

Regular Meeting of the Mt. Pleasant City Commission
Monday, July 10, 2023
7:00 p.m.

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

LAND ACKNOWLEDGEMENT STATEMENT:

ROLL CALL:

PROCLAMATIONS AND PRESENTATIONS:

1. Presentation on air quality by Jennifer Morse of the Central Michigan District Health Department.

ADDITIONS/ DELETIONS TO AGENDA:

PUBLIC INPUT ON AGENDA ITEMS:

RECEIPT OF PETITIONS AND COMMUNICATIONS:

2. Monthly report on police related citizen complaints received.
3. Minutes of the Downtown Development Authority (April).
4. Minutes of the Airport Joint Operations and Management Board (May).
5. Minutes of Parks and Recreation Commission (May).

CONSENT ITEMS:

6. Approval of the minutes from the regular meeting held June 26, 2023.
7. Approval of the minutes of the closed session held June 26, 2023.
8. Consider resolution in support of final approval of Temporary Traffic Control Order #4-2023.
9. Consider an extension to the contract with Nutrigo Environmental Solutions, Inc. for biosolids services.
10. Consider setting a public hearing for July 24, 2023, for Development District (DDA) License for Valhalla Indoor Axe Throwing.
11. Consider approval of pass-through MEDC funding for architectural and engineering services for Broadway Land Management and authorize the City Manager to sign the necessary documentation.
12. Consider approval of Payrolls and Warrants.

All interested persons may attend and participate. Persons with disabilities who need assistance to participate may call the Human Resources Office at 989-779-5313. A 48-Hour advance notice is necessary for accommodation. Hearing or speech impaired individuals may contact the City via the Michigan Relay Service by dialing 7-1-1.

City Commission Agenda

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NEW BUSINESS:

13. Consider approval of the buyout of purchase-buyback program vehicles with Krapohl Ford.
14. Consider resolution to authorize the issuance of Water Resource Recovery System Revenue Bonds for Phase II Water Resource Recovery Facility (WRRF) upgrades.

ANNOUNCEMENTS ON CITY-RELATED ISSUES AND NEW BUSINESS:

PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS:

RECESS:

WORK SESSION:

15. Property Maintenance Standards and International Property Maintenance Code (IPMC).

CLOSED SESSION:

ADJOURNMENT:

All interested persons may attend and participate. Persons with disabilities who need assistance to participate may call the Human Resources Office at 989-779-5313. A 48-Hour advance notice is necessary for accommodation. Hearing or speech impaired individuals may contact the City via the Michigan Relay Service by dialing 7-1-1.

TO: MAYOR AND CITY COMMISSION
FROM: AARON DESENTZ, CITY MANAGER

JULY 10, 2023

SUBJECT: CITY MANAGER REPORT ON AGENDA ITEMS

Proclamations and Presentations:

Receipt of Petitions and Communications:

Consent Items:

8. Consider resolution in support of final approval of Temporary Traffic Control Order #4-2023.
 - a. Final approval of TCO #4-2023 will place a yield sign on the westerly segment of Glen Avenue, northbound at Hopkins Ave intersection.
9. Consider an extension to the contract with Nutrigro Environmental Solutions, Inc. for biosolids services.
 - a. Staff is recommending a contract extension with Nutrigro Environmental Solutions, Inc., until July 11, 2024, with the option to renew annually, for the removal, hauling and land application of biosolids at the Water Resource Recovery Facility (WRRF). NES has been the City's contractor for these services since 2014. The price per gallon for removal of the biosolids, hauling, and land application would increase from \$0.041 to \$0.048. If the City's biosolids production remains on average 1.1 to 1.3 million gallons, then the service will be at or under the regular budget for this activity at \$65,000 per year.
10. Consider setting a public hearing for July 24, 2023, for Development District (DDA) License for Valhalla Indoor Axe Throwing.
 - a. Valhalla Indoor Axe Throwing (1711 S. Mission Street) is seeking a redevelopment liquor license through the State of Michigan. Per the process, the City Commission will need to set a public hearing on the proposed application.
11. Consider approval of pass-through MEDC funding for architectural and engineering services for Broadway Land Management and authorize the City Manager to sign the necessary documentation.
 - a. MEDC has awarded Broadway Land Management a \$100,000 grant for architectural and engineering services. The services will help the owner redesign the current building at 200 E. Broadway into a mixed-use space with an updated façade on the exterior. The City Commission is asked to approve the City as the pass-through entity for the grant and to direct the City Manager to sign the attached letter.

Public Hearings:

New Business:

13. Consider approval of the buyout of purchase-buyback program vehicles with Krapohl Ford.
 - a. The City has a long-standing agreement with Krapohl Ford which it uses to maintain a fleet of vehicles used for various City services. The City purchases F-150 and F-250 trucks from Krapohl Ford at a discounted government rate each year. The vehicles are then sold back to Krapohl at the end of the year and new trucks are purchased with the

proceeds from the sale. Doing so has allowed the City to maintain a new fleet of vehicles each year and pay little to no cost in annual maintenance for these vehicles.

The City was informed that Krapohl Ford will no longer be able to service the program. Staff has considered options to maintain a vehicle fleet in a similar way within the current budget but has not found a program that can do so. Staff reviewed pricing for new vehicles through an alternative provider. The difference in price between selling our vehicles and purchasing new vehicles through an alternative program was the basis for the buyout price which the City Commission is asked to consider. However, the new vehicles being considered would not have all of the amenities of the current fleet such as four-wheel drive.

In reviewing the pricing, staff determined that the best course of action would be to purchase the current vehicles through a buyout of the program with Krapohl Ford. This will maintain the current fleet with high quality vehicles at the best price. Krapohl Ford has agreed to the buyout at a per vehicle cost that reflects the difference in price between the current fleet and new vehicles through an alternative provider. Staff is asking the City Commission to authorize the buyout of 18 vehicles for \$79,200.

- i. Recommended Action: A motion to approve the buyout of 18 vehicles in the purchase-buyback program with Krapohl Ford for \$79,200. Funds are available in the Motor Pool and Police Administration budgets.

14. Consider a resolution to authorize the issuance of Water Resource Recovery System Revenue Bonds for Phase II Water Resource Recovery Facility (WRRF) upgrades.
 - a. The City Commission declared the intent to issue \$18 million in bonds for Phase II of the WRRF upgrades. The City Commission later awarded a contract to RCL Construction for \$25.8 million to complete Phase II. The City will receive \$9 million in principal forgiveness through the Clean Water State Revolving Fund (CWSRF) and will bond for up to \$18 million to complete the project. Staff was able to secure the gap in financing through the CWSRF program which will save the City \$4 million over the 30-year term of the loan compared to current bond market rates. The City Commission is asked to approve the attached Resolution to authorize request.
 - i. Recommended Action: A motion to approve the attached resolution to authorize the issuance of up to \$18 million in Clean Water State Revolving Funding to fund Phase II of the WRRF rehabilitation.

Work Session:

15. Property Maintenance Standards and International Property Management Code (IPMC).
 - a. City staff intends to discuss the proposed adoption of the IPMC in the City of Mt. Pleasant. Staff will discuss the proposed ordinance, the change to current ordinances and requirements, those ordinances that will remain the same, and the planned method of public education and enforcement of the proposed ordinance. The City Commission is asked to provide feedback on the proposal. If the City Commission finds the proposed ordinance and process to be favorable, staff will then make the necessary preparations for the City Commission to move through the adoption process at a future meeting.

Closed Session:

City of Mt. Pleasant, Michigan



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Mission-Pickard Downtown Development Authority (DDA)

MINUTES OF THE REGULAR MEETING April 13, 2023—10:00 AM

I. Call to Order

The meeting was called to order by Chair Hunter at 10:06 am.

Present: Aaron Desentz, Chris Embry (for Jerry Jaloszynski), John Hunter, Tom Krapohl, Doug LaBelle II, Robby Roberts

Absent: Jeff Smith, Robert VanDorin

Also attending: (Staff): Mary Ann Kornexl, William Mrdeza

II. Approval of Agenda

It was moved by LaBelle seconded by Desentz, to approve the agenda as presented. **The motion passed unanimously.**

III. Approval of the February 9, 2023 Meeting Minutes

It was moved by Krapohl, seconded by Desentz, to approve the February 9, 2023 meeting minutes as presented. **The motion passed unanimously.**

IV. Old and New Business

A. Receive and Accept the 2022 Year End Financial Statements

Kornexl presented the end of the year 2022 financial statements for the Board to consider. She indicated that captured taxes were slightly less than projected in 2022 while tax tribunal cases resulted in less tax adjustment than anticipated. She also reported the City will receive the state PPT reimbursement from 2022 in 2023 due to timing issues. Kornexl identified almost \$13,000 remaining in the contract with McKenna to assist with Mission Street corridor work that will be carried forward into 2023 as that effort continues. She concluded here review by identifying \$1,209,916 remaining in Working Capital at the end of 2022.

In addition, Kornexl reviewed the base value of the DDA district at \$32,047,850 and compared that with the current taxable value of the district of \$78,543,542. She indicated that the amount captured by the district in 2022 (at a 28% capture rate) was \$340,656. Mrdeza indicated that the Board would see a budget amendment later in 2023 to account for

City of Mt. Pleasant, Michigan

Mt. Pleasant
[meet here]

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the replacement of approximately twelve pedestrian lights on Broadway (west of Mission) that have reached the end of their service life. The estimated cost was approximately \$238,000. It was moved by Krapohl, seconded by Roberts, to receive and accept the 2022 year-end financial statements for the Downtown Development Authority. **The motion passed unanimously.**

V. Public Comments

There were no public comments received or offered.

VI. Other Business

There was no Other Business to come before the Board.

VII. Adjourn

There being no other business, **the meeting was adjourned at 10:15 am.**

City of Mt Pleasant
Mission Street DDA
Statement of Estimated Changes in Working Capital
December 31, 2023 & 2024

	<u>2022 Actual</u>	<u>2023 Original Budget</u>	<u>2023 Amended Budget</u>	<u>2024 Proposed Budget</u>
Working Capital at January 1,	\$920,673	\$1,133,813	\$1,209,916	\$1,386,484
Working Capital Sources:				
Revenue:				
TIFA/DDA Captured Taxes	340,656	344,000	361,000	361,000
MTT Judgement	(3,627)	(10,000)	(10,000)	(10,000)
State Reimbursement PPT	-	4,000	14,000	7,500
Investment Earnings	12,287	3,000	21,000	21,000
Total Working Capital Sources	349,316	341,000	386,000	379,500
Working Capital Uses:				
Expenses				
Operations	24,477	30,500	22,782	24,400
Management Fee City Master Plan	25,300	25,300	25,300	25,300
Design of Projects from Master Plan	-	-	8,420	-
Driveway Closure/Consolidation Assistance	2,396	60,000	60,000	60,000
Alley Maintenance **	-	23,870	60,000	60,000
Depreciation	-	23,900	13,000	13,000
Refund of County Debt Capture Administration	5,640	5,640	5,640	5,640
	-	4,160	-	-
	7,900	8,600	9,030	9,030
Total Expenses	65,713	158,070	215,072	197,370
Other Uses/Adjustments				
Depreciation	(5,640)	(5,640)	(5,640)	(5,640)
Total Working Capital Uses	60,073	152,430	209,432	191,730
Increase (Decrease) in Working Capital	289,243	188,570	176,568	187,770
Working Capital at December 31,				
Assigned for Pedestrian and Traffic Safety	1,209,916	1,322,383	1,386,484	1,574,254
Total Working Capital at December 31	<u>\$1,209,916</u>	<u>\$1,322,383</u>	<u>\$1,386,484</u>	<u>\$1,574,254</u>

** - 2023 - Wisconsin to Locust \$15554 & Michigan to Illinois \$8313
2024 - Crosslanes to Andre & Andre to Bennett - 13000

Plan Expires 2025

Mission-Pickard Downtown Development Authority

Synopsis of Activities—June, 2023

Accomplishments:

- Pedestrian safety intersection enhancements (enhanced cross walk markings)
- Economic incentives to qualifying businesses (decorative fencing, entry walls, bike racks, landscape plantings, decorative brickwork)
- Façade improvement (design assistance and interest rate buy-downs)
- Driveway relocation/consolidation per MDOT access management plan requirements
- Coordinated with MDOT on audible pedestrian signal at Mission and Broomfield (to be installed by MDOT in 2021)
- Alley PASER ratings, paving and reconstruction on the west side of Mission Street
- Construction of cross connections between properties along Mission Street
- Construction of new grid streets connecting Mission Street and East Campus Drive to alleviate congestion at signalized intersections and reduce the number of short trips on Mission Street
- Amended the original development plan to add several projects to the plan and to extend the end date of the Financing Plan to coincide with the end of the Development Plan in 2025
- Enhanced intersection lighting at major Mission Street intersections
- Funded Mission Street Special Area Plan as part of the 2050 City master plan
- Currently working with Mission Street corridor stakeholders to identify, scope, and study the feasibility of infrastructure design alternatives to begin implementing the Master Plan 2050 goals for the corridor
- Stakeholder meetings on the Mission Street Corridor project held beginning September, 2021
- Reinstated the driveway closure and consolidation assistance program to help business comply with the Mission/Pickard Access Management Plan

Fund Balances as of January 1, 2023:

- Total Fund Balance \$1,209,910 consisting of:
 - Assigned for Pedestrian and Traffic Safety

Future Projects:

2023

- Alley overlays:
 - Wisconsin to Locust
 - Michigan to Illinois
- Identify initial project designs for Mission Street to be implemented ahead of engineering design services recommendations

2024

- Alley overlay:
 - Crosslanes to Andre
- Replace pedestrian street lights on Broadway from Fancher to Mission Street
- Create and bid out RFP for design consultant services for Mission Street
- Implement initial recommended project design(s) identified in 2023
- Consider amending the DDA Development and Financing Plans to extend the plans beyond their 2025 sunset date

2025

- Begin construction on selected Mission Street infrastructure project(s) as recommended in consultant design study above
- Implement DDA District extension amendment process

AIRPORT JOINT OPERATIONS AND MANAGEMENT BOARD

Meeting Minutes

Thursday, May 18, 2023

3:30 – 5:00 p.m.

Airport Terminal Building

I. Call to Order

Chairman Nanney called the meeting to order at 3:35 p.m.

II. Roll Call

Member	Present
Aaron Desentz	Yes
James McBryde	Yes
Rodney Nanney	Yes
Tim Nieporte	Yes
Gayle Ruhl	Yes (arrived 3:36 p.m.)

