 under a planning act repealed under section 85.

(ii) Any plan adopted or amended under this act. This includes, but is not limited to, a plan prepared by a planning commission authorized by this act and used to satisfy the requirement of section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term.

(h) "Municipality" or "municipal" means or refers to a city, village, or township.

(i) "Planning commission" means either of the following, as applicable:

(i) A planning commission created pursuant to section 11(1).

(ii) A planning commission retained pursuant to section 81(2) or (3), subject to the limitations on the application of this act provided in section 81(2) and (3).

(j) "Planning jurisdiction" for a county, city, or village refers to the areas encompassed by the legal boundaries of that county, city, or village, subject to section 31(1). Planning jurisdiction for a township refers to the areas encompassed by the legal boundaries of that township outside of the areas of incorporated villages and cities, subject to section 31(1).

(k) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is the more recent.

(l) "Public transportation agency" means a governmental entity that operates or is authorized to operate

intercity or local commuter passenger rail service in this state or a public transit authority created under 1 of the following acts:

- (i) The metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426.
- (ii) The public transportation authority act, 1986 PA 196, MCL 124.451 to 124.479.
- (iii) 1963 PA 55, MCL 124.351 to 124.359.
- (iv) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38.
- (v) The revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140.
- (vi) The charter township act, 1947 PA 359, MCL 42.1 to 42.34.
- (vii) The urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
- (m) "Public transportation facility" means that term as defined in section 2 of the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.402.
- (n) "Street" means a street, avenue, boulevard, highway, road, lane, alley, viaduct, or other public way intended for use by motor vehicles, bicycles, pedestrians, and other legal users.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

### **125.3805 Assignment of power or duty to county officer or body.**

Sec. 5. The assignment of a power or duty under this act to a county officer or body is subject to 1966 PA 293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, in a county organized under 1 of those acts.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

### **125.3807 Master plan; adoption, amendment, and implementation by local government; purpose.**

Sec. 7. (1) A local unit of government may adopt, amend, and implement a master plan as provided in this act.

(2) The general purpose of a master plan is to guide and accomplish, in the planning jurisdiction and its environs, development that satisfies all of the following criteria:

- (a) Is coordinated, adjusted, harmonious, efficient, and economical.
- (b) Considers the character of the planning jurisdiction and its suitability for particular uses, judged in terms of such factors as trends in land and population development.
- (c) Will, in accordance with present and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare.
- (d) Includes, among other things, promotion of or adequate provision for 1 or more of the following:
  - (i) A system of transportation to lessen congestion on streets and provide for safe and efficient movement of people and goods by motor vehicles, bicycles, pedestrians, and other legal users.
  - (ii) Safety from fire and other dangers.
  - (iii) Light and air.
  - (iv) Healthful and convenient distribution of population.
  - (v) Good civic design and arrangement and wise and efficient expenditure of public funds.
  - (vi) Public utilities such as sewage disposal and water supply and other public improvements.
  - (vii) Recreation.
  - (viii) The use of resources in accordance with their character and adaptability.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010.

## ARTICLE II.

### PLANNING COMMISSION CREATION AND ADMINISTRATION

### **125.3811 Planning commission; creation; adoption of ordinance by local unit of government; notice required; exception; adoption of charter provision by city or home rule village; effect of repeal of planning act; continued exercise or transfer of powers and duties of zoning board or zoning commission.**

Sec. 11. (1) A local unit of government may adopt an ordinance creating a planning commission with powers and duties provided in this act. The planning commission of a local unit of government shall be officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name such as "plan board" or "planning board".

(2) Within 14 days after a local unit of government adopts an ordinance under subsection (1) creating a planning commission, the clerk of the local unit shall transmit notice of the adoption to the planning

commission of the county where the local unit is located. However, if there is not a county planning commission or if the local unit adopting the ordinance is a county, notice shall be transmitted to the regional planning commission engaged in planning for the region within which the local unit is located. Notice under this subsection is not required when a planning commission created before the effective date of this act continues in existence under this act, but is required when an ordinance governing or creating a planning commission is amended or superseded under section 81(2)(b) or (3)(b).

(3) If, after the effective date of this act, a city or home rule village adopts a charter provision providing for a planning commission, the charter provision shall be implemented by an ordinance that conforms to this act. Section 81(2) provides for the continuation of a planning commission created by a charter provision adopted before the effective date of this act.

(4) Section 81(3) provides for the continuation of a planning commission created under a planning act repealed under section 85.

(5) Section 83 provides for the continued exercise by a planning commission, or the transfer to a planning commission, of the powers and duties of a zoning board or zoning commission.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3813 Planning commission; effect of township ordinance; number of days; petition requesting submission of ordinance to electors; filing; petition subject to Michigan election law; violation.**

Sec. 13. (1) Subject to subsection (2), a township ordinance creating a planning commission under this act shall take effect 63 days after the ordinance is published by the township board in a newspaper having general circulation in the township.

(2) Subject to subsection (3), before a township ordinance creating a planning commission takes effect, a petition may be filed with the township clerk requesting the submission of the ordinance to the electors residing in the unincorporated portion of the township for their approval or rejection. The petition shall be signed by a number of qualified and registered electors residing in the unincorporated portion of the township equal to not less than 8% of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected. If such a petition is filed, the ordinance shall not take effect until approved by a majority of the electors residing in the unincorporated portion of the township voting thereon at the next regular or special election that allows reasonable time for proper notices and printing of ballots or at any special election called for that purpose, as determined by the township board. The township board shall specify the language of the ballot question.

(3) Subsection (2) does not apply if the planning commission created by the ordinance is the successor to an existing zoning commission or zoning board as provided for under section 301 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3301.

(4) If a township board does not on its own initiative adopt an ordinance under this act creating a planning commission, a petition may be filed with the township clerk requesting the township board to adopt such an ordinance. The petition shall be signed by a number of qualified and registered electors as provided in subsection (2). If such a petition is filed, the township board, at its first meeting following the filing shall submit the question to the electors of the township in the same manner as provided under subsection (2).

(5) A petition under this section, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.**

Sec. 15. (1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or

2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government, except that the following number of planning commission members may be individuals who are not qualified electors of the local unit of government but are qualified electors of another local unit of government:

(a) 3, in a city that on September 1, 2008 had a population of more than 2,700 but less than 2,800.

(b) 2, in a city or village that has, or on September 1, 2008 had, a population of less than 5,000, except as provided in subdivision (a).

(c) 1, in local units of government other than those described in subdivision (a) or (b).

(5) In a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, 1 member of the legislative body or the chief elected official, or both, may be appointed to the planning commission, as ex officio members. In any other township, 1 member of the legislative body shall be appointed to the planning commission, as an ex officio member. In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter. However, in a city, village, or county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission. The term of an ex officio member of a planning commission shall be as follows:

(a) The term of a chief elected official shall correspond to his or her term as chief elected official.

(b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.

(c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(6) For a county planning commission, the county shall make every reasonable effort to ensure that the membership of the county planning commission includes a member of a public school board or an administrative employee of a school district included, in whole or in part, within the county's boundaries. The requirements of this subsection apply whenever an appointment is to be made to the planning commission, unless an incumbent is being reappointed or an ex officio member is being appointed under subsection (5).

(7) Subject to subsection (8), a city or village that has a population of less than 5,000, and that has not created a planning commission by charter, may by an ordinance adopted under section 11(1) provide that 1 of the following boards serve as its planning commission:

(a) The board of directors of the economic development corporation of the city or village created under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The board of a downtown development authority created under 1975 PA 197, MCL 125.1651 to 125.1681, if the boundaries of the downtown district are the same as the boundaries of the city or village.

(c) A board created under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, if the boundaries of the authority district are the same as the boundaries of the city or village.

(8) Subsections (1) to (5) do not apply to a planning commission established under subsection (7). All other provisions of this act apply to a planning commission established under subsection (7).

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 105, Imd. Eff. June 29, 2010.

**125.3817 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees.**

Sec. 17. (1) A planning commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19.

(2) A planning commission may appoint advisory committees whose members are not members of the planning commission.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.**

Sec. 19. (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3821 Meetings; frequency; time; place; special meeting; notice; compliance with open meetings act; availability of writings to public.**

Sec. 21. (1) A planning commission shall hold not less than 4 regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws provide otherwise, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting.

(2) The business that a planning commission may perform shall be conducted at a public meeting of the planning commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3823 Compensation; expenses; preparation of budget; acceptance of gifts.**

Sec. 23. (1) Members of a planning commission may be compensated for their services as provided by the legislative body. A planning commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the legislative body, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

(2) After preparing the annual report required under section 19, a planning commission may prepare a detailed budget and submit the budget to the legislative body for approval or disapproval. The legislative body annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

(3) A planning commission may accept gifts for the exercise of its functions. However, in a township, other than a township that on the effective date of this act had a planning commission created under former 1931 PA 285, only the township board may accept such gifts, on behalf of the planning commission. A gift of money so accepted in either case shall be deposited with the treasurer of the local unit of government in a special nonreverting planning commission fund for expenditure by the planning commission for the purpose designated by the donor. The treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the planning commission and an order drawn by the clerk of the local unit of government. The expenditures of a planning commission, exclusive of gifts and grants, shall be within the amounts appropriated by the legislative body.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3825 Employment of planning director and other personnel; contract for services; use of information and advice provided by public officials, departments, and agencies.**

Sec. 25. (1) A local unit of government may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the legislative body. This authority shall be exercised by the legislative body, unless a charter provision or ordinance delegates this authority to the planning commission or another body or official. The appointment of employees is subject to the same provisions of law as govern other corresponding civil employees of the local unit of government.

(2) For the purposes of this act, a planning commission may make use of maps, data, and other information and expert advice provided by appropriate federal, state, regional, county, and municipal officials, departments, and agencies. All public officials, departments, and agencies shall make available public information for the use of planning commissions and furnish such other technical assistance and advice as they may have for planning purposes.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

ARTICLE III.

PREPARATION AND ADOPTION OF MASTER PLAN

**125.3831 Master plan; preparation by planning commission; meetings with other governmental planning commissions or agency staff; powers.**

Sec. 31. (1) A planning commission shall make and approve a master plan as a guide for development within the planning jurisdiction subject to section 81 and the following:

(a) For a county, the master plan may include planning in cooperation with the constituted authorities for incorporated areas in whole or to the extent to which, in the planning commission's judgment, they are related to the planning of the unincorporated area or of the county as a whole.

(b) For a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, or for a city or village, the planning jurisdiction may include any areas outside of the municipal boundaries that, in the planning commission's judgment, are related to the planning of the municipality.

(2) In the preparation of a master plan, a planning commission shall do all of the following, as applicable:

(a) Make careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction with due regard to its relation to neighboring jurisdictions.

(b) Consult with representatives of adjacent local units of government in respect to their planning so that conflicts in master plans and zoning may be avoided.

(c) Cooperate with all departments of the state and federal governments, public transportation agencies, and other public agencies concerned with programs for economic, social, and physical development within the planning jurisdiction and seek the maximum coordination of the local unit of government's programs with these agencies.

(3) In the preparation of the master plan, the planning commission may meet with other governmental planning commissions or agency staff to deliberate.

(4) In general, a planning commission has such lawful powers as may be necessary to enable it to promote local planning and otherwise carry out the purposes of this act.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

**125.3833 Master plan; land use and infrastructure issues; inclusion of maps, plats, charts, and other related matter; recommendations for physical development; additional subjects; implementation of master street plan or certain elements; specifications; section subject to MCL 125.3881(1); public transportation facilities.**

Sec. 33. (1) A master plan shall address land use and infrastructure issues and may project 20 years or more into the future. A master plan shall include maps, plats, charts, and descriptive, explanatory, and other related matter and shall show the planning commission's recommendations for the physical development of the planning jurisdiction.

(2) A master plan shall also include those of the following subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction:

(a) A land use plan that consists in part of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and grounds, subject to subsection (5), public transportation facilities, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes. If a county has not adopted a zoning ordinance under former 1943 PA 183 or the Michigan

zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, a land use plan and program for the county may be a general plan with a generalized future land use map.

(b) The general location, character, and extent of all of the following:

(i) All components of a transportation system and their interconnectivity including streets and bridges, public transit including public transportation facilities and routes, bicycle facilities, pedestrian ways, freight facilities and routes, port facilities, railroad facilities, and airports, to provide for the safe and efficient movement of people and goods in a manner that is appropriate to the context of the community and, as applicable, considers all legal users of the public right-of-way.

(ii) Waterways and waterfront developments.

(iii) Sanitary sewers and water supply systems.

(iv) Facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels.

(v) Public utilities and structures.

(c) Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities.

(d) For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map.

(e) Recommendations for implementing any of the master plan's proposals.

(3) If a master plan is or includes a master street plan or 1 or more elements described in subsection (2)(b)(i), the means for implementing the master street plan or elements in cooperation with the county road commission and the state transportation department shall be specified in the master street plan in a manner consistent with the respective powers and duties of and any written agreements between these entities and the municipality.

(4) This section is subject to section 81(1).

(5) The reference to public transportation facilities in subsection (2)(a) only applies to a master plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 134, Imd. Eff. Aug. 2, 2010;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

### **125.3835 Subplan; adoption.**

Sec. 35. A planning commission may, by a majority vote of the members, adopt a subplan for a geographic area less than the entire planning jurisdiction, if, because of the unique physical characteristics of that area, more intensive planning is necessary for the purposes set forth in section 7.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

### **125.3837 Metropolitan county planning commission; designation; powers.**

Sec. 37. (1) A county board of commissioners may designate the county planning commission as the metropolitan county planning commission. A county planning commission so designated shall perform metropolitan and regional planning whenever necessary or desirable. The metropolitan county planning commission may engage in comprehensive planning, including, but not limited to, the following:

(a) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, together with long-range fiscal plans for such development.

(b) Programming of capital improvements based on relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program.

(c) Coordination of all related plans of local governmental agencies within the metropolitan area or region.

(d) Intergovernmental coordination of all related planning activities among the state and local governmental agencies within the metropolitan area or region.

(2) In addition to the powers conferred by other provisions of this act, a metropolitan county planning commission may apply for, receive, and accept grants from any local, regional, state, or federal governmental agency and agree to and comply with the terms and conditions of such grants. A metropolitan county planning commission may do any and all things necessary or desirable to secure the financial aid or cooperation of a regional, state, or federal governmental agency in carrying out its functions, when approved by a 2/3 vote of the county board of commissioners.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3839 Master plan; adoption; procedures; notice; submittals; use of electronic mail.**

Sec. 39. (1) A master plan shall be adopted under the procedures set forth in this section and sections 41 and 43. A master plan may be adopted as a whole or by successive parts corresponding with major geographical areas of the planning jurisdiction or with functional subject matter areas of the master plan.

(2) Before preparing a master plan, a planning commission shall send to all of the following, by first-class mail or personal delivery, a notice explaining that the planning commission intends to prepare a master plan and requesting the recipient's cooperation and comment:

(a) For any local unit of government undertaking a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county undertaking a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality undertaking a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.

(e) For a municipality undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located.

(f) For any local unit of government undertaking a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for this purpose with the planning commission.

(g) If the master plan will include a master street plan, the county road commission and the state transportation department.

(3) A submittal under section 41 or 43 by or to an entity described in subsection (2) may be made by personal or first-class mail delivery of a hard copy or by electronic mail. However, the planning commission preparing the plan shall not make such submittals by electronic mail unless, in the notice described in subsection (2), the planning commission states that it intends to make such submittals by electronic mail and the entity receiving that notice does not respond by objecting to the use of electronic mail. Electronic mail may contain a link to a website on which the submittal is posted if the website is accessible to the public free of charge.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

**125.3841 Preparation of proposed master plan; submission to legislative body for review and comment; approval required; notice; submission of comments; statements as advisory.**

Sec. 41. (1) After preparing a proposed master plan, a planning commission shall submit the proposed master plan to the legislative body for review and comment. The process of adopting a master plan shall not proceed further unless the legislative body approves the distribution of the proposed master plan.

(2) If the legislative body approves the distribution of the proposed master plan, it shall notify the secretary of the planning commission, and the secretary of the planning commission shall submit, in the manner provided in section 39(3), a copy of the proposed master plan, for review and comment, to all of the following:

(a) For any local unit of government proposing a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county proposing a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality proposing a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that local unit of government is located. If there is a county planning commission, the secretary of the municipal planning commission may submit a copy of the proposed master plan to the regional planning commission but is not required to do so.



(e) For a municipality proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located. The secretary of the municipal planning commission shall concurrently submit to the county planning commission, in the manner provided in section 39(3), a statement that the requirements of subdivision (a) have been met or, if there is no county planning commission, shall submit to the county board of commissioners, in the manner provided in section 39(3), a statement that the requirements of subdivisions (a) and (d) have been met. The statement shall be signed by the secretary and shall include the name and address of each planning commission or legislative body to which a copy of the proposed master plan was submitted under subdivision (a) or (d), as applicable, and the date of submittal.

(f) For any local unit of government proposing a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and address for this purpose with the secretary of the planning commission. An entity described in this subdivision that receives a copy of a proposed master plan, or of a final master plan as provided in section 43(5), shall reimburse the local unit of government for any copying and postage costs thereby incurred.

(g) If the proposed master plan is or includes a proposed master street plan, the county road commission and the state transportation department.

(3) An entity described in subsection (2) may submit comments on the proposed master plan to the planning commission in the manner provided in section 39(3) within 63 days after the proposed master plan was submitted to that entity under subsection (2). If the county planning commission or the county board of commissioners that receives a copy of a proposed master plan under subsection (2)(e) submits comments, the comments shall include, but need not be limited to, both of the following, as applicable:

(a) A statement whether the county planning commission or county board of commissioners considers the proposed master plan to be inconsistent with the master plan of any municipality or region described in subsection (2)(a) or (d).

(b) If the county has a county master plan, a statement whether the county planning commission considers the proposed master plan to be inconsistent with the county master plan.

(4) The statements provided for in subsection (3)(a) and (b) are advisory only.

**History:** 2008, Act 33, Eff. Sept. 1, 2008;—Am. 2010, Act 306, Imd. Eff. Dec. 17, 2010.

**125.3843 Proposed master plan; public hearing; notice; approval by resolution of planning commission; statement; submission of copy of master plan to legislative body; approval or rejection by legislative body; procedures; submission of adopted master plan to certain entities.**

Sec. 43. (1) Before approving a proposed master plan, a planning commission shall hold not less than 1 public hearing on the proposed master plan. The hearing shall be held after the expiration of the deadline for comment under section 41(3). The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government. The planning commission shall also submit notice of the public hearing in the manner provided in section 39(3) to each entity described in section 39(2). This notice may accompany the proposed master plan submitted under section 41.

(2) The approval of the proposed master plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of a city or village planning commission or not less than a majority of the members of a township or county planning commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the planning commission to form the master plan. A statement recording the planning commission's approval of the master plan, signed by the chairperson or secretary of the planning commission, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map. Following approval of the proposed master plan by the planning commission, the secretary of the planning commission shall submit a copy of the master plan to the legislative body.

(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the legislative body by resolution has asserted the right to approve or reject the master plan. In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan. A statement recording the legislative body's approval of the master plan, signed by the clerk of the legislative body, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map.

(4) If the legislative body rejects the proposed master plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed master plan. The planning commission shall consider the legislative body's objections and revise the proposed master plan so as to address those objections. The procedures provided in subsections (1) to (3) and this subsection shall be repeated until the legislative body approves the proposed master plan.

(5) Upon final adoption of the master plan, the secretary of the planning commission shall submit, in the manner provided in section 39(3), copies of the adopted master plan to the same entities to which copies of the proposed master plan were required to be submitted under section 41(2).

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3845 Extension, addition, revision, or other amendment to master plan; adoption; procedures; review and findings.**

Sec. 45. (1) An extension, addition, revision, or other amendment to a master plan shall be adopted by following the procedure under sections 39, 41, and 43, subject to all of the following:

(a) Any of the following amendments to a master plan may be made without following the procedure under sections 39, 41, and 43:

(i) A grammatical, typographical, or similar editorial change.

(ii) A title change.

(iii) A change to conform to an adopted plat.

(b) Subject to subdivision (a), the review period provided for in section 41(3) shall be 42 days instead of 63 days.

(c) When a planning commission sends notice to an entity under section 39(2) that it intends to prepare a subplan, the notice may indicate that the local unit of government intends not to provide that entity with further notices of or copies of proposed or final subplans otherwise required to be submitted to that entity under section 39, 41, or 43. Unless the entity responds that it chooses to receive notice of subplans, the local unit of government is not required to provide further notice of subplans to that entity.