Staff present: Bill Brickner

III. Additions/Deletions to Agenda

Motion by McBryde, support by Desentz, to approve agenda

Motion passed unanimously

IV. Public Input on Agenda Items

None

V. Approval of Meeting Minutes – April 2023 - Attachment

Motion by McBryde, support by Nieporte

Motion passed unanimously

VI. Airport Manager's Report – April 2023 - Attachment

Brickner gave the manager's report. Board requested copy of the budget to see the percentage of revenue represented by fuel sales.

VII. Old Business

- a. Update on taxiway project
Brickner state the project will be bid this year and constructed in 2024
- b. Discuss potential 2023 CVB Destination Marketing Grant application to enhance 2024 EAA events through funding support for one or more of the following:
 - i. Fuel for volunteer Young Eagles pilots and for display of current military plants/helicopters and/or the Medivac helicopter?
 - ii. Food trucks or food for events?
 - iii. Radio advertising and on-site broadcast for the events?
 - iv. Community outreach to kids and for adult volunteers
Will package request and include Business After Hours
- c. What is our long-term big project priority to make best use of authority provided to *"aid in funding Airport operations (and) enhance the Airport's long-term viability and vitality"*?
 - i. Expanded or new hangar (\$1.3 Million for 120'x120' building today)
 - o Who would benefit from this new facility and in what ways?
 - o In what way would this enhance the Airport long-term?
 - o How do we bring this project to success without adversely impacting the City budget?
Brickner to answer these questions at a future meeting
 - ii. Other ideas?
- d. What are we missing that is a must to add to our agenda?

VIII. New Business

- a. Invite Board members to volunteer and invite adult volunteers at EAA Young Eagles (6/3), Fly/Drive-In Breakfast (8/6), and Wings & Wheels (Fall 2023).
Ruhle volunteered to help with the Fly/Drive-In Breakfast
Anyone else may contact Brickner and he will pass along information

IX. Announcements on Airport Related Issues and Concerns

None

X. Public Comment on Non-Agenda Items

None

XI. Adjournment

Chairman Nanney adjourned the meeting at 4:37 p.m.

APPROVED MINUTES

Mt. Pleasant Parks and Recreation Commission

Tuesday, May 9, 2023

City Hall Chambers

6:00 p.m.

CALL TO ORDER – 6:00 p.m.

PLEDGE OF ALLEGIANCE

ATTENDANCE/DECLARATION OF QUORUM

- A. Commission Members Present: Batcheller, LaLonde, Little, Mitchell
- B. Commission Members Absent: Hamel, Sponseller
- C. Parks and Recreation Staff: Biscorner, Walker

APPROVAL OF AGENDA/MINUTES & COMMISSION BUSINESS

- A. Changes/Approval of Agenda – motion by Mitchell, second by LaLonde to approve the agenda as present. All ayes.
- B. Approval of Minutes – motion by Batcheller, second by Mitchell to approve the minutes from Tuesday, February 28, 2023. All Ayes.

PUBLIC COMMENTS

Al Montoye, Mt. Pleasant resident since 1976, spoke on behalf of the Mt. Pleasant Pickleball Club. He talked about how the sport has grown in popularity as well as interest their club. The club desires wind slats in the fence (north & south sides), similar to MPHS, and they can contribute approx. \$2,500. (estimated cost for two fences \$3,500 - \$3,800).

Also, the club also would like to reserve the courts for league play on Thursdays for 1-1.5 hrs. and host an amateur tournament in the future.

DEPARTMENT REPORTS

- A. Parks/Recreation: – Director Biscorner reported on the following:
 - M-20 Bridge replacement, contractor selected. Projected slated to start 2nd quarter of 2024.
 - Mill Pond Park remaining east dam – working with consultant to determine if it is worth saving. Will have more detail at next meeting.
 - Community Garden @ Horizon Park, staff is working on this project for completion by Memorial Day weekend. Lotto system will be used for 15 spaces.
 - Farmer’s market opened at Island Park on 5/4, celebrating 50-years, very busy first week.
 - Soccer and t-ball are half way through the season, getting back to pre-Covid numbers.
 - Adult softball will run on Tuesdays and CMU IM Fields with 6 teams and sand volleyball on Thursdays at Island Park with 12 teams.
 - Horizon Park Softball Diamond – Mid Michigan Softball may be taking over this field if it fits their needs, they would do upgrades and we could use in the off-season.
 - Mission Creek – county has cleared brush, added new culvert and removed dam.

OLD/NEW BUSINESS

- A. Pickleball Courts – going back to the master plan of adding more amenities to the east side of town, staff had proposed rehab of tennis courts at Horizon Park to pickleball courts at a cost of \$24-25K, which was within budget and gets rid of eyesore. The cost of six new courts at Island Park came in at \$300K+ which is cost prohibitive, and loops us back to original proposal to rehab tennis courts at Horizon Park.

Tennis community is on board, and this spreads out pickleball courts within the community.

After discussion, motion by Batcheller, second by LaLonde to move forward with planned conversion of tennis courts to pickleball courts at Horizon Park. All Ayes.

Reservations on Pickleball Courts – Director Biscorner discussed reserved courts vs. first come first serve. Currently we have agreements in place with local little and softball leagues for exclusive use of fields during leagues/tournaments, providing staff with a schedule. Looking to find the best balance, staff will bring proposal to board once drafted.

OTHER BUSINESS/COMMISSIONER COMMENTS

ADJOURNMENT – 6:53p.m.

Minutes of the regular meeting of the City Commission held Monday, June 26, 2023, at 7:00 p.m. in the City Commission Room, 320 W. Broadway St., Mt. Pleasant, Michigan with virtual options.

Vice Mayor Alsager called the meeting to order.

The Pledge of Allegiance was recited.

Land Acknowledgement statement was recited.

Commissioners Present: Vice Mayor Mary Alsager; Commissioners Brian Assmann, Liz Busch, Bryan Chapman & Boomer Wingard

Commissioners Absent: Mayor Amy Perschbacher and Commissioner Maureen Eke

Others Present: City Manager Aaron Desentz and City Clerk Heather Bouck

Proclamations and Presentations

Loryn Smith of Michigan State Housing Development Authority (MSHDA) presented a check in the amount of \$75,000 to Fire Chief Doug Lobsinger for Neighborhood Enhancement Program (NEP).

James McBryde, Middle Michigan Development Corporation (MMDC) President & CEO, gave an update on 2022 Industrial Facilities Tax Abatements (IFTs).

Vice Mayor Alsager moved Item #4 "Resignation of Tom Delia from CRDL Board of Trustees"; and read a Proclamation from the Chippewa River District Library Board acknowledging Tom Delia's years of service.

Receipt of Petitions and Communications

Received the following petitions and communications:

3. Receipt of annual Industrial Facilities Tax (IFT) Abatement Report from Middle Michigan Development Corporation (MMDC).
4. Item moved to Proclamations and Presentations section.
5. Downtown Development Authority April Meeting Minutes.

Moved by Commissioner Wingard and seconded by Commissioner Busch to approve the following items on the Consent Calendar:

6. Minutes of the regular meeting of the City Commission held June 12, 2023.
7. One-year extension to the Municipal Recycling Curbside Collection Services contract with Mid-Michigan Industries (MMI) of Mt. Pleasant, Michigan with an \$8,400 cap for 2024.
8. Contract with Gateway Refrigeration of Clare, Michigan for replacement of two boilers serving the Public Safety Building in the amount of \$99,590 and accompanying budget amendment.
9. Payrolls and Warrants dated June 6, 7, 15 & 16, 2023 all totaling \$2,071,568.00.

Motion unanimously adopted.

Tim Middleton, Public Works Deputy Director provided a presentation on the Phase II construction and bid.

Moved by Commissioner Wingard and seconded by Commissioner Busch to award the contract for Phase II WRRF upgrades to RCL Construction, of Sanford, Michigan in the amount of \$25,871,555 and authorize the Mayor and City Clerk to sign the contract contingent on available financing and pending value engineering.

WHEREAS, the City of Mt Pleasant, Isabella County, Michigan, wishes to construct improvements to its existing wastewater treatment plant that will address most of the critical issues of the aging infrastructure, restores the plant to its design capacity, and increase the plant's longevity; and

WHEREAS, the wastewater system improvements project plan formally adopted on May 23, 2022 will be funded through Michigan's CWSRF Programs; and

WHEREAS, the City of Mt Pleasant has sought and received construction bids for the proposed improvements and has received a bid in the amount of \$25,871,555 from RCL Construction Co., Inc; and

WHEREAS, the project engineer, Fishbeck, has recommended awarding the contract to the bidder RCL Construction Co., Inc.; and

WHEREAS, the Deputy Director of Public Works, Tim Middleton, has recommended awarding the contract to the bidder, RCL Construction Co., Inc.

NOW THEREFORE BE IS RESOLVED by the City Commission of the City of Mt Pleasant, Isabella County, Michigan that:

FIRST, The City of Mt Pleasant tentatively award the contract for the proposed plant improvements for Phase II to RCL Construction Co., Inc., contingent upon successful financial arrangements.

SECOND, the Mayor and City Clerk are instructed and authorized to sign, without further Commission action, the contract with RCL Construct Co., Inc., in the amount of \$25,871,555.

AYES: Commissioners Alsager, Assmann, Busch, Chapman & Wingard

NAYS: Commissioner Assmann

ABSENT: Commissioners Eke & Perschbacher

Motion carried.

Announcements on City-Related Issues and New Business

Vice Mayor Alsager announced that she attended the Farmer's Market on Saturday, providing three hours of time and believes this was well received. Additionally, she is happy to share that the State of Michigan received \$1.5 billion in broadband infrastructure funding to expand services throughout the State.

Public Comment on Agenda and Non-Agenda Items

Ron Bauer, RCL Construction, expressed his appreciation to the City for the business and although RCL was the only bid, the bid was completed in competition with the City's budget. He is grateful for the business and for their subcontractors.

Moved by Commissioner Chapman and seconded by Commissioner Busch to consult with the city attorney regarding trial or settlement strategy in connection with City of Mt. Pleasant v Michelle Lange, et al, Court of Claims Case No. 23-000034-MB, because an open meeting would have a detrimental financial effect on the litigating or settlement position of the City.

AYES: Commissioners Alsager, Assmann, Busch, Chapman & Wingard

NAYS: None

ABSENT: Commissioners Eke & Perschbacher

Motion carried.

The Commission recessed at 7:46 p.m. and went into Closed Session at 8:00 p.m. A separate set of minutes was taken for the Closed Session.

Moved by Commissioner Wingard and seconded by Commissioner Busch to adjourn the meeting at 8:13p.m. Motion unanimously adopted.

Mary Alsager, Vice Mayor

Heather Bouck, City Clerk



City of Mt. Pleasant, Michigan
Traffic Control Order

TRAFFIC CONTROL ORDER NO. _____

4-2023

Issued By: _____

Steve Terwin

Traffic Engineer

Date: _____

3-23-23

Signs/work by: _____

Kevin Nelson

Street Department

Date: _____

4-17-23

Filed/ Attested: _____

City Clerk

Date: _____

This Traffic Control Order shall be presented to the City Commission and may receive final approval not more than 90 days from the date the work was performed by the Street Department. It shall not be renewed or extended except upon action by the City Commission.

Content: Place a yield sign on the westerly segment of Glen Avenue, northbound at Hopkins Ave intersection.

WHEREAS, under the date of March 23, 2023 the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 4-2023:

Place a yield sign on the westerly segment of Glen Avenue, northbound at Hopkins Ave intersection.

Said temporary traffic control order was presented to the City Commission on July 10, 2023, for review and after reviewing said temporary control order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 4-2023 a permanent traffic control order.

Memorandum



TO: Aaron Desentz, City Manager
FROM: Tim Middleton, Deputy DPW Director
DATE: June 29, 2023
SUBJECT: Approve Contract Extension for Biosolids Services

Request

The City Commission is requested to approve a one-year contract extension with Nutrigo Environmental Solutions, Inc., until July 11, 2024, with the option to renew annually, for the removal, hauling and land application of biosolids.

Reason

Nutrigo Environmental Solutions Inc. (Gawne Trucking) has been the biosolids hauling and land application contractor for the Water Resource Recovery Facility since August 2014. The contract has been competitively bid several times since then, most recently in 2020, and Nutrigo has provided the lowest bid for this work since 2014. The contract has been extended by mutual agreement between the parties when advantageous to the City to do so.

Recent discussions with Nutrigo have resulted in a proposal to extend the contract for 1-3 years with the option to renew each year as permitted in the Agreement. The price per gallon for removal of the biosolids, hauling, and land application would increase slightly from \$0.041 to \$0.048 for year one, \$0.048 to \$0.049 for year two, and remain the same for year three. This would represent an average price increase of 6.5% annually. Digester and tank cleaning at \$475 per hour would remain unchanged, and is 5% less than the next highest bid received in 2020. The proposed extension incorporates a fuel surcharge based on the Department of Energy's On-Highway Diesel Fuel Price Table for the Midwest. Current Midwest diesel prices are at \$3.734, which is slightly below the \$3.75 surcharge threshold and diesel prices have been on a downward trend. Assuming we produce the normal 1.1 to 1.3 million gallons of biosolids, the total annual cost would not exceed \$65,000 annually.

Recommendation

I recommend a one-year extension contract extension with Nutrigo Environmental Solutions, Inc. until July 11, 2024, with the option to renew annually, for the removal, hauling, and land application of biosolids. Funds have been budgeted in the 2023 Wastewater Department's Contracted Services. Future years will be budgeted accordingly.

Memorandum



TO: Aaron Desentz, City Manager

CC: Heather Bouck, City Clerk

FROM: Michelle Sponseller, Downtown Development Director

DATE: June 28, 2023

SUBJECT: Request Setting a Public Hearing - Development District (DDA) License
Valhalla indoor Axe Throwing

Valhalla Indoor Axe Throwing, located at 1711 South Mission, is requesting City Commission approval for a Development District (DDA) License pursuant to Public Act 501 of 2006 in order to provide alcohol service for their new business.

PA 501 of 2006 is designed to make on-site premises licenses more readily available in downtowns and other redevelopment areas, as a tool for economic development. This request comes to the City subsequent to the City Commission actions below:

- Initial establishment of the development district (DDA) liquor license district and policy on January 24, 2011,
- revisions to the on-premise liquor license policy on July 26, 2021;
- expansion of the development district (DDA) liquor license district on October 10, 2022 and revision to the City's on-premise liquor license policy pertaining to the district expansion.

As part of the City's on-premise liquor license approval process both a special use permit (SUP) and a public hearing are required.