(2) At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3847 Part of county master plan covering incorporated area; adoption by appropriate city or village required; exception.**

Sec. 47. (1) Subject to subsection (2), a part of a county master plan covering an incorporated area within the county shall not be recognized as the official master plan or part of the official master plan for that area unless adopted by the appropriate city or village in the manner prescribed by this act.

(2) Subsection (1) does not apply if the incorporated area is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3849 City or village planning department; authority to submit proposed master plan, or proposed extension, addition, revision, or other amendment.**

Sec. 49. (1) This act does not alter the authority of a planning department of a city or village created by charter to submit a proposed master plan, or a proposed extension, addition, revision, or other amendment to a master plan, to the planning commission, whether directly or indirectly as provided by charter.

(2) Subsection (1) notwithstanding, a planning commission described in subsection (1) shall comply with the requirements of this act.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3851 Public interest and understanding; promotion.**

Sec. 51. (1) To promote public interest in and understanding of the master plan, a planning commission may publish and distribute copies of the master plan or of any report, and employ other means of publicity and education.

(2) A planning commission shall consult with and advise public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens concerning the promotion or

implementation of the master plan.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

#### ARTICLE IV.

#### SPECIAL PROVISIONS, INCLUDING CAPITAL IMPROVEMENTS AND SUBDIVISION REVIEW

##### **125.3861 Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice.**

Sec. 61. (1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project and has been approved by the planning commission. The planning commission shall submit its reasons for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission by a vote of not less than 2/3 of its entire membership for a township that on the enactment date of this act had a planning commission created under former 1931 PA 285, or for a city or village, or by a vote of not less than a majority of its membership for any other township. If the planning commission fails to act within 35 days after submission of the proposal to the planning commission, the project shall be considered to be approved by the planning commission.

(2) Following adoption of the county plan or any part of a county plan and the certification by the county planning commission to the county board of commissioners of a copy of the plan, work shall not be initiated on any project involving the expenditure of money by a county board, department, or agency for the acquisition of land, the erection of structures, or the extension, construction, or improvement of any physical facility by any county board, department, or agency unless a full description of the project, including, but not limited to, its proposed location and extent, has been submitted to the county planning commission and the report and advice of the planning commission on the proposal have been received by the county board of commissioners and by the county board, department, or agency submitting the proposal. However, work on the project may proceed if the planning commission fails to provide in writing its report and advice upon the proposal within 35 days after the proposal is filed with the planning commission. The planning commission shall provide copies of the report and advice to the county board, department, or agency sponsoring the proposal.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

##### **125.3863 Approval of construction project before effective date of act; rescission of authorization; failure of planning commission to act within certain period of time.**

Sec. 63. If the opening, widening, or extension of a street, or the acquisition or enlargement of any square, park, playground, or other open space has been approved by a township planning commission that was created before the effective date of this act under former 1931 PA 285 or by a city or village planning commission and authorized by the legislative body as provided under section 61, the legislative body shall not rescind its authorization unless the matter has been resubmitted to the planning commission and the rescission has been approved by the planning commission. The planning commission shall hold a public hearing on the matter. The planning commission shall submit its reasons for approval or disapproval of the rescission to the legislative body. If the planning commission disapproves the rescission, the legislative body may overrule the planning commission by a vote of not less than 2/3 of its entire membership. If the planning commission fails to act within 63 days after submission of the proposed rescission to the planning commission, the proposed rescission shall be considered to be approved by the planning commission.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

##### **125.3865 Capital improvements program of public structures and improvements; preparation; basis.**

Sec. 65. (1) To further the desirable future development of the local unit of government under the master plan, a planning commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements, unless the planning commission is exempted from this requirement by charter or otherwise. If the planning commission is exempted, the legislative body either shall prepare and adopt a capital improvements program, separate from or as a part of the annual budget, or shall delegate the preparation of the capital improvements program to the chief elected official or a nonelected administrative official, subject to final approval by the legislative body. The capital improvements program

shall show those public structures and improvements, in the general order of their priority, that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period. The capital improvements program shall be based upon the requirements of the local unit of government for all types of public structures and improvements. Consequently, each agency or department of the local unit of government with authority for public structures or improvements shall upon request furnish the planning commission with lists, plans, and estimates of time and cost of those public structures and improvements.

(2) Any township may prepare and adopt a capital improvement program. However, subsection (1) is only mandatory for a township if the township, alone or jointly with 1 or more other local units of government, owns or operates a water supply or sewage disposal system.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3867 Programs for public structures and improvements; recommendations.**

Sec. 67. A planning commission may recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof, regardless of whether the planning commission is exempted from the requirement to prepare a capital improvements program under section 65.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3869 Copy of zoning ordinance and amendments; request by county planning commission for submission by municipal planning commission.**

Sec. 69. If a municipal planning commission has zoning duties pursuant to section 83 and the municipality has adopted a zoning ordinance, the county planning commission, if any, may, by first-class mail or personal delivery, request the municipal planning commission to submit to the county planning commission a copy of the zoning ordinance and any amendments. The municipal planning commission shall submit the requested documents to the county planning commission within 63 days after the request is received and shall submit any future amendments to the zoning ordinance within 63 days after the amendments are adopted. The municipal planning commission may submit a zoning ordinance or amendment under this subsection electronically.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

**125.3871 Recommendations for ordinances or rules governing subdivision of land; public hearing; notice; action on proposed plat; approval, approval with conditions, or disapproval by planning commission; approval of plat as amendment to master plan.**

Sec. 71. (1) A planning commission may recommend to the legislative body provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, the county planning commission may recommend to the legislative body of the municipality provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. A planning commission may proceed under this subsection on its own initiative or upon request of the appropriate legislative body.

(2) Recommendations for a subdivision ordinance or rule may address plat design, including the proper arrangement of streets in relation to other existing or planned streets and to the master plan; adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air; and the avoidance of congestion of population, including minimum width and area of lots. The recommendations may also address the extent to which streets shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of a plat.

(3) Before recommending an ordinance or rule described in subsection (1), the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government.

(4) If a municipality has adopted a master plan or master street plan, the planning commission of that municipality shall review and make recommendations on plats before action thereon by the legislative body under section 112 of the land division act, 1967 PA 288, MCL 560.112. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL

124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, and the municipality has adopted a master plan or master street plan, the county planning commission shall also review and make recommendations on plats before action thereon by the legislative body of the municipality under section 112 of the land division act, 1967 PA 288, MCL 560.112.

(5) A planning commission shall not take action on a proposed plat without affording an opportunity for a public hearing thereon. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the municipality. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

(6) A planning commission shall recommend approval, approval with conditions, or disapproval of a plat within 63 days after the plat is submitted to the planning commission. If applicable standards under the land division act, 1967 PA 288, MCL 560.101 to 560.293, and an ordinance or published rules governing the subdivision of land authorized under section 105 of that act, MCL 560.105, are met, the planning commission shall recommend approval of the plat. If the planning commission fails to act within the required period, the plat shall be considered to have been recommended for approval, and a certificate to that effect shall be issued by the planning commission upon request of the proprietor. However, the proprietor may waive this requirement and consent to an extension of the 63-day period. The grounds for any recommendation of disapproval of a plat shall be stated upon the records of the planning commission.

(7) A plat approved by a municipality and recorded under section 172 of the land division act, 1967 PA 288, MCL 560.172, shall be considered to be an amendment to the master plan and a part thereof. Approval of a plat by a municipality does not constitute or effect an acceptance by the public of any street or other open space shown upon the plat.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

#### ARTICLE V.

#### TRANSITIONAL PROVISIONS AND REPEALER

**125.3881 Plan adopted or amended under planning act repealed under MCL 125.3885; effect; city or home rule village charter provision creating planning commission or ordinance implementing provision before effective date of act; ordinance creating planning commission under former law; ordinance or rules governing subdivision of land.**

Sec. 81. (1) Unless rescinded by the local unit of government, any plan adopted or amended under a planning act repealed under section 85 need not be readopted under this act but continues in effect as a master plan under this act, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term. This includes, but is not limited to, a plan prepared by a planning commission and adopted before the effective date of this act to satisfy the requirements of section 1 of the former city and village zoning act, 1921 PA 207, section 3 of the former township zoning act, 1943 PA 184, section 3 of the former county zoning act, 1943 PA 183, or section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203. The master plan is subject to the requirements of this act, including, but not limited to, the requirement for periodic review under section 45(2) and the amendment procedures set forth in this act. However, the master plan is not subject to the requirements of section 33 until it is first amended under this act.

(2) Unless repealed, a city or home rule village charter provision creating a planning commission before the effective date of this act and any ordinance adopted before the effective date of this act implementing that charter provision continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, both of the following apply:

(a) The legislative body may by ordinance increase the powers and duties of the planning commission to correspond with the powers and duties of a planning commission created under this act. Provisions of this act regarding planning commission powers and duties do not otherwise apply to a planning commission created by charter before the effective date of this act and provisions of this act regarding planning commission membership, appointment, and organization do not apply to such a planning commission. All other provisions of this act, including, but not limited to, provisions regarding planning commission selection of officers, meetings, rules, records, appointment of employees, contracts for services, and expenditures, do apply to such a planning commission.

(b) The legislative body shall amend any ordinance adopted before the effective date of this act to implement the charter provision, or repeal the ordinance and adopt a new ordinance, to fully conform to the requirements of this act made applicable by subdivision (a), by the earlier of the following dates:

(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.

(ii) July 1, 2011.

(3) Unless repealed, an ordinance creating a planning commission under former 1931 PA 285 or former 1945 PA 282 or a resolution creating a planning commission under former 1959 PA 168 continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, all of the following apply:

(a) Beginning on the effective date of this act, the duties of the planning commission are subject to the requirements of this act.

(b) The legislative body shall amend the ordinance, or repeal the ordinance or resolution and adopt a new ordinance, to fully conform to the requirements of this act by the earlier of the following dates:

(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.

(ii) July 1, 2011.

(c) An ordinance adopted under subdivision (b) is not subject to referendum.