Recommended Action

Set a public hearing on July 24, 2023, to conduct all necessary steps for Development District (DDA) License as stated in MCLA 436.1521a(1)(b).

Memorandum



TO: Aaron Desentz, City Manager

CC: Chris Saladine, Finance Director

FROM: Michelle Sponseller, Downtown Development Director

DATE: June 28, 2023

SUBJECT: MEDC Architectural Services Funding – University Lofts (200 East Broadway)

Broadway Land Management, the new owner of University Lofts, located at 200 East Broadway, has been identified as the recipient of a \$100,000 architectural and engineering services funding as described and in association with the RFQ developed by the Michigan Economic Development Corporation (MEDC) Redevelopment Services Team. Please note that no City funds are required for this funding however, some staff time will be required to administer the funding disbursement. This MEDC funding will be disbursed to Broadway Land Management as they complete architectural and engineering activities on the project which will include transforming 200 East Broadway into a mixed-use space and the removal of the 1970's slipcover enveloping the building.

The University Lofts project has been the #1 redevelopment priority location within Mt. Pleasant for a number of years and is anticipated to serve as a catalyst for further economic growth and development in downtown.

The project has been specifically identified in three separate City plans:

- a. 2019 Economic Development Action Plan,
- b. 2020 Master Plan, and
- c. 2023 Downtown Strategic Plan.

These documents reflect the City's long-term vision and commitment to the redevelopment of this site, signaling its importance to the City's economic and community development objectives.

Additionally, the MEDC Development Services Team created a Request for Qualifications (RFQ) for this site from which this project originates. For reference, please see the RFQ document at this link https://www.mt-pleasant.org/business_detail_T13_R29.php

The funding from MEDC will substantially assist in defraying the costs of architectural services, which is a critical component of this redevelopment project.

Staff recommends approval of the pass-through funding from MEDC for architectural and engineering services for Broadway Land Management.

Recommended Action

Approve the pass-through funding MEDC for architectural and engineering services for Broadway Land Management and direct the City Manager to sign the following letter and future documentation that may be necessary.

Attachment: MEDC University Lofts Letter

June 28, 2023

Michigan Economic Development Corporation (MEDC)
Attention: Nate Scramlin
300 N. Washington Sq.
Lansing, MI 48913

Dear Mr. Scramlin,

This letter serves to request A&E funding from the Michigan Economic Development Corporation (MEDC) Redevelopment Team on behalf of the City of Mt. Pleasant. The funding, in the amount of \$100,000, is intended to support architectural and engineering services for the redevelopment of the University Lofts at 200 East Broadway.

Broadway Land Management, the new proprietor of 200 East Broadway, now called University Lofts, is earmarked as the recipient of these funds in alignment with the RFQ developed by the MEDC Redevelopment Services Team. This support will be utilized as Broadway Land Management, developer selected by the City of Mt. Pleasant for this redevelopment project as they embark on architectural and engineering tasks, which includes the conversion of the building into a mixed-use space and the removal of the 1970's slipcover.

The redevelopment of the University Lofts holds significant weight in the city's strategic planning, holding a top position in three separate city plans – the 2019 Economic Development Action Plan, the 2020 Master Plan, and the 2023 Downtown Strategic Plan. It is regarded as a catalyst for additional economic growth and development in downtown Mt. Pleasant.

The City of Mt. Pleasant is unwavering in its commitment to this redevelopment project, recognizing the site's importance to the city's long-term vision for economic and community development.

Thank you for your attention to this request.

Sincerely,

Aaron Desentz
City Manager
City of Mt. Pleasant

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 06/17/2023 - 06/29/2023

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
06/23/2023	WRIGHT EXPRESS FINANCIAL SERVICES	N/A	\$144,747.85
06/29/2023	AVFUEL CORPORATION	AIRPORT FUEL	16,026.00
06/29/2023	AXIOM WIRING SERVICE, LLC	CONTRACT SVCS	1,093.98
06/29/2023	CHRIS BECK	FARMERS MKT	168.15
06/29/2023	BECKETT & RAEDER	CONTRACT SVCS	5,500.00
06/29/2023	BERRY DUNN	CONTRACT SVCS	10,922.00
06/29/2023	BOUND TREE MEDICAL, LLC	SUPPLIES	189.47
06/29/2023	BSN SPORTS LLC	SUPPLIES	1,169.32
06/29/2023	TINA CAPUSON	FARMERS MKT	104.70
06/29/2023	CARMEUSE AMERICAS	CHEMICALS	8,685.30
06/29/2023	CAR WASH PARTNERS, INC.	SUPPLIES/VEHICLE MAINT	444.00
06/29/2023	CDW GOVERNMENT, INC	SUPPLIES	1,065.22
06/29/2023	CENTRAL ASPHALT, INC	CONTRACT SVCS	249,945.34
06/29/2023	CENTURYLINK	COMMUNICATIONS	10.30
06/29/2023	CINTAS CORP	SUPPLIES/CONTRACT SVCS	184.07
06/29/2023	CITY TREASURER-CONTR RETAINAGE	CONTRACT SVCS	27,771.71
06/29/2023	COMMONWEALTH HERITAGE GROUP	CONTRACT SVCS	11,324.50
06/29/2023	CONSUMERS ENERGY	UTILITIES	32,556.26
06/29/2023	COYNE OIL CORPORATION	FUEL	7,201.98
06/29/2023	ANDREW CURTISS	FARMERS MKT	231.10
06/29/2023	JASON DEFEYTER	REIMBURSEMENT	100.00
06/29/2023	DETROIT PUMP & MFG CO - WARREN	SUPPLIES	289.90
06/29/2023	DINGES FIRE COMPANY	SUPPLIES	2,994.00
06/29/2023	BRAD DOEPKER	REIMBURSEMENT	136.00
06/29/2023	DTE ENERGY	UTILITIES	4,417.40
06/29/2023	RENEE EARLE	FARMERS MKT	189.80
06/29/2023	ETNA SUPPLY	SUPPLIES	1,270.79
06/29/2023	F & K TREE SERVICE & STUMP REMOVAL	CONTRACT SVCS	3,200.00
06/29/2023	KAREN FENTON	FARMERS MKT	42.45
06/29/2023	FISHBECK - ENGINEERS/ARCHITECTS/	CONTRACT SVCS	129,080.54
06/29/2023	GALGOCI OIL COMPANY	AIRPORT FUEL	385.00
06/29/2023	GREEN SCENE LANDSCAPING, INC.	CONTRACT SVCS	5,190.00
06/29/2023	DAVID GROTHAUSE	FARMERS MKT	100.90
06/29/2023	JASON HAINES	REIMBURSEMENT	26.00
06/29/2023	HCC LIFE INS. CO	ADMIN - STOP LOSS	21,539.95
06/29/2023	ISABEL HASS	REIMBURSEMENT	141.04
06/29/2023	THE ISABELLA CORPORATION	CONTRACT SVCS	4,500.00
06/29/2023	ISABELLA COUNTY TREASURER	MI TAX TRIBUNAL	9,591.40
06/29/2023	BRUCE JORCK	FARMERS MKT	458.55
06/29/2023	KINETICO WATER SYSTEMS	CONTRACT SVCS	375.00
06/29/2023	KRAPOHL FORD LINCOLN MERC	SUPPLIES/VEHICLE MAINT	351.78

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 06/17/2023 - 06/29/2023

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
06/29/2023	MIRANDA LEY	FARMERS MKT	9.50
06/29/2023	JOSH LOUDENSLAGER	REIMBURSEMENT	26.00
06/29/2023	MANNIK SMITH GROUP	CONTRACT SVCS	2,677.85
06/29/2023	JENNIFER MAYER	FARMERS MKT	30.25
06/29/2023	MCDOWELL & ASSOCIATES	CONTRACT SVCS	1,079.00
06/29/2023	MEDLER ELECTRIC COMPANY	SUPPLIES	566.76
06/29/2023	MERRICK INDUSTRIES	SUPPLIES	1,684.00
06/29/2023	METRON-FARNIER, LLC	METER REPLACEMENT	6,938.09
06/29/2023	MIKA MEYERS	CONTRACT SVCS	6,025.00
06/29/2023	STATE OF MICHIGAN	CONTRACT SVCS	8,152.41
06/29/2023	MID-MICHIGAN INDUSTRIES	CONTRACT SVCS	64.50
06/29/2023	MILLER'S GREENHOUSE	SUPPLIES	416.50
06/29/2023	MICHIGAN PIPE & VALVE	SUPPLIES	455.00
06/29/2023	MI MUNI RISK MGMT AUTHORITY	TRAINING	300.00
06/29/2023	NICHOLAS MOFFATT	FARMERS MKT	38.05
06/29/2023	ALMA TIRE SERVICE INC	SUPPLIES/VEHICLE MAINT	4,441.00
06/29/2023	PHILIP NARTKER	REIMBURSEMENT	136.00
06/29/2023	JUSTIN NAU	REIMBURSEMENT	26.00
06/29/2023	NCL OF WISCONSIN	SUPPLIES	514.97
06/29/2023	NORTHERN INDUSTRIAL SUPPLY	SUPPLIES	397.52
06/29/2023	COREY DION WALTHER	FARMERS MKT	129.40
06/29/2023	ODP BUSINESS SOLUTIONS, LLC	SUPPLIES	474.42
06/29/2023	LACEY ORLANDO	FARMERS MKT	4.60
06/29/2023	PAPAS PUMPKIN PATCH	FARMERS MKT	503.05
06/29/2023	REBECCA PARKER	FARMERS MKT	23.30
06/29/2023	PHOENIX SAFETY OUTFITTERS	UNIFORMS	2,972.90
06/29/2023	PLEASANT THYME HERB FARM	CONTRACT SVCS	11,113.50
06/29/2023	POL VETERINARY SERVICES	CONTRACT SVCS	330.00
06/29/2023	PRO COMM, INC	CAPITAL ACQUISITIONS	14,721.37
06/29/2023	PURE PLUMBING LLC	CONTRACT SVCS	332.00
06/29/2023	PVS TECHNOLOGIES, INC	CHEMICALS	9,559.79
06/29/2023	PAUL PRESTON	REFUND	500.00
06/29/2023	MATTHEW COZZIE	REFUND	200.00
06/29/2023	HELEN MACGREGOR	REFUND	25.00
06/29/2023	ANDREA JASPER	REFUND	215.00
06/29/2023	ASHLEY WILSON	REFUND	60.00
06/29/2023	ANGEL REINSHUTTLE	FARMERS MKT	21.55
06/29/2023	RENT-RITE OF MT PLEASANT	EQUIPMENT RENTAL	275.07
06/29/2023	ROMANOW BUILDING SERVICES	CONTRACT SVCS	6,327.69
06/29/2023	ROSA SURVIVAL TRAINING, LLC	TRAINING	4,255.00
06/29/2023	BERNARD SCHAFER	REIMBURSEMENT	136.00

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 06/17/2023 - 06/29/2023

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
06/29/2023	STERICYCLE, INC.	CONTRACT SVCS	324.71
06/29/2023	LAURA SIGSBEE	FARMERS MKT	30.10
06/29/2023	STANDARD ELECTRIC COMPANY	SUPPLIES	91.63
06/29/2023	SUMMIT FIRE PROTECTION	CONTRACT SVCS	1,061.75
06/29/2023	STEVIE SWAREY	FARMERS MKT	87.40
06/29/2023	CHRISTOPHER SWIER	FARMERS MKT	304.70
06/29/2023	T.H. EIFERT, LLC	CONTRACT SVCS	1,754.52
06/29/2023	JOSHUA THEISEN	YOUTH POLICE ACADEMY	1,500.00
06/29/2023	THIELEN TURF IRRIGATION, INC	CONTRACT SVCS	6,070.75
06/29/2023	TOTAL WATER TREATMENT SYSTEMS, INC	CHEMICALS	628.00
06/29/2023	TRACE ANALYTICAL LABORATORIES, INC.	CONTRACT SVCS	990.00
06/29/2023	LACOEZ LLC	REFUND	28.91
06/29/2023	WATSON, JOSEPH & KATIE	REFUND	14.16
06/29/2023	QUALITY APARTMENTS	REFUND	67.36
06/29/2023	UNIFIRST CORPORATION	CONTRACT SVCS	121.76
06/29/2023	USABLUBOOK	SUPPLIES	5,933.37
06/29/2023	SHANE WASKEVICH	REIMBURSEMENT	26.00
06/29/2023	CHARLOTTE WEIS	REIMBURSEMENT	92.36
06/29/2023	ERNEST WOLF	FARMERS MKT	166.20
COMM TOTALS:			
Total of 101 Checks:			\$809,173.47
Less 0 Void Checks:			0.00
Total of 101 Disbursements:			<u>\$809,173.47</u>

Wright Express6/23/2023

<u>Merchant Name</u>	<u>Description</u>	<u>Amount</u>	<u># of Invoices</u>
ADOBE SYSTEMS, INC	CONTRACT SVCS	\$19.99	1
ADOBE SYSTEMS, INC	SUPPLIES	75.98	2
ADVANCE AUTO PARTS	SUPPLIES	47.76	2
AIRGAS GREAT LAKES	SUPPLIES	760.94	5
ALLEN R SHUFFLEBOARD CO INC	SUPPLIES	164.49	1
AMAZON.COM	SUPPLIES	2981.05	42
AMERICAN RED CROSS	CONTRACT SVCS	95.40	1
APWA, MICHIGAN CHAPTER	CONTRACT SVCS	750.00	2
AUDIOBOOKS.COM	TRAINING	14.95	1
AUTOZONE, INC.	SUPPLIES/VEHICLE MAINT	90.97	1
BATTERIES PLUS	SUPPLIES	467.27	3
BAYMONT INN & SUITES	CONTRACT SVCS	-75.97	1
BEACON AND BRIDGE MARKET	TRANSPORTATION	45.48	1
BILL'S CUSTOM FAB, INC	SUPPLIES	34.10	1
BLUEBEAM INC.	SUPPLIES	400.00	1
BRASS CAFE & SALOON	SUPPLIES	18.90	1
BRITTEN INC	SUPPLIES	7782.66	1
C & C ENTERPRISES, INC	SUPPLIES	50.85	1
CAMPUS INK PRINTING	CONTRACT SVCS	2706.84	1
CAMPUS INK PRINTING	SUPPLIES	4129.67	1
CANVA PTY LTD.	SUPPLIES	119.99	1
CAR WASH PARTNERS, INC. (DBA MISTER CAR \	CONTRACT SVCS	560.00	1
CELLEBRITE INC	TRAINING	4200.00	1
CENTRAL MOTOR SPORTS	SUPPLIES	126.96	1
CERTIFIED TRAINING INSTITUTE	TRAINING	39.00	1
CITY OF LANSING PARKING	TRAINING	24.00	1
COMMUNITY CATS PODCAST	TRAINING	10.00	1
COURSERA INC	TRAINING	39.00	1
COURTYARD BY MARRIOTT	CONTRACT SVCS	-353.48	1
CRICUT.COM	SUPPLIES	10.59	1
CRYSTAL MOUNTAIN LODGING	TRAINING	373.55	3
CVS STORE	SUPPLIES	11.96	2
DAIRY QUEEN	SUPPLIES	127.35	1
DASH MEDICAL GLOVES	SUPPLIES	101.90	1
DEWITT LUMBER	SUPPLIES	186.56	2
DIESEL TRUCK SALES	SUPPLIES	2171.75	1
DOG CENTRAL	SUPPLIES	1.33	1
DOUG'S SMALL ENGINE REPAIR	SUPPLIES	683.43	4
DREAMSTIME.COM	SUPPLIES	39.00	1
EBAY	SUPPLIES	237.07	2
ELLENS EQUIPMENT	SUPPLIES	233.75	1
ELM CREEK LTD	SUPPLIES	915.77	1
ETNA SUPPLY	SUPPLIES	240.43	5
ETRAILER.COM	SUPPLIES	111.45	1
EVENTBRITE	TRAINING	70.00	2