(4) Unless repealed or rescinded by the legislative body, an ordinance or published rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105, need not be readopted under this act or amended to comply with this act but continue in effect under this act. However, if amended, the ordinance or published rules shall be amended under the procedures of this act.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

### **125.3883 Transfer of powers, duties, and records.**

Sec. 83. (1) If, on the effective date of this act, a planning commission had the powers and duties of a zoning board or zoning commission under the former city and village zoning act, 1921 PA 207, the former county zoning act, 1943 PA 183, or the former township zoning act, 1943 PA 184, and under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, the planning commission may continue to exercise those powers and duties without amendment of the ordinance, resolution, or charter provision that created the planning commission.

(2) If, on the effective date of this act, a local unit of government had a planning commission without zoning authority created under former 1931 PA 285, former 1945 PA 282, or former 1959 PA 168, the legislative body may by amendment to the ordinance creating the planning commission, or, if the planning commission was created by resolution, may by resolution, transfer to the planning commission all the powers and duties provided to a zoning board or zoning commission created under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702. If an existing zoning board or zoning commission in the local unit of government is nearing the completion of its draft zoning ordinance, the legislative body shall postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but is not required to postpone the transfer more than 1 year.

(3) If, on or after the effective date of this act, a planning commission is created in a local unit of government that has had a zoning board or zoning commission since before the effective date of this act, the legislative body shall transfer all the powers, duties, and records of the zoning board or zoning commission to the planning commission before July 1, 2011. If the existing zoning board or zoning commission is nearing the completion of its draft zoning ordinance, the legislative body may, by resolution, postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but not later than until 1 year after creation of the planning commission or July 1, 2011, whichever comes first.

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

### **125.3885 Repeal of certain acts.**

Sec. 85. (1) The following acts are repealed:

(a) 1931 PA 285, MCL 125.31 to 125.45.

(b) 1945 PA 282, MCL 125.101 to 125.115.

(c) 1959 PA 168, MCL 125.321 to 125.333.

(2) Any plan adopted or amended under an act repealed under subsection (1) is subject to section 81(1).

**History:** 2008, Act 33, Eff. Sept. 1, 2008.

CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN  
**PROPOSED AMENDMENT**  
**SECOND READING**

**THE CITY OF HARTFORD ORDAINS:**  
Amendment to Code of Ordinances **Section 94 SOIL WASTE AND FILL MATERIAL**

**Section 94.05 PERMIT FEE.**

Each application for a permit shall be accompanied by a fee ~~in the amount of \$3~~ **set by Council from time to time** for each acre or fraction, thereof described therein; provided, however, that the minimum fee shall be ~~\$30~~ **set by Council from time to time** and provided further that in the event that the permit is denied, the permit fee shall be refunded to the applicant.

Ordinance amendment declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading:        March 27, 2023  
Second Reading:    April 24, 2023  
Adopted:  
Published:

CITY OF HARTFORD  
 COUNTY OF VAN BUREN  
 STATE OF MICHIGAN  
**PROPOSED AMENDMENT**  
**SECOND READING**

**THE CITY OF HARTFORD ORDAINS:**

Amendment to Code of Ordinances **Section 150 BUILDINGS AND BUILDING REGULATIONS**

**Section 150.52 Fees**

- (A) There will be a charge of ~~\$5 dollars~~ **as set by Council from time to time** for initial registration required under this subchapter; however, there shall be a ~~\$25~~ fee assessed for late registration **in an amount as set by Council from time to time.**
- (B) ~~No fees shall be charged by~~ **There will be a fee charged, as set by Council from time to time** for inspections contemplated by this subchapter to determine that any violations of this subchapter have been corrected by the owner or property manager; ~~however~~ There shall be a ~~\$75 to be assessed fee as set~~ **by Council from time to time** to be assessed against the property **and thereby** the property owner ~~or designated local property manager~~ for each additional inspection required because of violations not being corrected. Additional inspections shall mean inspections required after the initial and follow-up compliance inspections.

Ordinance amendment declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading:        March 27, 2023  
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 Adopted:  
 Published:



CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN  
**PROPOSED AMENDMENT**  
**SECOND READING**

**THE CITY OF HARTFORD ORDAINS:**

Amendment to Code of Ordinances **Chapter 52 Sewer Use Section 52.68 G. 2.**

**Section 52.68 G. 2. Surcharges**

Pollutant	Unit Surcharge (per lb)	X	Pollutant in Discharge (ppm)	-	Baseline Concentration Limit (ppm)	X	Conversion Factor (lb/gal)	X	Glow in MG
Suspended	<b>\$0.115/lb</b> over 350 mg/L	X	SS	-	350	X	8.34	X	MG
BOD	<b>\$0.147/lb</b> over 220 mg/lb	X	BOD	-	300	X	8.34	X	MG
Phosphorus	<b>\$0.807/lb</b> over 12 mg/L	X	P	-	12	X	8.34	X	MG
Oil & Grease	<b>\$0.10/lb</b> over 75 mg/L	X	O&G	-	75	X	8.34	X	MG
COD	<b>\$0.05/lb</b> over 700 mg/L	X	COD	-	700	X	8.34	X	MG

Ordinance amendment declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading: March 27, 2023

Second Reading: April 24, 2023

Adopted:

Published:

CITY OF HARTFORD  
 COUNTY OF VAN BUREN  
 STATE OF MICHIGAN  
**PROPOSED AMENDMENT** to Code of Ordinances **Section 91 NUISANCES**  
**Section 91.15 – 91.17**  
**SECOND READING**

**ANTI BLIGHT ORDINANCE 304 – 07**

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within the City of Hartford, Van Buren County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by Public Act 344 of 1945, as amended, the Blighted Area Rehabilitation Act (MCL 125.71, *et seq.*),

THE CITY OF HARTFORD ORDAINS:

**Section 1: Purpose**

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance ~~chapter to prevent, reduce or eliminate blight or potential blight in the City of Hartford by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the City of Hartford.~~ **to prevent or eliminate certain causes of blight or blighting factors which exist or which may in the future exist in said City, in order to keep the properties within the City well maintained and to keep property values high.**

**Add Section: Intent.**

**It is the intent of these regulations to establish reasonable guidelines and standards concerning the storage of materials and/or vehicles on properties that, if not regulated, would have the potential to cause blight and devalue property. The exercise of these regulations in the City of Hartford shall give full consideration to the property's neighborhood environment, the intention of the landowner with respect to materials stored, the period of time that the storage is to be maintained, the zoning classification of the property, the environmental features of the property and adjoining properties, the impact on tourism, and in general, the impact on the character of the City of Hartford.**

**Section 2: Causes of Blight or Blighting Factors**

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. On and after the effective date of this ordinance, no person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the City of Hartford owned, leased, rented or occupied by such person, firm or corporation.

~~A \_\_\_\_\_ In any area zoned for residential purposes, the storage upon any property of junk automobiles, except in a completely enclosed building. For the purpose of this ordinance, the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether so licensed or not, any motor vehicle which is inoperative.~~ **Junk automobiles. No person shall park or store, or knowingly allow another person to park or store for a period of more than 14 days, one or more dismantled, partially dismantled or inoperable motor vehicle(s) outside a fully enclosed building such that the dismantled, partially dismantled, or inoperable motor vehicle can be seen from any public street or seen from adjoining land owned by another person. For the purpose of this chapter, the term "junk automobiles" shall include**

any motor vehicle which does not have a valid license plate for use upon public roads and shall also include, whether licensed or not, any motor vehicle which is inoperative for a period of one month or longer.

~~B. In any area zoned for residential purposes, unless approved by the City, the storage of any building materials other than in a completely enclosed building. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, steel, or any other materials commonly used in constructing any structure. This definition shall not apply to building materials temporarily on a site when there is in force a valid building permit.~~ **Automobile parts, equipment, and machinery.** The storage upon any property of any automobile parts; equipment or machinery in disrepair; boats or trailers in disrepair; parts of machinery or motor vehicles; unused, dilapidated, unlicensed or disassembled snowmobile(s); ATV, farm tractor, lawn tractor, trailer or semi-trailer; motorcycle except to the extent such items are kept in a completely enclosed building; such that the dismantled, partially dismantled, or inoperable motor vehicle can be seen from any public highway or seen from adjoining land owned by another person.

~~C. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed ten (10) days. The term "junk" shall include, but is not limited to: parts of machinery or motor vehicles; unused, dilapidated, unlicensed or disassembled snowmobile, ATV, farm tractor, lawn tractor, trailer or semi trailer, motorcycle; unused stoves or other appliances stored in the open; remnants of wood, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.~~ **Building materials.** The storage upon any property, of building materials, unless there is in force a valid building permit issued for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but not be limited to lumber, bricks, concrete, cement, cinder blocks, plumbing and drainage materials, electrical wiring or heating ducts or equipment, roofing materials, builder's hardware, or any other materials made to be used in constructing any structure. Neatly piled building materials, however, may be stored on property on a 6-month basis, if the City Ordinance Enforcement Officer determines in writing:

- 1) That the materials, as stored, will not be unsightly or cause blight; and
- 2) How long such materials can be stored at such property.

~~D. In any area, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose of which it may have been intended, or as may be prohibited by the Michigan Building Code.~~ **Junk, trash and rubbish.** The storage or accumulation of junk, trash, rubbish or refuse of any kind, except in a completely enclosed building or completely shielded from view from adjoining properties or a public road by means of one or more of the following which has been approved by the City: plantings, natural vegetation, topography or structure approved by the City.

The term "garbage" means organic refuse or rejected food wastes in the form of putrescible animal, poultry, fish, fruit or vegetable wastes resulting from the handling, preparation, cooking or consumption of foods, including animal, poultry or fish carcasses or parts thereof.

The term "junk" shall include but not be limited to stoves, refrigerators or other appliances, rubble, used building materials, waste from razed structures, trees and tree stumps, remnants of wood (except firewood neatly stacked and those materials approved by the City Manager or City Ordinance Enforcement Officer), metal or other cast off or scrap materials of any kind stored in the open, whether or not such materials could be put to any reasonable use.

The term "rubbish" or "trash" means nonputrescible solid waste, consisting of either combustible and/or noncombustible materials, of the following types:

- (1) Ashes. The residue left from burning of paper, leaves, wood, coal or other combustible materials.

- (2) Household. Materials used or accumulated in the operation or maintenance of a household are customarily discarded after use, including but not limited to newspapers, magazines, books, wrappings, cartons, boxes, crates, rags, or sweepings, or materials which are customarily discarded after becoming unusable due to wear or damage, such as clothing, bedding, floor coverings, wallpaper, or articles of metal, plastic, cloth or leather.
- (3) Kitchen. Food containers or wrappings (whether damaged or undamaged) including but not limited to cans, bottles, jars, glass, crockery, bags, sacks or plastics, or paper, plastic, wood, or metal cartons or boxes, or other similar or like articles or materials.
- (4) Personal. Articles or materials used for medical or hygienic purposes or for infant care.
- (5) Yard. The products of vegetation grown on a property, or which are brought onto a property, including but not limited to grass clippings, weeds, leaves, plants, tree branches, clippings from shrubs, bushes or hedges, or roots and stumps.

~~E~~ In any area, the existence of any vacant dwelling, garage or other out building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons. **Incomplete building.** The existence of any partially completed structure, unless such structure is in the course of construction or demolition in accordance with a valid existing building or demolition permit.

~~F~~ In any area, the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the City and unless such construction is completed within a reasonable time. **Damaged or unused buildings.** The existence of any structure or part of any structure which because of fire, wind, natural disaster, or physical deterioration, which in the judgment of the City Building Inspector is an unusable structure as defined in the International Property Maintenance Code and is no longer habitable as a dwelling or useful for any other purpose for which it may have been intended.

**ADD:**

**G. Dangerous buildings.** The existence of any structure which has one or more of the following characteristics:

- (1) The building is damaged such that the structural strength or stability is appreciably less than before damage and does not meet minimum requirements of the International Property Maintenance Code.
- (2) The building or part of the building is likely to fall, become detached, dislodged or collapse and injure persons or damage property.
- (3) Part of the building has settled to the extent that the walls have materially less resistance to wind than new construction.
- (4) The building is manifestly unsafe for the purpose for which it is intended to be used.
- (5) The building is damaged and deteriorated and it has become an attractive nuisance for children, vagrants, or a place for committing nuisance or unlawful activity.
- (6) The building is in a condition that is unsanitary or unfit for human habitation and is in a condition that is likely to cause sickness or injure the safety, health or general welfare of people living or doing business in the structure.
- (7) Any building which is defined as a "dangerous building" under the State Construction Code or the International Property Maintenance Code.

**H. Residence in a travel trailer.** The occupancy of travel trailers, mobile homes, campers, or recreational vehicles for more than 72 hours as a temporary dwelling is prohibited except in designated camping areas.

**I. Dumping of household rubbish and storage of trash receptacles.** No person, firm, or corporation shall store, dump, or cause to be dumped any garbage, tin or aluminum cans, household refuse, papers, or waste materials of any kind or description in or on any land, public or private. The storage or dumping of garbage anywhere in the City is expressly prohibited as a menace to the public health. The dumping of brush and tree

limbs at the City's Wastewater Treatment Facility is only allowed by permit during regular operation hours. Any dumping without a permit and/or outside of the stated operational hours is expressly prohibited.

**J. Dumping of rubble, building materials, and related items.** The dumping of rubble, used building materials, waste from razed structures, trees and tree stumps, is expressly prohibited on any public or private land including the City's Wastewater Treatment Facility; provided, however, that nothing in this section shall preclude the use of such materials for fill or in approved sites for the purposes of preventing erosion.

**K. Screening of dumpsters.** Self-unloading trash receptacles (defined as "dumpsters") shall only be permitted in multifamily, commercial and industrial districts, provided that the same are of substantial construction and designed to prevent the scattering of materials stored therein. All requests for a self-unloading trash receptacles in other districts must comply with Section 50.18 of the City's Code of Ordinances.

**L. Open burning prohibited.** Open burning not otherwise allowed by City Ordinance is prohibited within the City of Hartford.

### Section 3: Enforcement and Penalties

~~A This ordinance shall be enforced by such persons who shall be so designated by the City Council. This chapter shall be enforced by the Ordinance Enforcement Officer or City police officers, acting under the authority of the City Manager, or by any other official designated by the City Commission.~~

~~B The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of the notice upon him or her. Such notice may be served personally, by first class mail postage prepaid, or by posting the notice in a conspicuous place on the property. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.~~ A violation of this chapter is a municipal civil infraction, for which the fine shall be not less than \$150 and not more than \$500, in addition to all other costs, damages, expenses, and other fees and remedies provided or allowed by law. Each day that a violation occurs shall be considered a separate violation.

~~C Failure by the owner and/or occupant to comply with terms of the notice required by Section 3(B) within the time allowed shall constitute a violation of this ordinance. The issuance of a citation for a municipal civil infraction shall not in any way limit the City from seeking enforcement of this chapter in any other manner, including, but not limited to, an action to abate any nuisance created by a violation of this chapter and to recover any costs, expenses, damages, and fees, including attorney fees, that may be permitted or allowed by law in connection with such abatement and the enforcement of this chapter.~~

~~D Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment not exceeding Ninety Three (93) days or by both such fine and imprisonment in the discretion of the Court of competent jurisdiction.~~ In the event that the City requests to enter onto the property and abate the nuisance, the City shall be authorized to have the expenses of such abatement be certified in writing by the City Treasurer and added to the next tax bill of the violating property.

**E. Injunctive Relief.** The foregoing penalties shall not prohibit the City from seeking injunctive relief against a violator, or such other appropriate relief as may be provided by law. Costs of prosecution and/or enforcement and/or repair, alteration, razing may be assessed to anyone, jointly and severally, in violation thereof. Said costs may be added to the tax roll of the defendant as a special assessment.

F Cost Recovery. That in addition to all other penalties, the City of Hartford may bring an action for enforcement and prosecution expense upon any person(s), corporation(s) and/or firm(s) that have violated the City's Ordinances. The cost of enforcement and prosecution shall be the actual amount of attorney fees and out-of-pocket expense for enforcement of the ordinance. An itemized list of fees and costs shall be given under oath and shall be prime facia evidence of the fees and costs.

### **ADD Section: Severability.**

This chapter and its various sections, subsections, sentences, phrases, and clauses are severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, the remainder of this chapter shall not be affected thereby.

### **Section 3: Repeal**

(1) ~~Any and all anti blight ordinances previously adopted by The City of Hartford, as amended, are hereby repealed.~~

(2) ~~All ordinances or provisions of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.~~ All prior blight ordinances and any other ordinances or parts thereof that are in conflict in whole or in part with any provisions of this chapter as of its effective date are hereby repealed, but only to the extent that there is a direct conflict.

### **Section 4: Effective Date and Adoption**

This ordinance amendment shall become effective upon its publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading: March 27, 2023

Second Reading: April 24, 2023

Adopted:

Published:

CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN  
**PROPOSED AMENDMENT**  
**SECOND READING**

**THE CITY OF HARTFORD ORDAINS:**  
**Amendment to Code of Ordinances Section 52 SEWERS**  
**Section 52.08 RATES AND CHARGES.**

A. Rate/connection fee chart. **the city shall charge fees as set from time to time**

<b>Non-commercial</b>			
Meter Ready Service Charge	<del>\$17.00</del> <b>as set from time to time</b>	<del>\$5.92</del> <b>as set from time to time</b>	<del>\$7.83</del> <b>as set from time to time</b>
Per 1,000 Gal	<del>\$1.95</del> <b>as set from time to time</b>	<del>\$3.80</del> <b>as set from time to time</b>	
Non-metered		<del>\$62.50</del> <b>as set from time to time</b>	
<b>Commercial</b>			
First 2,000,000 per 1,000 Gal	<del>\$1.95</del> <b>as set from time to time</b>	<del>\$3.80</del> <b>as set from time to time</b>	
Over 2,000,000 per 1,000 Gal	<del>\$0.65</del> <b>as set from time to time</b>		
Inspection and/or Connection Fees	<del>\$500.00</del> <b>as set from time to time</b>	<del>\$400.00</del> <b>as set from time to time</b>	

- B. Deposits: If delinquent more than twice per calendar year, ~~\$150~~ **a fee as set from time to time**, and a lien will be placed on land owners property if total delinquent amount not paid.
- C. Shut-off charge: ~~\$15~~ **as set from time to time** plus time and materials.
- D. Turn-on **or Turn-off** charge: ~~\$15~~ **as set from time to time** and the service will only be turned on during normal work hours. **Emergency rates as set from time to time will apply to all requests received for turn on or shut off after 4:00PM EST and before 7:00AM EST.**
- E. Meter calibrations: No charge if meter is malfunctioning. ~~Ten dollars~~ **A fee as set from time to time** if meter is working properly.
- F. Transfer of service: Free one time per calendar year. ~~Ten dollars~~ **fee as set from time to time** each time thereafter per calendar year.
- G. The township or non-city rate for services is one and 1/2 times the city rate.

Ordinance amendment declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading: March 27, 2023  
Second Reading: April 24, 2023  
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CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN  
**PROPOSED AMENDMENT**  
**SECOND READING**

**THE CITY OF HARTFORD ORDAINS:**  
Amendment to Ordinance no. 314-17

**AN ORDINANCE TO PERMIT AND REGULATE MOBILE FOOD VEHICLE VENDORS**

SECTION 4 License Required C.

C. Mobile Food Service Provider receiving a license under this ordinance shall pay ~~the annual fee of \$150.00 for the ready to eat food for individual and \$25.00 for Farm Produce~~ or as set from time to time by the City Commission.

Ordinance amendment declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading:        March 27, 2023  
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CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN  
**PROPOSED  
SECOND READING**

**ORDINANCE No. 323 – 2023**

**AN ORDINANCE TO ESTABLISH A CODE OF CONDUCT & ETHICS**

THE CITY OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

**Section 1. Intent and Purpose**

The purpose of this Code is to establish standards of conduct for all City elected or appointed officers, board and commission members, and employees of the City (except those employees subject to a collective bargaining agreement (hereinafter "Covered Individual(s)"). This Code shall be interpreted and enforced so as to avoid even the appearance of impropriety by the Covered Individual or the City. All Covered Individuals have a fiduciary duty of care to the City and additional duties under Michigan law and City Ordinance. These duties require Covered Individuals to faithfully pursue the interests of the City, rather than individual financial or other interests or the interests of another person, business entity or organization.

As such, each Covered Individual shall have the fiduciary duty to be attentive to the City's activities and finances. Covered Individuals shall oversee the way in which the City's funds, assets and affairs are disposed of and managed. The fiduciary duty includes attending, being prepared for and participating in all meetings; reading and understanding financial statements and reports; asking appropriate questions, and exercising sound judgment. Breach of any duty under this Code may subject the Covered Individual to the sanctions set out in this Code and other financial or legal consequences.