Wright Express6/23/2023

<u>Merchant Name</u>	<u>Description</u>	<u>Amount</u>	<u># of Invoices</u>
FASTENAL COMPANY	SUPPLIES	48.02	1
FIVE BELOW	SUPPLIES	239.38	2
FREDDIE'S TAVERN	SUPPLIES	54.06	1
FRONTIER COMMUNICATONS	COMMUNICATIONS	70.98	1
GAYLORD OPRYLAND HOTEL	TRAINING	2770.28	2
GILL-ROY'S HARDWARE	SUPPLIES	429.48	16
GLASS DOCTOR	CONTRACT SVCS	20.00	1
GORDON FOOD SERVICE	SUPPLIES	282.55	6
GOTOMYPC.COM	CONTRACT SVCS	88.00	2
GOVERNMENT FINANCE OFF ASSN	DUES	530.00	1
GRAINGER	SUPPLIES	377.98	5
GT RUBBER SUPPLY	SUPPLIES	1864.82	7
HACH COMPANY	SUPPLIES	219.22	1
HAMPTON INN - CC	TRAINING	386.52	2
HARBOR FREIGHT TOOLS	SUPPLIES	414.94	3
HEATHROW SCIENTIFIC	SUPPLIES	38.00	1
HILTON HOTELS	CONTRACT SVCS	-270.60	1
HOBBY LOBBY	SUPPLIES	68.27	3
HOME DEPOT	SUPPLIES	5097.04	30
HOME DEPOT	SUPPLIES/VEHICLE MAINT	31.90	1
HOME DEPOT	TRAINING	30.91	1
HUTSON, INC	SUPPLIES	145.65	2
IDENTOGO	CONTRACT SVCS	192.75	3
IDLHTE TECHNOLOGY LLC	CONTRACT SVCS	12.00	1
IFIT.COM	SUPPLIES	41.34	1
INTERNATIONAL CODE COUNCIL	SUPPLIES	79.00	1
INTERNATIONAL CODE COUNCIL	TRAINING	290.00	1
INTERNATIONAL INST MUNI CLERKS	DUES	225.00	1
JIB BOB LLC	SUPPLIES	18.00	1
JNR ENGRAVING	SUPPLIES	33.12	1
JOHNSON DOOR & CENTRAL VAC	SUPPLIES	2.25	1
KIRTLAND COMMUNITY COLLEGE	TRAINING	100.00	1
KRAPOHL FORD LINCOLN MERC	CONTRACT SVCS	157.11	2
KRAPOHL FORD LINCOLN MERC	SUPPLIES/VEHICLE MAINT	72.96	1
LOGOS GALORE/MORDICA SALES	UNIFORM	116.00	1
LYNN PEAVEY COMPANY	SUPPLIES	34.50	1
MARATHON PETRO	SUPPLIES	17.46	1
MARKETSPREAD/FARMERSPREAD	CONTRACT SVCS	45.00	1
MCMASTER-CARR SUPPLY CO.	SUPPLIES	1871.98	4
MEDLER ELECTRIC COMPANY	SUPPLIES	102.20	1
MEIJER INC	SUPPLIES	632.90	10
MENARDS - MT. PLEASANT	SUPPLIES	4058.83	25
MICHIGAN AIR COMPRESSOR TECHNOLOGIES	SUPPLIES	-1.80	1
MICHIGAN ASSOC. OF PLANNING	TRAINING	165.00	1
MICHIGAN DEPT OF HEALTH & HUMANS SVCS	CONTRACT SVCS	225.00	1

Wright Express6/23/2023

<u>Merchant Name</u>	<u>Description</u>	<u>Amount</u>	<u># of Invoices</u>
MICHIGAN RECYCLING COALITION	CONTRACT SVCS	400.00	1
MIDDLE MICHIGAN DEVELOP CORP	DUES	35.00	1
MIDJOURNEY INC.	SUPPLIES	96.00	1
MILAN SUPPLY COMPANY	SUPPLIES	31.66	1
MIREGISTRY.ORG	TRAINING	50.00	5
MITCHELL, LEWIS & STAVER CO	SUPPLIES	534.76	1
MOREY'S LOGO	SUPPLIES	528.80	1
MRWA	CONTRACT SVCS	99.00	1
MT PLEASANT AREA CHAMBER OF COMMERCE	TRAINING	45.00	2
MT PLEASANT FARMERS MARKET	SUPPLIES	80.00	3
MT PLEASANT TIRE SERVICE, INC	CONTRACT SVCS	9711.09	2
NAPA AUTO PARTS	SUPPLIES	1165.50	10
NARTEC INCORPORATED	SUPPLIES	99.05	1
NATIONAL ALLIANCE-YOUTH SPORTS	SUPPLIES	92.12	1
NATIONAL SOCIETY OF PROFESSIONAL	TRAINING	40.00	1
OFFICE DEPOT	SUPPLIES	177.42	5
OFFICE OF WATER PROGRAMS	TRAINING	75.00	1
OLSON TIRE SERVICE	CONTRACT SVCS	294.58	1
OPENAI	SUPPLIES	20.00	1
PERSONALITY PROFILE SO	CONTRACT SVCS	3632.65	1
PICKARD STREET CITGO	FUEL	20.20	1
PURITY CYLINDER GASES	SUPPLIES	110.31	2
RADISSON LANSING HOTEL	TRAINING	601.02	7
RENT-RITE OF MT PLEASANT	SUPPLIES	24.52	1
REPUBLIC SERVICES #239	CONTRACT SVCS	53269.10	9
RESIDENCE INNS	CONTRACT SVCS	-212.87	1
RIC'S FOOD CENTER	SUPPLIES	42.50	2
RURAL PARTNERS OF MICHIGAN	TRAINING	275.00	1
S & S WORLDWIDE, INC.	SUPPLIES	1056.44	1
SAM'S CLUB #4982	SUPPLIES	\$171.58	2
SAVE-A-LIFE CPR & TRAINING	TRAINING	\$635.40	9
SAWYER ENGINE & COMPRESSOR	SUPPLIES	7197.76	1
SCIENTIFIC BRAKE & EQUIPMENT CO	SUPPLIES	55.72	1
SHERATON HOTELS & RESORTS	CONTRACT SVCS	-530.15	1
SMARTSIGN STORE	SUPPLIES	186.85	1
SOLDAN'S FEED & PET SUPPLIES	SUPPLIES	129.30	2
SPORTS ENGINE	CONTRACT SVCS	-749.00	1
STANDARD ELECTRIC COMPANY	SUPPLIES	78.41	1
STAPLES - MP	COMMUNICATIONS	96.00	1
STAPLES - MP	SUPPLIES	886.16	12
STATE OF MI DEPT OF LICENSING AND REG AFF	SUPPLIES	150.00	1
STATE OF MICHIGAN ICHAT LOOK UP	CONTRACT SVCS	10.00	1
SUPER 8	CONTRACT SVCS	-593.82	5
TARGET	SUPPLIES	72.04	3
TCP GLOBAL CORPORATION	SUPPLIES	249.99	1

Wright Express

6/23/2023

<u>Merchant Name</u>	<u>Description</u>	<u>Amount</u>	<u># of Invoices</u>
TEACHERS PAY TEACHERS	SUPPLIES	5.00	1
TERRY'S CYCLE & SPORTS	SUPPLIES	254.75	2
THE PAPER MILL STORE	SUPPLIES	261.94	2
THE UPS STORE	CONTRACT SVCS	28.88	2
THE WALL STREET JOURNAL	SUBSCRIPTION	38.99	1
TIM HORTONS	SUPPLIES	42.82	1
TLO ONLINE	CONTRACT SVCS	75.00	1
TRACTOR SUPPLY	SUPPLIES	243.69	7
U S POSTMASTER	CONTRACT SVCS	45.83	2
U S POSTMASTER	SUPPLIES	189.00	2
USPS.COM	SUPPLIES	63.00	1
VERIZON WIRELESS	COMMUNICATIONS	5111.97	66
VERIZON WIRELESS	CONTRACT SVCS	-4.78	1
VOLGISTICS, INC	CONTRACT SVCS	98.00	1
WAL-MART COMMUNITY	SUPPLIES	23.38	1
WASTE MANAGEMENT	CONTRACT SVCS	1798.11	4
WEF MEMBERSHIP	MEMBERSHIP	155.00	1
WINN TELECOM	COMMUNICATIONS	1812.50	5
WINN TELECOM	CONTRACT SVCS	300.00	1
YOURMEMBERSHIP.COM, INC	CONTRACT SVCS	699.00	3
ZIPRECRUITER, INC.	CONTRACT SVCS	779.00	1
ZOOM, INC.	CONTRACT SVCS	15.99	1
	TOTALS	<u>\$144,747.85</u>	<u>476</u>

Memorandum



TO: Aaron Desentz, City Manager
FROM: Brandon Bliss, Police Captain
Jason Moore, DPW Director
DATE: June 27, 2023
SUBJECT: Approve Buyout of Purchase-Buyback Program Vehicles

Request

The City Commission is requested to approve a buyout of 18 vehicles in the purchase-buyback program with Krapohl Ford for \$79,200.

Reason for Request

Since 2016, the City has participated in a purchase-buyback program offered by Krapohl Ford for pickup trucks in the Motor Pool and Police Department fleet. Currently, there are 19 vehicles in the program; 17 are assigned to Public Works, Code Enforcement, and the Parks Department, and two to the Police Department administration. The program has been mutually beneficial for the City and Krapohl Ford. The City was able to purchase new trucks each year at a significant government discount and operate them for a year, generally without maintenance costs. After one year, Krapohl would buy back the vehicles for the amount the City paid, less the title and documentation fees. Krapohl benefitted by having a steady supply of one-year-old vehicles in like-new condition and typically with fewer than 10,000 miles for resale to the public.

We were notified recently that Ford is no longer offering the deep discounts that have been part of the principal fleet program that allowed the purchase-buyback agreements to be viable, at least through the 2025 model year. Due to this alteration and limited availability of new fleet trucks in general, Krapohl cannot continue offering the purchase-buyback agreements and is requesting a program buyout. The negotiated price of \$3,600 for each F-150 and \$4,800 for each F-250 and MPPD's Expedition represents the current price difference between holding the current vehicles, which are of high quality, and purchasing new lower quality vehicles. The buyout will allow the City to keep the vehicles, place them on a reasonable replacement schedule, and budget for future replacements accordingly. The fees allow Krapohl to recoup a portion of the lost profit from not having the vehicles to resell. The City could participate in the program again later should Ford reinstate it.

MPPD Administration is working with Krapohl to purchase another vehicle and trade-in their F-250 and will submit a memo for the purchase later. The actual buyout for the remaining program vehicles is as follows.

Buyout Breakdown

F-150s	6 x \$3,600	\$21,600
F-250s	11 x \$4,800	\$52,800
Expedition	1 x \$4,800	<u>\$4,800</u>
Total Buyout of 18 Vehicles		\$79,200

Recommendation

We recommend the City Commission approve the buyout of 18 vehicles in the purchase-buyback program with Krapohl Ford for \$79,200. Funds are available in the Motor Pool and Police Administration budgets.

Memorandum



TO: Aaron Desentz, City Manager

FROM: Chris Saladine, Finance Director

DATE: July 12, 2023

SUBJECT: Water Resource Recovery Facility (WRRF) Upgrade Bond Resolution

At the March 13, 2023 City Commission meeting, the Commission approved a resolution declaring the intent to issue up to \$18 million in bonds to upgrade the WRRF. A notice of intent to issue bonds was published in the Morning Sun as required by State law. The voters had a 45 day right to request a referendum to consider the bond issue. This time has lapsed without receipt of such a request.

We have proceeded with financing phase II of the project. A bond issue of \$18 million has been determined to be necessary to finance this phase of construction and engineering for the entire project. The attached resolution has been prepared by the Bond Attorney, Roger Swets. The resolution authorizes the issuance of the bonds.

The City opened bids for Phase II construction and the awarded bid was substantially over the budgeted amount. We went back to the State of Michigan and requested additional State Revolving Fund dollars to cover the overage. Funding for the project will be covered by a \$9 million dollar grant and up to \$18 million dollars in SRF funding. This will save WRRF customers millions of dollars in interest over the 30-year term of the bonds compared to current market bond rates.

Requested Action

Staff is requesting commission approval of the resolution to authorize the issuance of up to \$18 million in Clean Water State Revolving Funding to fund Phase II of the WRRF rehabilitation.

**CITY OF MT. PLEASANT
(Isabella County, Michigan)**

RESOLUTION NO. _____

**RESOLUTION TO AUTHORIZE ISSUANCE OF
WATER RESOURCE RECOVERY SYSTEM REVENUE BONDS**

Minutes of a regular meeting of the City Commission of the City of Mt. Pleasant, Isabella County, Michigan, held in the City Hall on July 10, 2023, at _____ p.m., local time.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by Member _____ and

supported by Member _____:

WHEREAS, pursuant to Act 94, Public Acts of Michigan, 1933, as amended (the “Act”), the City Commission of the City of Mt. Pleasant (the “City”) has determined to make improvements to the City’s Water Resource Recovery System; and

WHEREAS, the improvements will enable the City to provide more efficient and better quality public services to the users of the Water Resource Recovery System; and

WHEREAS, the improvements shall be financed in part by the issuance of revenue bonds or other evidences of indebtedness in accordance with the Act; and

WHEREAS, the Act permits the City to authorize, within limitations that shall be contained in the authorizing resolution, an officer to sell, deliver, and receive payment for obligations, and to approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, optional or mandatory redemption rights, place of delivery and payment, and other matters and procedures necessary to complete an authorized transaction.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. DEFINITIONS. Whenever used in this Resolution except when otherwise indicated by context, the following definitions shall apply:

(a) “Act” means Act 94, Public Acts of Michigan, 1933, as amended.

(b) “Additional First Lien Bonds” means any additional First Lien bonds issued in the future.

(c) “Additional Junior Lien Bonds” means any additional Junior Lien Bonds issued in the future.

(d) “Adjusted Net Revenues” means for any operating year the Net Revenues to which may be made the following adjustments:

(i) Revenues may be augmented by the amount of any rate increase adopted prior to the issuance of additional Bonds or to be placed into effect before the time principal or interest on the additional Bonds becomes payable from Revenues as applied to quantities of service furnished during the operating year or portion thereof that the increased rates were not in effect.

(ii) Revenues may be augmented by amounts that may be derived from rates and charges to be paid by new customers of the System.

(e) “Authority” means the Michigan Finance Authority created by Executive Order 2010-2, which, among other things, transferred to the Michigan Finance Authority the powers, duties, and functions of the Michigan Municipal Bond Authority created and established pursuant to Act 227, Public Acts of Michigan, 1985, as amended.

(f) “Authorized Officer” means the Mayor, the City Manager, the Clerk, and the Finance Director of the City, or any one of them acting alone or any number of them acting together.

(g) “Bondholder” or “Bondholders” means the holder or holders of the Bonds.

(h) “Bond Reserve Account” means a subaccount established within the Redemption Account pursuant to Section 15(b)(ii)(B).

(i) “Bonds” means the Series 2023 Bonds and any Additional Junior Lien Bonds and any Additional First Lien Bonds authorized pursuant to this Resolution or any resolution supplemental to this resolution.

(j) “City” means the City of Mt. Pleasant, Isabella County, Michigan.

(k) “Code” means the Internal Revenue Code of 1986, as amended, and the rules and regulations promulgated thereunder.

(l) “Commission” means the City Commission of the City, the legislative and governing body thereof.

(m) “Construction Fund” shall mean the 2023 Water Resource Recovery System Junior Lien Revenue Bonds Construction Fund created pursuant to Section 15(a).

(n) “Contract Documents” means the Purchase Contract between the City and the Authority, the Supplemental Agreement by and among the City, the Authority, and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy, and the Issuer’s Certificate for the Series 2023 Bonds and such other closing documents required by the Authority for the issuance of the Series 2023 Bonds.

(o) “First Lien Bonds” shall mean any bonds or other obligations that may be issued or incurred by the City in the future payable from the Revenues of the System secured by a lien that is a first lien on the Net Revenues of the System, senior in standing and priority of lien with respect to the Net Revenues to the claim of the Junior Lien Bonds.

(p) “First Lien Redemption Account” means the First Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 15(b)(ii)(A).

(q) “G. O. Fund” means the General Obligation Debt Fund created pursuant to Section 15(b)(iii).

(r) “Improvements” means the design, purchase, acquisition and construction certain improvements to the System, and the wastewater treatment facility, including without limitation, equalization improvements, septage screen unit and building improvements, grit vortex tank improvements, grit handling building improvements, digester improvements, site grading and restoration work, upgrade and replace primary, biological, and final filtration treatment processes, encompassing the existing primary tanks, tertiary towers, rotating biological contactors, and final tanks with new treatment technology, design and implement new processes to better handle loading demands more efficiently, as well as all work, equipment, and appurtenances necessary or incidental to these improvements and such other improvements to the Water Resource Recovery System as the City may determine to make.

(s) “Junior Lien Bonds” shall mean any bonds or other obligations that may be issued or incurred by the City payable from the Revenues of the System secured by a lien on the Net Revenues of the System that is subordinate to a first lien on the Net Revenues of the System created for the benefit of any First Lien Bonds and shall include the Series 2023 Bonds.

(t) “Junior Lien Redemption Account” shall mean the Junior Lien Bond and Interest Redemption Account created as a subaccount of the Redemption Account pursuant to Section 15(b)(ii)(C).

(u) “Net Revenues” shall have the same meaning as defined in Section 3 of the Act.

(v) “Operation and Maintenance Fund” means the Operation and Maintenance Fund created pursuant to Section 15(b)(i).

(w) “Paying Agent” shall mean the paying agent as provided in Section 8.

(x) “Receiving Fund” shall mean the Water Resource Recovery System Receiving Fund created pursuant to Section 15(b).

(y) “Redemption Account” shall mean the Bond and Interest Redemption Account created pursuant to Section 15(b)(ii).

(z) “Resolution” means this Resolution and all amendments hereto.

(aa) “Revenues” shall have the same meaning as defined in Section 3 of the Act and shall include all earnings on investment of funds of the System and all other revenues derived from or pledged to operation of the System.

(bb) “Series 2023 Bonds” means the City’s the Water Resource Recovery System Junior Lien Revenue Bonds, Series 2023 issued pursuant to this resolution.

(cc) “System” means the City’s complete Water Resource Recovery System, both inside and outside the City, including all collection and treatment facilities for sanitary sewage disposal and all appurtenances thereto now owned by the City and those acquired pursuant to this Resolution and all extensions and improvements thereto hereafter made.

2. NECESSITY; PUBLIC PURPOSE. It is hereby determined to be necessary for the public health, safety, and welfare of the City to acquire and construct the Improvements to the System in accordance with the maps, plans, and specifications therefor prepared by the City’s engineers, which are hereby approved.

3. ESTIMATED COST; PERIOD OF USEFULNESS. The cost of the Improvements has been estimated by the engineers not to exceed \$27,000,000, including the payment of legal, engineering, financial, and other expenses, which estimate of cost is approved and confirmed, and the period of usefulness of the Improvements is estimated to be greater than forty (40) years.

4. ISSUANCE OF BONDS. To pay a portion of the cost of designing, acquiring, and constructing the Improvements and to pay the legal and financial expenses and all other expenses incidental to the issuance of the Series 2023 Bonds, the City shall issue its revenue bonds pursuant

to the provisions of the Act. The Series 2023 Bonds shall be issued in the aggregate principal sum of not to exceed \$18,000,000, as finally determined by the Authorized Officer at the time of sale, or such lesser amount thereof as shall have been advanced to the City pursuant to the Contract Documents.

During the time funds are being drawn down by the City under the Series 2023 Bonds, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the Series 2023 Bonds.

5. SERIES 2023 BOND TERMS. The Series 2023 Bonds shall be issued as one fully registered manuscript bond, shall be sold and delivered to the Authority in any denomination. The Series 2023 Bonds shall be dated the date of delivery to the Authority, or such other date approved by the Authorized Officer, and shall be payable on the dates and in the amounts determined by the Authorized Officer at the time of sale provided the final maturity shall be no later than forty (40) years after the date of issuance. The Series 2023 Bonds shall bear interest at a rate as provided in the Contract Documents, payable semiannually on the dates determined by the Authorized Officer at the time of sale. Within the limitations provided above, the final amount of any maturity and the terms of the Series 2023 Bonds shall be as provided in the Contract Documents and will be finally determined by the Authorized Officer.

6. PAYMENT OF BONDS; PLEDGE OF NET REVENUES. Principal of and interest on the Bonds shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of principal on the Bonds shall be made at the principal office of the Paying Agent, upon surrender of the Bonds. Payment of interest on the Bonds shall be paid to the registered owner at the address as it appears on the registration books. The principal of and interest on the Bonds shall be payable from the Net Revenues derived from the operation of the System, including future improvements, enlargements and extensions thereof, after provision has been made for the payment of expenses

of administration, operation and maintenance thereof. The Net Revenues of the System, including future enlargements, improvements, and extensions thereto, are hereby pledged to the payment of the principal of and interest on the Bonds. To secure the payment of the principal of and interest on the Bonds, including the Series 2023 Bonds, there is hereby created a lien, which shall be a statutory lien pursuant to the Act, to and in favor of the Bondholders of the Bonds upon the Net Revenues of the System, including future enlargements, improvements, and extensions thereof. The statutory lien on the Net Revenues securing any First Lien Bonds shall be a first lien as provided in the Act and shall at all times and in all respects be and remain superior to the lien on the Net Revenues securing any Junior Lien Bonds, including the Series 2023 Bonds. The Net Revenues so pledged shall be and remain subject to such lien until the payment in full of the principal of and interest on the Bonds or until Bonds are defeased as provided in Section 23.

The Series 2023 Bonds, including both principal and interest thereon, shall not be a general obligation of the City and shall not constitute an indebtedness of the City for the purpose of any debt limitations imposed by any constitutional, statutory, or charter provisions.

7. PRIOR REDEMPTION. The Series 2023 Bonds issued and sold to the Authority shall be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

8. PAYING AGENT AND REGISTRATION.

(a) Appointment of Paying Agent. From time to time the Authorized Officer shall designate and appoint a Paying Agent, which shall also act as transfer agent and bond registrar. The initial Paying Agent shall be the City Treasurer. The Authorized Officer shall also have the authority to remove the Paying Agent and appoint a successor Paying Agent. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds.

(b) Registration of Bonds. Registration of the Bonds shall be recorded in the registration books of the City to be kept by a Paying Agent. Bonds may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee

(new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any Bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption.

(c) Authority's Depository. Notwithstanding any other provision of this Resolution, so long as the Authority is the owner of the Series 2023 Bonds, (a) the Series 2023 Bonds are payable as to principal, premium, if any, and interest in lawful money of the United States of America at U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on the Series 2023 Bonds in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of the Series 2023 Bonds shall be given by the City and received by the Authority's Depository at least forty (40) days prior to the date on which such redemption is to be made.

9. SALE OF BONDS. The Series 2023 Bonds shall be sold to the Authority. The City determines that a negotiated sale to the Authority is in the best interest of the City because the terms offered by the Authority are more favorable than those available from other sources of funding.

10. BOND FORM. The Series 2023 Bonds shall be in substantially the following form with such completions, changes, and additions as may be required by the Authority or as recommended by the City's Bond Counsel and approved by the officers of the City signing the Series 2023 Bonds:

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
ISABELLA COUNTY
CITY OF MT. PLEASANT**

**WATER RESOURCE RECOVERY SYSTEM JUNIOR LIEN REVENUE BONDS,
SERIES 2023**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
[Insert Rate]	See Schedule I	[Insert Date]

Registered Owner: Michigan Finance Authority

Principal Amount: [Insert Principal Amount]

The City of Mt. Pleasant, Isabella County, Michigan (the “Issuer”), acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, out of the net revenues of the Water Resource Recovery System of the Issuer (the “System”), including all appurtenances, additions, extensions, and improvements thereto after provision has been made for reasonable and necessary expenses of operation, maintenance, and administration of the System (the “Net Revenues”) the amounts and on the Dates of Maturity set forth on Schedule I hereto, together with interest thereon from the dates of receipt of such funds, or such later date to which interest has been paid, at the Interest Rate per annum specified above, payable on the first day of April and October of each year, beginning April 1, 2024, except as the provisions hereinafter set forth with respect to redemption of this Bond prior to maturity may become applicable hereto.

The Issuer promises to pay to the Michigan Finance Authority (the “Authority”) the principal amount of this Bond or so much thereof as shall have been advanced to the Issuer pursuant to a Purchase Contract between the Issuer and the Authority and a Supplemental Agreement by and among the Issuer, the Authority, and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy.

During the time funds are being drawn down by the Issuer under this Bond, the Authority will periodically provide the Issuer a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the Issuer of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

Notwithstanding any other provision of this Bond, so long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the

Issuer by the Authority (the "Authority's Depository"); (b) the Issuer agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the Issuer's deposit by 12:00 noon on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this Bond shall be given by the Issuer and received by the Authority's Depository at least forty (40) days prior to the date on which such redemption is to be made.

This Bond, being one fully registered manuscript bond, is issued in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended and a resolution adopted by the City Commission of the Issuer on July 10, 2023 (the "Resolution"), for the purpose of paying the cost of acquiring and constructing improvements to the System. This Bond is a self-liquidating Bond, and is not a general obligation of the Issuer within any constitutional, statutory or charter limitation, but is payable, both as to principal and interest, solely from the Net Revenues of the System. The principal of and interest on this Bond are secured by a statutory lien on the Net Revenues.

The Issuer hereby covenants and agrees to fix, and maintain at all times while any of the Bonds shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the principal of and interest upon all such Bonds as and when the same become due and payable, to maintain a bond and interest redemption account, and to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by the Resolution. The statutory liens securing any First Lien Bonds (as defined in the Resolution) issued by the Issuer will be first liens that shall be and shall remain superior to the lien on the Net Revenues securing this Bond and any Additional Junior Lien Bonds (as defined in the Resolution), that may be issued pursuant to the Resolution. The Bonds of this series shall have equal standing with any Additional Junior Lien Bonds that may be issued pursuant to the Resolution, and Additional First Lien Bonds of superior standing to the bonds of this series may be issued pursuant to the Resolution. For a complete statement of the revenues from which, and the conditions under which, this Bond is payable, a statement of the conditions under which additional bonds of equal or superior standing may hereafter be issued, and the general covenants and provisions pursuant to which this Bond is issued, reference is made to the Resolution.

Bonds of this series may be subject to redemption prior to maturity by the Issuer only with the prior written consent of the Authority and on such terms as may be required by the Authority.

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue

until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the Issuer's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the Issuer shall and hereby agrees to pay on demand only the Issuer's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

It is hereby certified and recited that all acts, conditions, and things required by law, precedent to and in the issuance of this Bond, exist and have been done and performed in regular and due time and form as required by law and that the total indebtedness of the Issuer including this Bond, does not exceed any constitutional, statutory, or charter limitation.

[Signature page follows.]

IN WITNESS WHEREOF, the City of Mt. Pleasant, Isabella County, Michigan, by its City Commission, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and its Clerk, all as of the Date of Original Issue specified above.

Amy Perschbacher, Mayor

Heather Bouck, Clerk

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

(please print or type social security number or taxpayer identification number and name and address of transferee)
the within bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ Signed: _____

In the presence of: _____

Notice: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of his/her capacity to act must accompany the bond.