**Section 2. Definitions**

As used in this Code, the words or phrases below shall have the following meanings:

**"Business Entity"**: Any corporation, company, limited liability company, foreign or domestic corporation or company, partnership, sole proprietorship, joint venture, unincorporated entity or association, social organization, or any form of commercial or business entity.

**"City"**: The City of Hartford, a municipal corporation organized and operated under the laws of the State of Michigan.

**"Commercial Benefit"**: Any contract, permit, license, business engagement, agreement, profit, sale of products or services, collection of or entitlement to current or future payments of money or any exchange of value or barter that, directly or indirectly, in any way benefits any Business Entity, including any Business Entity doing business with the City or within the boundaries of the City or gives any Business Entity a competitive advantage over any competing Business Entity.

**"Commission"**: The Commission of the City of Hartford.

**"Confidential Information"**: Any information that has been obtained by or is in the possession of a Covered

Individual in the course of his or her duties for the City, which is exempt from disclosure to the public pursuant to the Michigan Freedom of Information Act, MCLA § 15.231 et seq., as amended, or pursuant to other privileges, privacy requirements, law, regulation, or policy.

**"Decision":** A deliberation, review or consideration of, determination, action, advice, vote, or other disposition upon an ordinance, a motion, proposal, recommendation, resolution or any other City action.

**"Gift":** Except as otherwise provided in this Code and regardless of value, any gratuity, discount, entertainment, hospitality, loan, forbearance, property or other tangible or intangible item having any monetary value including, but not limited to, cash, jewelry, food and drink, travel, lodging, and honoraria for speaking engagements, any of which are related to or attributable to an individual's status as a Covered Individual.

**"Immediate Family"**

- A. A Covered Individual's spouse, significant other, civil union partner or domestic partner;
- B. A Covered Individual's relatives by marriage, lineal descent or adoption, including but not limited to grandparents, parents, aunts, uncles, nieces or nephews, cousins, siblings, children, step-children, and grandchildren.
- C. An individual claimed by a Covered Individual or the Covered Individual's spouse, significant other, civil union partner, or domestic partner as a dependent under on any tax return filed under federal or state tax law.

**"Ownership Interest":** A direct or indirect financial, ownership or pecuniary interest that a Covered Individual currently has or will have in:

- A. Any Business Entity in which the Covered Individual or a member of his or her Immediate Family is currently or will be an officer, executive, manager, partner, shareholder, director, member, employee, or agent;
- B. Any Business Entity in which the Covered Individual or a member of his or her immediate family controls or will control, or directly or indirectly owns or will own, any stock, membership, investment interest, ownership, or partnership interest, regardless of value; or
- C. Any person or Business Entity with which the Covered Individual currently has or will have any oral or written contract, employment contract, agency contract, a sales or purchaser relationship, or any commercial or employment relationship of any kind whatsoever.

**"Private Gain":** A Covered Individual's use of any City resources, including but not limited to the City's equipment, computers, copiers/printers, facilities, supplies, or staff, which results in or is intended to result in gain or benefit of any kind for the Covered Individual. Also, any benefit which is accepted or received by a Covered Individual, or is reasonably perceived to be accepted by a Covered Individual, as payment, remuneration or a reward for the purpose of influencing a Covered Individual's decision or vote in a specific matter or for refraining from a decision, vote or the performance of an official action in a specific matter, or as an inducement for the Covered Individual to act in favor of some interest other than the public interest. Unless this standard is violated, the following types of benefits, monetary payments or reimbursements, gifts, or awards may be received by a Covered Individual:

- A. Payment of salary, compensation, or benefits to the from the City, or the payment of salary, compensation, or benefits to the Covered Individual by an employer or Business Entity other than the City pursuant to a contract or agreement where the payment is unrelated to the Covered Individual's elected or appointed position with the City;
- B. Authorized reimbursement by the City for actual and necessary expenses incurred by the Covered Individual in the course of City related business;
- C. Fees, expenses, or income, including those resulting from outside employment, which are permitted to be earned by, or reimbursed to, the Covered Individual in accordance with Michigan law, City ordinance, policies, rules, and/or regulations;
- D. Campaign or political contributions that are made and reported by the Covered Individual in accordance with Michigan law;
- E. Admission or registration fees, travel expenses, entertainment, meals, or refreshments of a value of \$100.00 or less that are furnished to a Covered Individual by the sponsor of an event, appearance, or ceremony which is related to official City business in connection with such an event, appearance, or ceremony and to which one or more members of the public are invited, or that are furnished to a Covered Individual in connection with a speaking engagement, teaching, or the provision of assistance to an organization or another governmental entity, provided the City does not compensate or reimburse the Covered Individual for admission or registration fees, travel expenses, entertainment, meals, refreshments, costs or expenses for the same activity;
- F. Admission, of \$100.00 or less value, to a charitable or civic event to which a Covered Individual is invited in his or her official capacity where any admission required of all persons attending the event is waived or paid for by a party other than the City;
- G. An award of \$100.00 or less value publicly presented to a Covered Individual by an individual or a nongovernmental entity or organization in recognition of public service, acts of heroism, or crime solving;
- H. An award, gift, or other token of recognition of \$100.00 or less value presented to the Covered Individual by representatives of a governmental body or political subdivision who are acting in their official capacities;
- I. A gift received from a Covered Individual's Immediate Family member, provided that the relative or immediate family member is not acting as a third party's intermediary or an agent in an attempt to circumvent this Code;
- J. A registration fee for a seminar or other informational conference that a Covered Individual attends in a capacity other than as a speaker, panelist, or moderator, where such registration fee that is charged for the Covered Individual's attendance is waived or paid for by a party other than the City;
- K. Expenses or gratuities, including but not limited to admission fees, lodging, meals, or transportation, that are paid for the Covered Individual and are related to the Covered Individual's participation at a seminar, conference, speaking engagement, or presentation in his or her official capacity as a speaker, panelist, or moderator where such expenses are waived or paid for by a party other than the City, provided that, within ten (10) business days after the conclusion of the seminar, conference, speaking engagement, or presentation, the Covered Individual files with the Commission a

statement which contains the following information for each expense that is paid for or waived or for each gratuity that is provided:

- (1) A description of the expense or the gratuity;
- (2) The amount of the expense or the gratuity;
- (3) The date that the expense was incurred, or that the gratuity was received;
- (4) The date that the expense was paid or waived, or that the gratuity was received; and
- (5) The name and address of the party that paid or waived the expense or provided the gratuity;

L. Meals or beverages of \$100.00 or less value provided to a Covered Individual by an individual or a nongovernmental organization during a meeting related to City business;

M. Anything of any value presented to or received by a Covered Individual on behalf of the City where the thing of value is offered to, and accepted by, the City;

N. Complimentary single copies of trade publications, books, reports, pamphlets, calendars, periodicals, or other informational materials that are received by a Covered Individual;

O. Compensation paid to a Covered Individual for a published work that did not involve the use of the City's time, equipment, computers, printer/copiers, facilities, supplies, staff, or other resources and where the payment is arranged or paid for by the publisher of the work; or

P. Receipt of a devise, bequest, or inheritance by a Covered Individual.

**"Relative":** A person who is related to the Covered Individual as spouse, domestic partner, civil union partner, or as any of the following, whether by marriage, blood, or adoption: parent, child, brother, sister, uncle, aunt, cousin, nephew, niece, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law, or sister-in-law.

### Section 3. **Standards of Conduct**

#### A. Gift Ban.

Except as permitted by this Code, no Covered Individual shall intentionally solicit or accept any gift, regardless of value, from any individual or Business Entity that: (1) is seeking official action by a Covered Individual or by a public official or employee working at the direction of a Covered Individual; (2) is currently doing business or seeking to do business with the City; or (3) has interests that may be affected in any way by the performance or nonperformance of the official duties of a Covered Individual.

#### B. Conflicts of Interest.

(1) A Covered Individual shall not intentionally take or refrain from taking any action, vote or decision, or induce or attempt to induce any other Covered Individual or employee to take or refrain from taking any action, vote or decision on any matter pending before the City that would result in a Private Gain or Commercial Benefit for any of the following:

- (a) The Covered Individual;
- (b) A member of the Covered Individual's Immediate Family;
- (c) The Covered Individual's employer;
- (d) Any Business Entity in which the Covered Individual, a member of the Covered Individual's Immediate Family has or will have an Ownership Interest, financial, equity or ownership interest; or
- (e) Any Business Entity with which the Covered Individual, the Covered Individual's Immediate Family is negotiating for or seeking employment or any other business, professional relationship, private gain or Commercial Benefit.

(2) A Covered Individual must inform herself/himself of any ownership interest or investment in any City customer, patron, franchisee, vendor, or product/service supplier that could or does create a conflict of interest under this Code. A Covered Individual must avoid personal interests, Ownership Interests and investments that influence the objectivity or independence of their judgment or conduct in carrying out their duties and responsibilities. Covered Individuals must disqualify themselves from any deliberations, decision-making, or action on behalf of the City regarding such transactions.

(3) A Covered Individual who, either directly or through the City, deals with City vendors, customers, franchisees, suppliers, banks, insurance companies, investment companies, finance companies, or other financial institutions or service providers in the course of performing any duties on behalf of the City must not use their position as a Covered Individual to influence the terms on which they transact personal business with such vendors, customers, franchisees, suppliers, banks, insurance companies, investment companies, financial institutions or service providers.

(4) A Covered Individual who is aware or reasonably should be aware that he or she has a conflict of interest under this Code shall disclose the conflict on the public record, abstain from deliberating, voting or making any decision on a related matter, and refrain from making statements which may influence the votes of other Covered Individuals on the matter.

#### C. Compliance with Other Standards.

A Covered Individual shall comply with the letter and spirit of all applicable local, state and federal laws, and the standards set forth in this Code and any additional ethical standards set forth by organizations relevant to the particular profession(s) of a Covered Individual. In case of any conflict or inconsistency between this Code and any other relevant ethical standards or laws, a Covered Individual shall comply with the more stringent standards in order to ensure the highest level of integrity.

#### D. Disclosure.

Within 30 calendar days of the effective date of this Code, all Covered Individuals shall complete and file a written disclosure with the City Commission identifying any violations of this Code or direct or indirect Ownership Interest in any Business Entity or any ownership interest that the Covered Individual expects to have. At any time after the effective date of this Code, each

Covered Individual shall file a required written dated disclosure with the City Commission within thirty (30) calendar days of election, employment or appointment or within thirty (30) calendar days after a violation of this Code or Ownership Interest or arises. The City Manager shall serve copies of all such disclosures to all members of the City Commission immediately upon receipt of a disclosure.