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guaranty program.

Signature Guaranteed: _____

Name of Issuer CITY OF MT. PLEASANT
EGLE Project No: _____
EGLE Approved Amount: \$ _____

SCHEDULE I

Based on the schedule provided below, unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the Issuer is repaid. In the event the Order of Approval issued by the Department of Environment, Great Lakes, and Energy (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the Issuer and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the Issuer by the Authority, the Authority shall prepare a new payment schedule, which shall be effective upon receipt by the Issuer.

Due Date	Amount of Principal Installment Due

Interest on the Bond shall accrue on principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of ____% per annum, payable _____ 1, 20__, and semiannually thereafter.

The Issuer agrees that it will deposit with U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 noon on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Bond Authority's administrative costs and lost investment earnings attributable to that late payment. *Not to exceed amount. Loan reductions at close out will result in a proportional decrease.

[END OF BOND FORM]

11. EXECUTION OF BONDS. The Mayor or the Vice Mayor and the Clerk or Deputy Clerk of the City are hereby authorized and directed to sign the Series 2023 Bonds, either manually or by facsimile signature, on behalf of the City. Upon execution, the Series 2023 Bonds shall be delivered to the purchaser thereof.

12. RIGHTS OF BONDHOLDERS. The Bondholders representing in the aggregate not less than twenty percent (20%) of the entire amount of Bonds then outstanding may protect and enforce the statutory lien, either at law or in equity, by suit, action, mandamus, or other proceedings, and enforce and compel the performance of all duties of the officials of the City, including the fixing of sufficient rates, the collection of revenues, the proper segregation of revenues, and the proper application thereof; provided, however, that such statutory lien shall not be construed to give any Registered Owner of any Bond authority to compel the sale of the System, the revenues of which are pledged thereto.

If there is any default in the payment of the principal of or interest on any of the Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the City and under the direction of such court, and by and with the approval of such court, to fix and charge rates and collect revenues sufficient to provide for the payment of any Bonds or other obligations outstanding against the revenues of the System and for the payment of the expenses of operating and maintaining the System and to apply the income and revenues of the System in conformity with the Act and this Resolution.

The owners or Bondholders, from time to time, of the Bonds, shall have all the rights and remedies given by law, and particularly by the Act, for the collection and enforcement of the Bonds and the security therefor.

13. MANAGEMENT OF SYSTEM. Except as provided in this Resolution, the construction, alteration, repair, and management of the System shall be under the supervision and control of the Commission. The City may employ such persons in such capacities as it deems advisable to carry on the efficient management and operation of the System. The Commission may make such rules, orders, and regulations as it deems advisable and necessary to assure the efficient management and operation of the System.

14. SUPERVISED ACCOUNTS. The Treasurer of the City shall be custodian of all funds belonging to and/or associated with the System and such funds shall be deposited in such

banks, savings and loan associations, or credit unions, each of which has unimpaired capital and surplus of at least \$2,000,000, or which are each a member of the Federal Deposit Insurance Corporation the Federal Savings and Loan insurance Corporation, or the National Credit Union Share Insurance Fund or successor agencies.

15. FUNDS AND ACCOUNTS. The Treasurer is hereby directed to create and maintain the following funds, which shall be designated as follows, into which the Bond proceeds and the revenues and income from the System shall be deposited, which funds and accounts shall be established and maintained, except as otherwise provided, so long as any of the Bonds hereby authorized remain unpaid.

(a) Construction Fund. The proceeds of the Series 2023 Bonds shall be deposited in the Construction Fund. Such moneys shall be used solely for the purpose for which the Series 2023 Bonds were issued. Any unexpected balance in the Construction Fund remaining after completion of the Improvements may be used for such purposes as allowed by law. After completion of the Improvements and disposition of remaining Series 2023 Bond proceeds, if any, pursuant to the provisions of this Section, the Construction Fund shall be closed.

(b) Receiving Fund. The gross income and revenue of the System shall be set aside into the Receiving Fund. The moneys so deposited are pledged for the purpose of the following funds and accounts and shall be expended and used only in the manner and order as follows:

(i) Operation and Maintenance Fund. The City shall create and maintain the Operation and Maintenance Fund. Prior to the beginning of each fiscal year, the Commission shall prepare an annual budget of the System for the ensuing fiscal year. Out of the revenues in the Receiving Fund, there shall be set aside, quarterly and deposited into the Operation and Maintenance Fund a sum sufficient to pay the reasonable and necessary current expenses of administering, operating and maintaining the System for the ensuing three (3) months.

(ii) Redemption Account. The City shall create and maintain the Redemption Account.

(A) First Lien Redemption Account. The First Lien Redemption Account shall be established as a subaccount within the Redemption Account to be used solely for the purpose of paying the principal of and interest on First Lien Bonds. After the transfers required above, there shall first be transferred quarterly from the Receiving Fund, and deposited in the First

Lien Redemption Account, for payment of principal of and interest on the First Lien Bonds, a sum equal to at least one-half (1/2) of the amount of interest due on First Lien Bonds on the next ensuing interest payment dates plus not less than one-fourth (1/4) of the principal maturing on First Lien Bonds on the next ensuing principal payment dates in each year. The moneys in the First Lien Redemption Account shall be accounted for separately.

(B) Bond Reserve Account. The Bond Reserve Account shall also be established as a subaccount of the Redemption Account. Upon the issuance of any First Lien Bonds, the City shall deposit into the Bond Reserve Account such amounts determined by the City in the resolution authorizing such First Lien Bonds, to be used as provided in the resolution authorizing their issuance. No deposit to the Bond Reserve Account shall be required for the Series 2023 Bonds.

(C) Junior Lien Redemption Account. The Junior Lien Redemption Account shall also be established as a subaccount within the Redemption Account to be used solely for the purpose of paying the principal of and interest on the Junior Lien Bonds. After the transfers required above, there shall be transferred quarterly from the Receiving Fund, and deposited in the Junior Lien Redemption Account for payment of principal of and interest on the Junior Lien Bonds, a sum equal to at least one-half (1/2) of the amount of interest on Junior Lien Bonds due on the next ensuing interest payment dates plus not less than one-fourth (1/4) of the principal maturing on Junior Lien Bonds on the next ensuing principal payment dates in each year. The monies in the Junior Lien Redemption Account shall be accounted for separately.

(D) Additional Deposits. If for any reason there is a failure to make a required deposit to any of the subaccounts of the Redemption Account or for any reason there is a deficiency in any of the subaccounts, then an amount equal to the deficiency shall be set aside and deposited in the subaccount from the Net Revenues in the next succeeding period, which amount shall be in addition to the regular deposit required during such succeeding period.

No further payments need be made into a subaccount of the Redemption Account after the amount accumulated and held in the subaccount, or in the case of First Lien Bonds together with amounts held in the Bond Reserve Account, is sufficient to pay when due the entire amount of principal and interest that will be payable at the time of maturity or at an earlier redemption date of all the Bonds then remaining outstanding that are payable from the subaccount, or for Bonds that have been defeased as provided in Section 23.

(iii) General Obligation Debt Fund. The G. O. Fund is hereby established. After meeting the requirement of the foregoing funds, there may be transferred quarterly from remaining revenues in the Receiving Fund, or from other available monies, and deposited in the G. O. Fund, such sums as the City Commission in its sole discretion determines to be desirable to pay debt service on presently existing or future general obligation bond issues of the City or general obligation contractual obligations of the City incurred or to be incurred for System purposes. This section shall not be construed to create a lien on the Net Revenues in favor of any obligations the debt service on which may be paid from the G. O. Fund from time to time.

(iv) Improvement and Repair Fund. The City hereby establishes the Improvement and Repair Fund, into which there shall be placed, after meeting the requirements of the subsections set forth above, such sums as the Commission shall determine to be used by the City for the purpose of acquiring and constructing improvements, additions, and extensions to the System and for making repairs and replacements to the System.

(v) Surplus Moneys. All moneys remaining in the Receiving Fund at the end of any operating year after satisfying the above requirements may be transferred to the Redemption Account and its subaccounts and used as authorized in this Resolution or, at the option of the City, transferred to the G. O. Found or the Improvement and Repair Fund and used for the purposes for which said funds were established. Provided, however, that if there should be a deficit in the Operation and Maintenance Fund, and any subaccount of the Redemption Account, a bond reserve account or the G. O. Fund on account of defaults in setting aside therein the amounts required in this Resolution, or a future resolution, then the City shall transfer the moneys remaining in the Receiving Fund at the end of any operating year to such funds in the priority and order named, to the extent of such deficits. Available surplus moneys may be used to retire any outstanding obligations of the City incurred for construction, expansion or addition to the System, including additional bonds, the issuance of which is authorized by this Resolution, or if no other disposition has been provided for, such moneys may be used for such other purposes of the System as the Commission may deem to be for the best interest of the City.

(vi) Priority of Accounts. In the event the monies in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund or any subaccounts of the Redemption Account, any monies or securities in other funds of the System, except the Construction Fund, shall be credited or transferred, first, to the Operation and

Maintenance Fund, second to the First Lien Redemption Account, third to the Junior Lien Redemption Account, and fourth to a bond reserve account, to the extent of any deficit therein.

16. INVESTMENT OF FUNDS. Moneys in the funds and accounts established herein may be invested by the City in bonds, notes, bills and certificates of, or guaranteed by, the United States of America, or in interest bearing time deposits or other investments as shall be determined by the City, subject to the provisions of Act 20, Public Acts of Michigan, 1943, as amended, or any statute subsequently adopted regulating investments by the City, and subject to the limitations imposed by arbitrage regulations and Section 148 of the Code. Profit realized or interest income earned on investment of funds in the various funds and accounts shall be deposited in or credited as received to the Receiving Fund.

17. DEPOSITORY AND FUNDS ON HAND. Monies in the several funds and accounts maintained pursuant to this Resolution, except monies in the Construction Fund and Redemption Account, which must be kept in a separate account, may be kept in one or more accounts at financial institutions designated by resolution of the City, and if kept in one account, the monies shall be allocated on the books and records of the City in the manner and at the times provided in this Resolution.

18. RATES AND CHARGES. Rates shall be fixed and revised from time to time by the Commission so as to produce amounts that are sufficient to pay the expenses of administration and the costs of operation and maintenance of the System, to provide an amount of revenues adequate for the payment of principal of and interest on the Bonds, reserve, replacement, and improvement requirements, if any, and to otherwise comply with all requirements and covenants provided herein; and such that are reasonably expected to yield annual Net Revenues of the System, in the current fiscal year equal to at least 100% of principal maturing and interest payable in the current fiscal year on the then outstanding Junior Lien Bonds and equal to such percentage of the annual principal and interest thereafter maturing in the current fiscal year on the then outstanding First Lien Bonds, if any, as is established by the resolution authorizing the issuance of the First Lien Bonds; and promptly upon any material change in the circumstances which were not contemplated at the time such rates and charges were most recently reviewed, but not less frequently than once in each fiscal year, review the rates and charges for its services and promptly revise such rates and charges as necessary to comply with the foregoing requirement, in which case the City will be in compliance with the requirements of this Section. The rates and charges

for all services and facilities rendered by the System shall be reasonable and just, taking into consideration the costs and value of the System, the cost of maintaining, repairing, and operating the System, and the amounts necessary for the retirement of all Bonds and interest accruing on all Bonds, and there shall be charged such rates and charges as shall be adequate to meet the requirement of this and the preceding sections.

19. NO FREE SERVICE. No free service shall be furnished by the System to the City or to any individual, firm or corporation, public or private, or to any agency or instrumentality.

20. REVENUE BOND COVENANTS. The City covenants and agrees, so long as any of the Bonds hereby authorized remain unpaid, as follows:

(a) It will punctually perform all duties with reference to the System and comply with applicable State laws and regulations and continually operate and maintain the System in good condition.

(b) It will not sell, lease, mortgage or in any manner dispose of the System, or any substantial part of it, until all Bonds payable from the revenues of the System shall have been paid in full, defeased, or provision has been made or agreement entered into for the payment of such Bonds. The City is explicitly authorized to enter into arrangements, including a lease of the system, with a regional authority in which the City is a participant if such arrangements require the authority to provide funds to make payments sufficient to pay the debt service on any of the bonds affected by the arrangement.

(c) It will cause an annual review of rates and charges to be made and based thereon will adjust such rates and charges to provide the amounts required by this Resolution.

(d) It will maintain complete books and records relating to the operation of the System and its financial affairs, will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and will furnish a Bondholder a copy of such report upon written request.

(e) It will maintain and carry insurance on all physical properties of the System, for the benefit of the Bondholders, of the kinds and in the amounts normally carried by municipalities engaged in the operation of similar systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the

property damaged or destroyed, and to the extent not so used, shall be used for the purpose of calling Bonds.

21. ADDITIONAL BONDS. If the Series 2023 Bonds are issued in a principal amount that is less than \$18,000,000, an additional series of Bonds may be issued the par amount of which together with the par amount of the Series 2023 Bonds may not exceed \$18,000,000. Such additional series of bonds may be issued pursuant to a supplemental resolution as either First Lien Bonds or Junior Lien Bonds as provided in the supplemental resolution. Additional Bonds of equal standing with the Series 2023 Bonds may be issued in an amount of not to exceed 10% of the Bonds authorized herein, as may be necessary to complete construction of the Improvements.

Additional First Lien Bonds of equal standing and priority with any outstanding First Lien Bonds and superior to Junior Lien Bonds may be issued for repair, replacement, improvement, or extension of the System and to refund all or a portion of Bonds and paying the costs of issuing the Additional First Lien Bonds, but only if the average actual or Adjusted Net Revenues of the System for any consecutive twelve month period out of the 24 months preceding the adoption of the resolution authorizing the issuance of such Bonds shall be equal to at least one hundred percent (100%) of the average annual principal and interest thereafter maturing in any operating year on the then outstanding First Lien Bonds, Junior Lien Bonds and the Additional First Lien Bonds then being issued. In addition, Additional First Lien Bonds of equal standing and priority with any outstanding First Lien Bonds may be issued to refund all or a portion of outstanding Bonds if the refunding would provide a net present value debt service savings to the City. If the Additional First Lien Bonds are to be issued in whole or in part for refunding outstanding Bonds, the annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional First Lien Bonds.

Additional Junior Lien Bonds of equal standing and priority with any outstanding Junior Lien Bonds may be issued for repair, replacement, improvement, or extension of the System and to refund all or a portion of Bonds and paying the costs of issuing the Additional Junior Lien Bonds, but only if the average actual or Adjusted Net Revenues of the System for any consecutive twelve (12) month period out of the twenty four (24) months preceding the adoption of the resolution authorizing the issuance of such Bonds shall be equal to at least one hundred percent (100%) of the average annual principal and interest thereafter maturing in any operating year on

the then outstanding First Lien Bonds, Junior Lien Bonds, and the Additional Junior Lien Bonds then being issued. In addition, Additional Junior Lien Bonds of equal standing and priority with any outstanding Junior Lien Bonds may be issued to refund all or a portion of outstanding Bonds if the refunding would provide a net present value debt service savings to the City. If the Additional Junior Lien Bonds are to be issued in whole or in part for refunding outstanding Bonds, the annual principal and interest requirements shall be determined by deducting from the principal and interest requirements for each operating year the annual principal and interest requirements of any Bonds to be refunded from the proceeds of the Additional Junior Lien Bonds.

In addition, at any time that the Authority is the holder of all of the Bonds outstanding, Additional First Lien Bonds and Junior Lien Bonds may be issued if the Authority consents to the issuance by accepting delivery of such bonds.

In addition, Additional First Lien Bonds and Junior Lien Bonds may be issued without meeting any of the conditions and tests set forth above to pay: (i) the cost of acquisition and construction of any repairs, replacements, improvements, major renewals, or corrections of any damage or loss to the System necessary, in the opinion of the City engineer, to keep the System in good operating condition or to prevent a loss of Revenues therefrom to the extent that the cost thereof cannot reasonably be paid from the Repair Replacement and Improvement Fund or from insurance proceeds, or (ii) the cost of decommissioning, disposal, or termination of any part of the System.

Determination by the Commission as to existence of conditions permitting the issuance of additional Bonds shall be conclusive, provided this shall not eliminate any requirement for any other approval required herein.

Any additional Bonds shall be subject to the various funds herein established, and all revenue from any such extension or replacement constructed by the proceeds of any additional Bonds shall be paid into the Receiving Fund.

22. AUTHORIZED OFFICER: The Authorized Officer is hereby designated, for and on behalf of the City, to do all acts and to take all necessary steps required to effectuate the sale, issuance and delivery of the Series 2023 Bonds to the Authority. The Authorized Officer is hereby authorized to execute and deliver the Contract Documents in substantially the form presented by the Authority, with such changes, additions, and completions as are approved by the Authorized

Officer. The City hereby approves the Contract Documents in the form presented by the Authority with such changes as are approved by the Authorized Officer. Notwithstanding any other provision of this Resolution, the Authorized Officer is authorized within the limitations of this Resolution to determine the specific interest rate or rates to be borne by the bonds, not exceeding the maximum rate allowed by law, the principal amount, interest payment dates, dates of maturities, and amount of maturities, redemption rights, the title of the Series 2023 Bonds, date of issuance, and other terms and conditions relating to the Series 2023 Bonds and the sale thereof provided, however, the last annual principal installment shall not be later than provided in the Contract Documents. The Authorized Officer is further authorized to alter or adjust the covenants made pursuant to this Resolution, including without limitation the covenants provided in Sections 18, 20 and 21. The Authorized Officer's approval of the terms shall be evidenced by his or her signature on the document or agreement stating such terms. The Authorized Officer is hereby authorized for and on behalf of the City, without further City Commission approval, to do all acts and take all necessary steps required to effectuate the sale, issuance, and delivery of the Series 2023 Bonds. The Authorized Officer is authorized to execute any orders, receipts, agreements, pledge agreements, documents, or certificates necessary to complete the transaction, including, but not limited to, any issuers certificate, any certificates relating to federal or state securities laws, rules or regulations, any applications to the Michigan Department of Treasury, and any revenue sharing pledge agreement and to make any elections or designations under the Code. The City hereby approves the Revenue Sharing Pledge Agreement in the form presented by the Authority, with such changes as are approved by the Authorized Officer, and authorizes the Authorized Officer to execute and deliver the Revenue Sharing Pledge Agreement if the Authorized Officer determines it is in the best interests of the City or if it is required by the Authority.

23. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of, premium, if any, and interest on any of the Bonds, shall be deposited in trust, this Resolution shall be defeased with respect to such Bonds (the "Defeased Bonds"), and the owners of the Defeased Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the

cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein. Defeased Bonds shall be treated as if they have been redeemed for all purposes under this Resolution.

24. FISCAL YEAR OF SYSTEM. The fiscal year for operating the System shall coincide with the fiscal year of the City.

25. TAX COVENANT. The City covenants to comply with all requirements of the Code necessary to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes. The Authorized Officer and other appropriate officials of the City are authorized to do all things necessary (including the making of such covenants of the City as shall be appropriate) to assure that the interest on the Series 2023 Bonds will be and will remain excludable from gross income for federal income tax purposes.

26. APPOINTMENT OF BOND COUNSEL. The firm of Dickinson Wright PLLC is hereby approved as bond counsel to the City.

27. MUNICIPAL ADVISOR. Bendzinski & Co., Municipal Finance Advisors is hereby employed as municipal advisor for the Bonds.

28. PUBLICATION AND RECORDATION. This Resolution shall be published once in full in a newspaper of general circulation in the City qualified under state law to publish legal notices, and the same shall be recorded in the records of the City and such recording authenticated by the signature of the Clerk.

29. RESOLUTION SUBJECT TO MICHIGAN LAW. The provisions of this Resolution are subject to the laws of the State of Michigan.

30. SECTION HEADINGS. The section headings in this Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Resolution.

31. SEVERABILITY. If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Resolution.

32. CONFLICT. All Resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed to the extent of the conflict; provided, that the foregoing

shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bonds.

33. EFFECTIVE DATE OF RESOLUTION. Pursuant to Section 6 of the Act, this Resolution shall be approved on the date of first reading and this Resolution shall be effective immediately upon its adoption.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

Amy Perschbacher, Mayor

Heather Bouck, Clerk

CERTIFICATION

I, Heather Bouck, the duly qualified and acting Clerk of the City of Mt. Pleasant, Isabella County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission at a regular meeting held on July 10, 2023, and that notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, as amended.

Date: July 10, 2023

Heather Bouck, Clerk



Mt. Pleasant

[meet here]

**Property Maintenance Standards &
International Property Maintenance Code (IPMC)**

International Property Maintenance Code (IPMC)

- Compatible with other International Code Council (ICC) Standards, including the Michigan Building Code and Michigan Residential Codes currently in effect.
- Provides a clear understanding regarding the authority and duties of the **code official**, while preserving rights and privileges of the **property owner** and **building occupants**.
- Provides a consistent set of standards for all building types.



Mt. Pleasant
[meet here]

Communities Who Have Adopted IPMC

Similar communities that enforce the IPMC include:

- Allendale
- Alma
- Ann Arbor
- Grand Rapids
- Kalamazoo
- Bay City
- Brighton
- Charlevoix
- Iron Mt.
- Royal Oak



Mt. Pleasant
[meet here]

What Would Change?

Chapter 150, “Building Regulations”

- Updates to reflect compliance with the IPMC.
- Removal of specific maintenance requirements for buildings now covered under the IPMC.



What Would Change?

Chapter 152, “Housing and Licensing Standards”

- Include items specifically covered under the IPMC related to building maintenance.
- Other items under Section 152 will remain as part of our local requirements for rental properties in the City.



What Would Change?

Chapter 96, section 96.05 “Dangerous/Unsafe Structures”

- Section will be removed.
- IPMC will be utilized, providing greater clarity on what constitutes an unsafe condition as well as specific property restoration methods.

What Doesn't Change?

- Tall Grass Ordinance
- Solid Waste Ordinance
- Lighting Standard



Mt. Pleasant
[meet here]

IPMC Benefit to property owners

- Establish consistent minimum health, safety, general welfare standards for all property types.
- Improve neighborhood aesthetics and property values by setting minimum standards for all properties.



- 1 Trees**
Trees must be well maintained and disease-free.
- 2 Fencing**
All fences must be upright, in good condition, and meet specified height requirements.
- 3 Windows**
Must be operable, weather tight, and free of cracks.
- 4 Gutters and Drainage**
Gutters must be clear of debris and in proper working order. Storm water and sump pump drainage shall not pond in any open area.
- 5 Roofing**
Roofs shall be in good repair, have adequate drainage, and not show signs of deterioration.
- 6 Paint/Siding**
Exterior paint and siding must be intact and in good repair.
- 7 Accessory Structures**
Detached garages, outdoor sheds, and other accessory structures shall be structurally sound.
- 8 Grass/Shrubbery/Landscaping**
Grass should be well kept and not to exceed 12 inches. Shrubs and cultivated beds must be maintained and trimmed.
- 9 Clean Yard**
Property to be free of debris and trash. Firewood, lawn furniture and other items must be neatly stored.
- 10 Refuse/Recycling**
City specified trash bags, tags and recycling bins must be placed at the designated pick-up area. *(No earlier than 5 p.m. the day before collection day, and removed by midnight on collection day.)*
- 11 Right of Way**
The right of way shall remain free of signs and objects.
- 12 Vehicles & Parking**
Vehicles must be in working condition, and have valid registration and license information. Vehicles must not park on the grass.

IPMC Enforcement Process

- Education of residents to property standards and responsibilities.
- Suggestion on how to remedy the situation.
- If needed, a citation can be written.



Citation Appeals Process

- A resident can appeal a citation.
- Appeals are heard and ruled upon by the Building, Fire and Sanitation Sewer Board.
- Appeals of board decisions go to Isabella County Court.

IPMC Benefits Summary

- Consistency Across Property Types
- Enhance Public Health and Safety
- Boost Property Values and Neighborhood Aesthetics
- Compatible with International and State Codes

A photograph of a residential street scene. In the foreground, a large tree with green and yellowing leaves stands on the left. In the background, there are houses with brown roofs and white trim. A dark blue curved shape is overlaid at the bottom of the image.

Questions?

City of Mt. Pleasant, Michigan



CITY HALL
320 W. Broadway • 48858
(989) 779-5300
(989) 773-4691 Fax

PUBLIC SAFETY
804 E. High • 48858
(989) 779-5100
(989) 773-4020 Fax

PUBLIC WORKS
320 W. Broadway • 48858
(989) 779-5400
(989) 772-6250 Fax

MEMORANDUM

TO: Aaron Desentz, City Manager
Paul Lauria, Director of Public Safety
Doug Lobsinger, Fire Chief

FROM: Brian Kench, Building Official

DATE: Thursday, June 15, 2023

SUBJECT: International Property Maintenance Code

Staff has completed our review of the City Code as it relates to the potential adoption of the International Property Maintenance Code. Recommendations for deletions and/or amendments were compiled and reviewed by the City Attorney's office. I am attaching a draft ordinance prepared by the City Attorney, along with the redline version outlining the changes to chapter 96, 150 and 152 for your review.

Many of the recommendations to remove items from chapter 152, taking into consideration the housing and licensing standards, are items that are provided for under the property maintenance code or other state or local codes related to definitions, noticing, etc. as follows:

Chapter 96 Nuisances

- 96.02 Dangerous Structures Prohibited – DELETE – Replaced with IMPC that provides greater detail in defining a dangerous structure and method for gaining compliance.

Chapter 150 Building Regulations:

- 150.30 New Section to adopt the 2021 International Property Maintenance Code that will apply to all properties in the City.
- 150.32 DELETE "Definitions"
- 150.34 DELETE "Exterior and Maintenance Requirement of Property" shall be removed in their entirety.
- 150.36 "Appeals" AMENDED to indicate that appeals under the IMPC will go to the Building, Fire, and Sanitary Sewer Board of Appeals or its designee.

Chapter 152 Housing Licensing Code

- 152 AMEND definitions for consistency between the zoning code and/or the state (ICC) building codes.
- 152 DELETE items that are covered under the IMPC.
- 152 AMEND items that reference other sections of the city code such as the solid waste under chapter 50 and zoning requirements outlined under chapter 154.

**CITY COMMISSION
CITY OF MOUNT PLEASANT**

Isabella County, Michigan

Commissioner _____, supported by Commissioner _____, moved for adoption of the following ordinance:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CITY CODE REGARDING INTERNATIONAL
PROPERTY MAINTENANCE CODE**

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF MOUNT PLEASANT:

Section 1. Amendment of Chapter 96 of City Code.

The City of Mount Pleasant hereby amends chapter 96 of the City Code entitled "Nuisances" is hereby amended to remove section 96.02 titled "Dangerous Structures Prohibited" in its entirety.

Section 2. Amendment of Chapter 150 of City Code.

The City of Mount Pleasant hereby amends chapter 150 of the City Code entitled "Building Regulations" to as follows:

Section 150.30 shall be amended to read, in its entirety, as follows:

§150.30 ADOPTION OF 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE

The city hereby adopts by reference the 2021 International Property Maintenance Code issued by International Code Council, Inc., except those sections otherwise deleted or amended by the City Code.

Sections 150.32 entitled "Definitions" and 150.34 entitled "Exterior and Maintenance Requirement of Property" shall be removed in their entirety.

Section 150.36 entitled "Appeals" shall be amended to read, in its entirety, as follows:

§150.30 APPEALS

Any person issued a notice or municipal civil infraction pursuant to this subchapter may appeal to the Building, Fire, and Sanitary Sewer Board of Appeals or its designee.

Section 3. Amendment of Chapter 152 of City Code.

The City of Mount Pleasant hereby amends chapter 152 of the City Code entitled "Housing Licensing Code" to read, in its entirety, as follows:

§ 152.001 TITLE.

This code shall be known as the “Housing Licensing Code” and may be cited as such, and will be referred to herein as “this Code.”

§ 152.002 PURPOSE.

The purpose of this Code is to provide minimum requirements for the health, safety and welfare of the general public and the owners and occupants of certain residential buildings.

§ 152.003 SCOPE.

(A) Application. This Code shall apply to all rented or leased buildings, including manufactured homes, or any portions thereof, that are used or intended to be used for human habitation as a two-family dwelling, a multi-family dwelling, a rooming dwelling, a boarding dwelling, a lodging dwelling, or a hotel or motel. This Code shall also apply to single-family dwellings which are leased or rented by the owner for more than 180 days during any 12-month period. In addition, if a building that is licensed under this Code but does not comply with all of the provisions of the Code is thereafter unlicensed for one year or more, the building must thereafter comply with this Code before it acquires a new license.

(B) Alterations. Existing licensed buildings that are subject to this Code, but that do not comply with this Code shall, at the time of alteration or repair, and with respect to this new work, be altered or repaired to conform to this Code, the City Building Code (Chapter 150 of the Code of Ordinances), and the laws of the state of Michigan.