E. Impartiality.

A Covered Individual shall treat all members of the public with professional courtesy, impartiality, fairness, and equality.

F. Improper Use of Position.

A Covered Individual shall not use or attempt to use his or her position to secure, request, or grant any privilege, exemption, advantage, or preferential treatment for himself or herself, an Immediate Family member, or any other person or business entity. A Covered Individual shall not act as an agent, attorney, representative or advocate (whether compensated or not compensated) for another person, Immediate Family member or Business Entity in any matter pending before the City or any current or future business proposal of any nature.

G. Incompatible Employment.

A Covered Individual shall not engage in employment, or render services, for a public or private interest or Business Entity where such employment or service is incompatible or in conflict with the proper discharge or performance of the Covered Individual's duties and responsibilities, or where such employment or service can be reasonably expected to impair the Covered Individual's independence of judgment or action in the discharge of his or her official duties and responsibilities.

H. Nepotism.

A Covered Individual shall not cause the employment or any favorable employment action as to any member of the Covered Individual's Immediate Family or participate in any employment decision regarding a member of his or her Immediate Family or relative. This section shall not prohibit a Covered Individual from recommending or approving a comprehensive City budget for all employees that includes compensation or fringe benefits for an Immediate Family member.

I. Political Activity.

A Covered Individual shall not use any City equipment, computers, printer/copiers, facilities, supplies, or staff for his or her own political benefit, to seek any elective or appointive office, or for the political benefit of any other person seeking elective or appointive office, other than the use of property or facilities made available to the general public on an equal basis for fair market value and payment.

#### J. Confidential Information.

(1) A Covered Individual shall not knowingly use Confidential Information for actual or anticipated political purposes, personal gain or for the actual or anticipated personal gain of any other person, Immediate Family or Business Entity.

(2) A Covered Individual shall not knowingly disclose to any person or business entity any confidential information that is acquired in the course of his or her position with the City, including but not limited to employee personnel file or medical information or information provided, obtained, or discussed in a closed session of the Commission.

#### K. Public property and personnel.

Except as provided by law, a Covered Individual shall not, directly or indirectly, use, attempt to use, or permit another to use any City equipment, facilities, supplies, or staff for private gain, commercial gain or Commercial Benefit.

### Section 4. **Media Communications and Professionalism Standards**

For the purposes of this Code, media includes traditional media, such as television, radio, newspapers and electronic or social media. Social media includes internet and mobile-based applications, websites and email, for sharing and discussing information, where users can post photos, video, comments and links to other information to create content on any topic. Social media includes web-based platforms, such as but not limited to Facebook, Twitter, blogs, You Tube, subscription sites, Instagram, SnapChat, etc.

#### A. Media Regulations.

(1) Covered Individuals are discouraged from identifying themselves as connected to the City of Hartford when responding to or commenting on blogs regarding personal opinions or views. If a Covered Individual chooses to identify him or herself with the City and makes or posts a media statement on a matter related to City business, the following disclaimer must be made: "These comments are my own and do not represent the position of the City of Hartford."

(2) The following types of media statements or releases by a Covered Individual are prohibited:

- (a) Cyber-bullying, stalking or harassment.
- (b) Release of confidential or private data. If there are questions about what constitutes confidential or private data, contact the City Manager before release.
- (c) Inappropriate use of the City's name, logo or the Covered Individual's position or title.
- (d) Comments that are profane, obscene, vulgar, denigrating, threatening,

insulting, bullying, or harassing or that contain or link to pornographic content.

- (e) Content that promotes, fosters, or constitutes harassment or discrimination on the basis of race, color, gender, gender identity or orientation, national origin, religion, ancestry, age, sexual orientation, gender identity, disability, pregnancy or pregnancy-related conditions, genetic information, active military status, or any other status protected by state or federal law.
- (f) Sexual content or links to sexual content.
- (g) Conduct or encouragement of illegal activity.
- (h) Information that does or may tend to compromise the safety or security of the public, public systems or law enforcement.
- (i) Content that violates legal ownership rights of any other party (e.g. copyright, trademark or trade name).
- (j) Content disclosing protected health information.
- (k) Content pertaining to or disclosing confidential or privileged information or pending litigation involving the City.

**B. Professionalism Standards.**

All Covered Individuals must treat others with respect and in a professional and courteous manner at all times, whether in person or in written communications, including media communications. Covered Individuals shall refrain from using profanities, insults, or other disparaging remarks regarding others. Covered Individuals shall make truthful, factual statements and not knowingly misrepresent, mischaracterize, or misquote information. False and/or defamatory statements are prohibited.

**Section 5. Validity of Decisions; Recovery of Value.**

- A. A violation of this Code shall not constitute a basis for a third party challenge the validity of any decision of the Commission.
- B. The value of anything transferred or received in breach of the standards set forth in this Code may be recovered by and on behalf of the City.

**Section 6. Notification.**

- A. The City Manager shall deliver, by regular mail or email, a copy of this Code to any newly elected or appointed Covered Individual prior to the time that the Covered Individual takes office.
- B. Any time that this Code is amended, the City Manager shall deliver, by mail or otherwise, a copy of the amended Code to all current Covered Individuals prior to the effective date of the amendment.

**Section 7. Hearings.**

- A. Upon acquiring a report or reasonable suspicion of a violation of this Code by a Covered Individual the Mayor and one Commission Member or any two Commission Members may call



for a hearing to be held at a regular or special meeting of the Commission to determine, by the vote of a simple majority, whether or not a violation of this Code occurred, and if so, what sanctions shall be imposed or other actions taken for the violation. The Covered Individual charged with a violation of this Code shall not in any way participate in any review, investigation, consideration, discussion or votes concerning the alleged violation or any sanctions.

B. Hearings under Subsection A may also be held upon the Commission's receipt of a detailed, signed complaint filed against a Covered Individual by a citizen or other third party.

C. All individuals subject to hearing proceedings under this Code shall be afforded due process of law, including notice of charges, an opportunity to respond, hearing regarding the charges, and the right to representation of their choice before, during and after any hearings.

D. When a Commissioner reasonably believes that a Covered Individual has a conflict of interest that has not been declared, the Commission Member may request the entire Commission to hold a hearing to determine whether a conflict of interest exists under the provisions of this Code.

#### Section 8. **Sanctions for Violations.**

A. The City Commission, following a hearing and finding of a violation under this Code, may, by a simple majority, vote to impose sanctions or take such other actions to address violations of this Code. Sanctions or actions may include reprimand, censure, termination of employment or appointment, removal from office, or change of a business relationship or contract with an individual or Business Entity, or such other sanctions or actions as provided by this Code, City Ordinance, the Commission's Bylaws or Michigan law.

B. Any sanctions imposed under this Code shall not be construed to limit, diminish or impair the rights of the City to enforce any and all contract or other laws and bring suit or seek any other remedies, penalties, fines, restitution, or forfeitures available under any applicable Michigan law.

This Ordinance shall become effective upon publication as required by law.

Motion by Commissioner \_\_\_\_\_ supported by Commissioner \_\_\_\_\_, to adopt the resolution.

Ayes: Commissioners'

Nays: Commissioners'

Absent:

Ordinance declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading: March 27, 2023

Second Reading: April 24, 2023

Adopted:

Published:

CITY OF HARTFORD  
COUNTY OF VAN BUREN  
STATE OF MICHIGAN  
**PROPOSED  
SECOND READING**

**ORDINANCE No. 322 – 2023**

**AN ORDINANCE TO REQUIRE LIQUOR LICENSES AND PERMITS**

*State Law reference— Local recommendations on issuance or revocation of alcoholic liquor licenses, MCL 436.1501.*

THE CITY OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

**Section 1. Applications; Contents; Fees.**

- A. Whenever a person, partnership, or corporation which is in the process of obtaining a license or related permit to the Michigan Liquor Control Commission to sell alcoholic liquors requests approval from the city for the issuance of the license or permit from the state liquor control commission, the person, partnership, or corporation shall file a formal application for approval with the city clerk.
- B. The initial application for a local liquor license or permit to be filed with the city clerk shall contain the following information:
1. The name, age, and address of the applicant in the case of an individual; or, in the case of a partnership, the persons entitled to share in the profits thereof; in the case of a corporation, the names and addresses of the officers, directors, and shareholders.
  2. The location and description of the premises or place of business which is to be operated under such license.
  3. Type of license, permit, or alcoholic liquor-related approval desired, the type of establishment proposed, and for on-premises licenses, include the type of location and seating capacity.
  4. A statement whether applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
  5. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this article or the laws of the state.
  6. A statement that the applicant will not violate any of the laws of the state or of the United States or any ordinances of the city in the conduct of its business.
  7. A plan of operation that contains an operational statement outlining the proposed manner in which the establishment will be operated, including, but not limited to, the format, schedule of the hours of operation, crowd control, security, alcohol management, use of the facilities, plan for interior use and layout (including the location of any bar and the number of bar seats), and any other pertinent information as requested by the City.
  8. The application shall be accompanied by building and plat plans showing the entire structure and premises and in particular the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities and where appropriate, adequate plans for screening, noise control and ADA compliance. The premises at which the license is to be located shall be inspected by the appropriate city official prior to the public hearing set forth in Section 2. The premises shall comply with all ordinances of the city.

- C. In addition to the items outlined in Section 1B, applications for Outdoor Service must include the signed and dated Liquor Control Commission Form 204 Outdoor Service Permanent Permission Application and all required attachments.
- D. Along with the application, the applicant shall pay a processing fee which shall be set by the City Commission by resolution from time to time.

## Section 2. **Public Hearing; Approval.**

The city clerk shall set a date for a public hearing before the City Commission at which time comments can be received from the general public in regard to the application or permit and at which time the application or its agents can be questioned by the council. The city clerk shall cause notice of the hearing to be published in a local newspaper in general circulation in the city at least five business days prior to the hearing. Approval of the application or permit shall be by a majority of the council.

## Section 3. **Refusal To Approval.**

If the City Commission refuses to approve the application or permit, the applicant shall be advised in writing and shall be advised as to the basis for the refusal.