(C) Relocation. Buildings which are moved or relocated shall be considered new buildings and shall comply with all of the requirements of this Code.

(D) Exception. This Code shall not apply to a single-family dwelling that is leased or rented for less than 180 days annually if the owner of the single-family dwelling receives a principle home exemption from the city, and the owner resides at least 180 days in the dwelling during the annual time period in which the dwelling is leased or rented.

(E) Severability. If a section, subsection, sentence, clause or phrase of this Code is, for any reason, held to be unconstitutional or a violation of the laws of the State of Michigan, such decision shall not affect the validity of the remaining portions of this Code.

§ 152.004 DEFINITIONS.

The definitions in Chapter 2 of the 2021 Edition of the International Property Maintenance Code are adopted as part of this Code. The following definitions shall also apply unless the context clearly indicates or requires a different meaning.

~~BOARDING DWELLING. A rooming dwelling where meals are provided.~~

~~BUILDING, EXISTING. A building constructed prior to this Code or one which was built pursuant to a valid building permit.~~

~~CEILING HEIGHT. The clear vertical distance from finished floor to the finished ceiling.~~

DESIGNATED AGENT. A person, firm or corporation acting on behalf of, representing, or caring for the property on behalf of the owner.

~~DWELLING. A building including manufactured homes, used in whole or in part for human habitation.~~

DWELLING: a Building used in whole or part for human habitation. Dwellings are divided into the following categories:

1. Dwelling, One-Family: a Building used exclusively or designed for one-family occupancy.
2. Dwelling, Two-Family: a Building used exclusively or designed for the occupancy of two individual families living independently of each other.
3. Dwelling, Multiple-Family: a Building containing three or more Dwelling Units.
4. Dwelling, Rooming: a Building containing one or more Dwelling Units that is approved for use by three or more Persons, not meeting the definition of a Family, per Dwelling Unit. This is also known as a Rooming House.
5. Dwelling, Boarding: a Rooming Dwelling where meals are provided.
6. Dwelling, Registered Student Organization: a Building or Rooming Dwelling used to house three or more unrelated individuals, which is owned, rented, leased or purchased by or on behalf of a student organization registered by the Central Michigan University Office of Student Life, in the name of:
 - a. the Registered Student Organization.
 - b. a housing corporation or partnership affiliated with the registered organization; or
 - c. one or more members of the Registered Student Organization (RSO) when membership in the RSO is required to live at the Rooming Dwelling and/or the Rooming Dwelling is identified by Signs or other symbols as being affiliated with the RSO.

~~—EXIT. A continuous and unobstructed means of egress to a public way, and shall include intervening doorways, corridors, ramps, stairways, smoke proof enclosures, horizontal exits, exit courts, and yards.~~

FAMILY OR FUNCTIONAL FAMILY as defined UNDER THE CITY'S ZONING ORDINANCE as one of the following:

~~(1) One or more persons related by blood, marriage, adoption or guardianship, plus not more than one person not so related, living as a single housekeeping unit in all zoning districts of the city.~~

~~—(2) Two persons plus their offspring living as a single housekeeping unit in all residential zoning districts in the city.~~

~~—(a) One professional caregiver such as a nurse, nanny, physical therapist, and the like, caring for either of the persons or their offspring may also reside in the dwelling.~~

~~— (b) OFFSPRING means descendants, including biological offspring, adopted children, foster, and legal wards.~~

~~— (3) A functional family living as a single housekeeping unit which has received a permit pursuant to the Mount Pleasant Zoning Ordinance.~~

FIRE OFFICIAL. The duly appointed city Fire Official or a regularly authorized assistant.

~~FUNCTIONAL FAMILY. A group of people plus their offspring having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character with a demonstrable and recognizable bond characteristic of a cohesive unit.~~

~~FUNCTIONAL FAMILY does not include any society, club, fraternity, sorority, association, lodge, organization or group of students or other individuals where a common living arrangement or basis for establishment of a housekeeping unit is temporary.~~

~~GOOD REPAIR. Suitable general condition after repair.~~

GUEST ROOM. Any room or rooms used, or intended to be used by a guest which is a person sharing a rooming or dwelling unit in a non-permanent status for not more than 72 hours, for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory is a guest room.

~~HABITABLE ROOM. Any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, foyers, storage spaces, unfinished attics, utility rooms, cellars and similar spaces.~~

HOTEL: an establishment where short-term Lodging is offered for compensation and Lodging units are accessed from interior hallways.

MOTEL: an establishment where short-term Lodging is offered for compensation and one or more Lodging units ae access by exterior doors opening directly to the exterior Parking Areas, Passageways, or the outdoors.

~~HOTEL and MOTEL. A building containing six or more guest rooms used for the accommodation of transient guests, whether rented or hired out to be occupied or are occupied for sleeping purposes by guests whether rent is paid in money, goods, labor, or otherwise. If used or intended to be used or designed primarily for accommodation of transient or non-transient guests, the designation given by the owner (such as hotel, motel, motor inn, or similar) may (but is not required) be used in determining its classification. It does not include any jail, hospital, or institution in which human beings are housed and detained under legal restraint.~~

~~HUMAN HABITATION. Living quarters used by people whether for a portion of a day or longer, containing certain provisions for sleeping and may include provisions for living, cooking, dining, and sanitation.~~

~~MANUFACTURED HOME. (Refer to the Michigan Residential Code Definitions)A structure, transportable in one or more sections, which, in the traveling mode, is eight body ft. (2.4 m) or more in width or 40 body ft. (12.2 m) or more in length or, when erected on site, is 320 ft² (29.7 m²) or more and which is built on a permanent chassis and designed to be used as a dwelling,~~

with or without a permanent foundation, when connected to the required utilities, and includes plumbing, heating and electrical systems contained therein; except that such terms shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the regulatory agency. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions, measured at the largest horizontal projections when erected on-site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

MULTI FAMILY DWELLING. A building containing three or more dwelling units.

—**OCCUPANT.** A person residing in a rented or leased building to which this Code applies.

—**OWNER.** The record title owner of a parcel that is the site of a rented or leased building to which this Code applies.

—**ROOMING DWELLING.** A building containing one or more units that is approved for use by three or more persons, not meeting the definition of a family, per dwelling unit. This is also known as a **ROOMING HOUSE.**

SUPERFICIAL FLOOR AREA. Is the net floor area within the enclosing walls of the room in which the ceiling height is not less than five feet excluding built-in equipment such as wardrobes, cabinets, kitchen units, or fixtures.

TWO FAMILY DWELLING. A building used exclusively or designed for occupancy of two individual families living independently of each other.

§ 152.005 RESPONSIBILITIES OF OWNERS.

Every owner shall comply with the following provisions:

(A) At the time a new tenant occupies a vacant dwelling unit, the new tenant shall be provided with a clean, healthful and safe dwelling unit, free of visible mold and mildew.

(B) Maintain the public or shared areas of a dwelling or the premises in a clean, safe, and sanitary condition.

(C) Maintain in good repair every dwelling and premises and all parts thereof, including, but not limited to, plumbing, heating, ventilating, and electrical systems, and the interiors and exteriors of dwellings and dwelling units.

(D) Maintain all fixtures, furniture, and furnishings that are furnished by the owner in a safe condition and in good repair.

(E) Display in a conspicuous place in the common way of the dwelling or dwelling unit a copy of the housing license or attach a copy of the then current housing license to the lease at the time of execution of the lease, or include the following provision in the lease:

The City of Mt. Pleasant regulates rental properties within the city. Your Landlord will provide you a copy of the current housing license for your property without charge upon your

written request to the Landlord. You may also acquire a copy of the current housing license for your property by contacting the Mt. Pleasant Fire Department at 989-779-5100.

(F) Include within the terms of every written lease the provisions set forth in § 96.04.

(G) Cooperate with and assist the city in the enforcement of § 96.04.

(H) An owner or agent shall not allow a dwelling unit to be occupied by more persons than such dwelling unit is licensed for or allow any portion of the dwelling unit to be occupied in such a manner that any of the provisions of this Code are violated.

(I) Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this Code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

(J) Equipment, systems, devices and safeguards required by this Code or a previous regulation or Code under which the building was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required by applicable law to be removed from or shut off for any occupied dwelling or dwelling unit, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this Code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings.

(K) All water leaks shall be properly repaired.

(L) All locations within the building for which the Landlord is responsible for under the lease, shall be kept free of visible mold and mildew.

(M) Comply with other applicable provisions of this Code.

(N) Owners shall provide tenants with all applicable City requirements for vehicle parking.

§ 152.006 RESPONSIBILITIES OF OCCUPANTS.

Every occupant shall cooperate with and assist the owner to keep and maintain the building, dwelling unit and premises to meet the minimum requirements of this Code. In addition:

(A) Every occupant shall notify the owner or his/her agent in writing of any water leaks or of any condition believed to be in violation of this Code which directly affects the dwelling unit within a reasonable time of discovery of any leaks or condition.

(B) Every occupant may at any time notify the Fire Official of any condition believed to be in violation of this Code.

(C) Every occupant shall properly use all facilities, including bathroom and kitchen facilities, and shall maintain them in a manner that is sufficiently clean and sanitary so as not to place other occupants within that building at risk for safety or health reasons.

(D) An occupant shall not sublet or allow any portion of the dwelling unit to be occupied in such a manner that any of the provisions of this Code are violated.

(E) Every occupant shall properly use the designated parking area provided by the applicable lease and shall not park across sidewalks or lawns.

(F) Occupants of any dwelling unit shall be responsible jointly and/ or severally for any violation of this section of this Code.

(G) Every occupant shall assist the owner and cooperate with the City in compliance with and enforcement of the § 96.04.

(H) Occupants shall not place any article of furniture and/ or an appliance manufactured for and intended primarily for indoor use out of doors, in yards, on open porches, or patios.

(I) No occupant of any dwelling unit or building shall cause intentional destruction nor allow the intentional destruction by others to the dwelling unit or building or any part thereof.

(J) No occupant shall access, nor permit access by others, to the rooftop of any structure. Exception: access by property maintenance personnel shall be permitted for necessary repairs.

(K) Every occupant shall properly use all facilities and maintain them in a clean and sanitary manner free of excessive accumulations of waste product or clutter, unwashed clothing and unclean dishware or cookware. All areas for which the tenant is responsible for under the lease, shall be kept free of visible mold or mildew.

(L) No occupant of any dwelling unit or building shall allow any refuse, debris or other substance to accumulate in the dwelling unit or building or any other area, which said occupant has use or possession thereof, which puts other occupants of that building at risk for health or safety reasons.

(M) Occupants shall comply with all applicable parking requirements of the City including, but not limited to parking permit requirements.

§ 152.007 REFERENCED CODES AND STANDARDS.

The city hereby adopts by reference the 2021 International Property Maintenance Code issued by International Code Council, Inc., except those sections otherwise deleted or amended below and otherwise in this Code:

~~—Chapters 3 through 8 of the 2012 edition of the International Property Maintenance Code are hereby adopted as part of this Code and shall apply to all buildings subject to the Code except as added, amended or deleted, as follows:~~

~~—Add 301.4 Owner-occupied rental. Owner-occupied portions of residential dwelling buildings shall be inspected annually to insure that a non-owner occupant of that residential dwelling building will not be subject to risk because of safety or sanitary conditions existing in the owner-occupied portion of the residential dwelling building.~~

Add 301.5 New rental properties. Each dwelling added to the housing licensing program after the adoption date of this Code, shall be considered as new construction with respect to fire resistance rate construction, fire protection systems and means of egress and shall comply with all sections of this Code and all other applicable codes.

Amend 302.4 Weeds. The regulation of noxious weeds shall be enforced in accordance with Section 96.05 of the Mt. Pleasant Code of Ordinances, entitled Lawn Maintenance; Height; Removal of Noxious Weeds.

Amend 304.14 Insect screens. Every door, window and other outside opening required for ventilation (see § 403.1) of habitable rooms, food preparation areas, food service areas or any area where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging screen or storm door shall have a self-closing device in good working condition.

~~Amend 304.18.1 Doors. Each dwelling added to the housing licensing program after the adoption date of this Code, shall provide all doors providing access to a dwelling unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than one inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit without the use of a key, tool, combination thereof or any other special knowledge or effort.~~

~~Add 304.18.4 Room security. Each rooming dwelling added to the housing licensing program after the adoption date of this Code, shall have positive latching, lockable door hardware, on each sleeping room.~~

~~Delete 308.2.1~~

~~Delete 308.3.1~~

~~Delete 308.3.2~~

Add 308.4 Garbage facilities shall be constructed and maintained in compliance with the City of Mt. Pleasant zoning requirements and Chapter 50 of the City Code of Ordinances.

Add 308.5 Occupant responsibility. Occupants of all dwellings are required to comply with Chapter 50 of the City Code of Ordinances.

~~Amend 403.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.~~

~~Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.~~

~~Exception: Where rooms and spaces without openings to the outdoors comply with the Michigan Residential Code for light and ventilation in habitable rooms.~~

~~—Add 403.6 Sleeping rooms with two doors. Sleeping rooms with an exterior door in lieu of a window, shall be provided with a screen door at the exterior for ventilation.~~

Add 404.3.2 Elevated sleeping surface. Lofts, bunk beds or other elevated sleeping surfaces shall be installed not closer than 30 inches from the top of the sleeping surface to the ceiling of the room. Lofts, bunk beds or other elevated sleeping surfaces shall not block any opening or window that is a required means of egress by any applicable code.

Amend 404.3 Minimum ceiling heights for rentals added to the housing licensing program after the adoption date of this code. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas may be approved to be less than 7 feet if the following conditions are met:

1. Ceiling height shall not be less than 6 feet 8 inches and the ceiling must be at least 3 feet 6 inches in width at that height across the length of the room.

~~2. Bedrooms must have at least one window which meets the current minimum egress size requirements of the local adopted building code.~~

~~3. The smoke detectors must meet the minimum requirements of the local adopted building code.~~

~~4. In habitable spaces where the ceiling height is less than 8 feet, ceiling paddle fan blades shall have a clearance height of 7 feet to the floor.~~

~~—Delete Exceptions to Section 404.3~~

~~—Amend 404.4.2 Access from bedrooms. Each dwelling added to the housing licensing program after the adoption date of this Code shall not have bedrooms which constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.~~

~~—Add 404.8 Minimum floor area. Each dwelling subject to this Code shall have the minimum number of square feet of total floor area as set forth in Chapter 154 of the City Code of Ordinances, except as provided in § 154.007.~~

~~—Amend 602.3 Heat