## Section 4. **Annual License and Permit Review.**

- A. The City Commission may undertake a review of any license or permit for the purpose of making a recommendation to the Michigan Liquor Control Commission regarding renewal of said license or permit. The Commission shall consider whether a licensed establishment has been operated in a manner consistent with the provisions of this article and all other applicable laws and regulations of the City of Hartford and the State of Michigan.
- B. Each year, the City Manager shall cause an investigation to be made relative to each existing on-premises licensed establishment. The investigation shall include, but not be limited to, the following:
  - 1. An inspection of the premises to determine whether the licensee is in compliance with all applicable City and state codes.
  - 2. An inspection of the premises to determine whether the licensee is in compliance with the license itself, its approved permits and plan of operation, as well as any conditions imposed by the City or the Michigan Liquor Control Commission or representations made by the licensee at the time of issuance or transfer of the license.
  - 3. An inspection to determine the general condition of the premises, both interior and exterior.
  - 4. An inspection of City records to determine whether all taxes and other monies due the City are timely paid. An inspection of police files or other sources of information to determine total calls for service and whether any activity in connection with the licensed premise is in violation of the law, disturbs the public peace and tranquility, constitutes a nuisance, or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premises.
  - 5. A review of the operation of the licensed establishment to determine whether the

business is being operated in compliance with any and all representations made by the licensee to the City or the City Commission.

**Section 5. Standards and Guidelines For Objection To Renewal Of Or Request For Revocation To State Liquor Control Commission.**

The City Commission may object to the annual renewal of the license or permit by the state liquor control commission or may request that the license be revoked upon a determination based on a preponderance of the evidence presented at the public hearing described hereafter, that any of the following exist:

1. Violation of any law of the state or United States, or violation of any ordinance of the city.
2. Maintaining of a nuisance upon the premises, including, but not limited to, any of the following:
  - a) A pattern of patron conduct in the neighborhood of the licensed establishment which is in violation of the law and/or disturbs the peace, order, and tranquility of the neighborhood.
  - b) Entertainment which disturbs the peace, order, and tranquility of the neighborhood.
3. Making a false or fraudulent statement or answer in the application described in section 1.
4. Nonpayment of real property taxes and/or personal property taxes as such taxes come due.

**Section 6. Public Hearing.**

The public hearing referenced in section 5 shall be conducted by the City Commission as a whole at a regular or special meeting. The city clerk shall serve the license holder, by first class mail, mailed not less than ten days prior to the public hearing, which notice shall contain the following information:

1. Notice of proposed action;
2. Date, time, and location of the public hearing;
3. A detailed statement as to the reasons for the proposed action citing specific standards and guidelines the licensee has not complied with or has otherwise violated;
4. A statement as to the licensee's rights at the hearing, including the opportunity to defend against the allegations by confronting any adverse witness and by presenting witnesses, evidence, and arguments;
5. A statement that the licensee has the right to be represented by an attorney.

**Section 7. Procedure At Public Hearing; Findings and Determination; Notification.**

- A. At the public hearing the mayor shall act as the presiding official. The city representative shall present witnesses and evidence in support of the proposed action; the witnesses called by or on

behalf of the city may be cross examined by the licensee or the licensee's attorney. The licensee shall thereafter present any witnesses, evidence or argument against the proposed action; the city representative may thereafter cross examine the licensee's witnesses. Any individual councilmember may question witnesses called by either the licensee or the city. There shall be an opportunity for comments from the general public.

- B. Following the public hearing the City Commission shall make specific findings of fact and determinations in regard to the proposed action.
- C. If the City Commission passes a resolution to request that the license or permit not be renewed by the state liquor control commission or to have the license or permit revoked, a certified copy of the resolution and a certified copy of the separate statement of findings and determinations shall be delivered to the licensee and to the state liquor control commission.

This Ordinance shall become effective upon publication as required by law.

Motion by Commissioner \_\_\_\_\_ supported by Commissioner \_\_\_\_\_, to adopt the resolution.

Ayes: Commissioners'

Nays: Commissioners'

Absent:

Ordinance declared adopted:

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading: March 27, 2023

Second Reading: April 24, 2023

Adopted:

Published:

CITY OF HARTFORD  
 COUNTY OF VAN BUREN  
 STATE OF MICHIGAN  
**PROPOSED AMENDMENT**  
**FIRST READING**

**THE CITY OF HARTFORD ORDAINS:**

Amendment to Ordinance no. 134 SECTION 151.290 TRANSFER OF ZONING POWERS

**AN ORDINANCE PLANNING COMMISSION**

~~SECTION 151.290 TRANSFER OF ZONING POWERS.~~

~~The City Planning Commission is hereby designated as the Zoning Commission specified in Public Act 207 of 1921, M.C.L.A. 125.581 through 125.590, as amended, and shall perform the duties of the Commission as provided in the statute in connection with the amendment of this chapter. (Ord. 134, passed ; Am. Ord. 194, 2000, passed 2-24-1997)~~

**Section 1. Creation**

There shall be a City of Hartford Planning Commission pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et. seq., hereinafter referred to as the Commission with the powers and duties as therein set forth and as hereinafter provided and staffed Planning Department. This ordinance shall be officially known and described as the “City of Hartford Planning Commission Ordinance.”

**Section 2. Membership**

Members shall be appointed for three-year terms. However, when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of  $\frac{1}{3}$  of all commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of  $\frac{1}{3}$  of all commission members continue to expire each year.

A. The Commission shall consist of seven (7) members appointed by the City of Hartford, City Council. To be qualified to be a member and remain a member of the Commission, the individual shall meet the following qualifications:

1. Shall be a qualified elector of the City of Hartford except two (2) non-qualified elector(s) may be member(s) of the Commission;
2. Shall not hold employment with the local unit of government, unless an ex officio member;
3. Shall not be a declared candidate for any political office, except this condition shall not apply to the City Council representative to the Commission;
4. After an individual’s first appointment and before reappointment shall have attended training for Commission members, pursuant to section 104 of this ordinance;

B. Shall meet the conditions provided for each individual member in sections 102.B, 102.D, 102.E, and 102.F of this Ordinance, except the geographical location of the individual’s residency may be considered optional.

C. The membership shall be representative of the important geographic and interest segments of the of the City of Hartford as follows.

D. Members shall be appointed for three-year terms. However, when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of  $\frac{1}{3}$  of all commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of  $\frac{1}{3}$  of all commission members continue to expire each year.

E. Ex officio members shall include the chief administrative official, or a person designated by him or her; the chief elected official; and one (1) member(s) of the City Council.

F. The terms of office of ex officio members shall coincide with their elected terms of office on the legislative body or the term of office of the chief elected official who appointed him or her.

G. The membership shall be representative of the important segments of the of community, such as the economic, governmental, educational, and social development of the [local unit of government], in accordance with the major interests as they exist in the City of Hartford, as follows:

1. Natural Resources & Recreation;
2. Education;
3. Public Health;
4. Government;
5. Transportation;
6. Industry & Commerce;
7. Culture

H. The membership shall also be representative of the entire geography of the City of Hartford to the extent practicable, and as a secondary consideration to the representation of the major interests.

I. A member of the City Council, Chief Administrative Officer, person designated by the chief administrative officer, and chief elected official of the City of Hartford, shall not be chair of the Commission.

J. Not more than  $\frac{1}{3}$  of the total membership of the Commission shall consist of, collectively, a member of the City Council, Chief Administrative Officer, person designated by the chief elected officer, or chief elected official of the City of Hartford.

1. Planning Department staff, and their agents and consultants.
2. City of Hartford Administrator.
3. City of Hartford Attorney

### Section 3. Liaisons

The Commission, in its Bylaws, may name “liaisons” to the Commission. The purpose of liaisons is to provide certain City of Hartford and quasi-City of Hartford officials ability to participate in discussion with the Commission in addition to speaking in public participation, and nothing else. At a minimum, liaisons shall include:

### Section 4. Training

Appointed members of the Commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted City of Hartford budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. Nothing in this paragraph shall deem a member who has not had training from finishing his term of office unless the member resigns or is removed by action of the City Council. The member shall be ineligible for reappointment at the conclusion of the term of office if



they did not attend training. The Commission shall include in its Bylaws what training programs qualify to meet this requirement.

#### Section 5. Members, Appointment and Terms

A. In October of each year the City of Hartford City Clerk shall determine which members' terms of office expire, shall determine what organizations qualify to nominate members and shall contact, by first class mail, those organizations to solicit nominations.

B. In November of each year if the City Clerk has not received at least two nominations for each office, then the Clerk shall discard those applications and shall place an advertisement(s) in a newspaper with paid circulation City of Hartford to seek different applications.

C. In December of each year the City Council shall consider the applications and nominations received, and appoint members to the Commission by a majority vote for a three-year term of office which shall end December 30, at 9:00 a.m. of the respective year.

#### Section 6. Removal from Office:

A. The City Council may remove a member of the Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office. Failure to repeatedly attend Commission meetings shall be considered nonfeasance in office.

B. The secretary of the Planning Commission shall report any member who has missed three regular meetings in a row to the City Council.

#### Section 7. Membership; Vacancies

The City Council shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.

#### Section 8. Membership Transition

A. The transition from the previous City of Hartford Planning Commission and the Commission established in this ordinance shall be gradual and shall take place over the next three years. The City Council shall continue to make annual appointments, appointing approximately  $\frac{1}{3}$  of the membership of the Commission as specified in this Ordinance, so that three years from the effective date of this ordinance the membership, membership representation, and number of members have completed the transition to fully comply with this Ordinance.

B. All other aspects of this ordinance shall have immediate effect.

#### Section 9. Membership; Compensation

All members of the Planning Commission shall serve as such with compensation equal to, or less than, the per diem as set by the City Council from time to time per meeting.

#### Section 10. Meetings

A. The Commission shall meet at least once every month and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of said Commission and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission.

B. The affirmative vote of  $\frac{2}{3}$  of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.

#### Section 11. Powers and Duties

The Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et seq.; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 et seq.).

#### Section 12. Meetings; Records

The Commission shall adopt Bylaws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

#### Section 13. Approval, Ratification, and Reconfirmation

All official actions taken by all City of Hartford Planning Commissions preceding the Commission created by this ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Commission created by this ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous City of Hartford Planning Commission.

Ordinance amendment declared adopted upon publication.

The City of Hartford

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RoxAnn Rodney-Isbrecht, Clerk

First Reading: April 24, 2023

Second Reading:

Adopted:

Published: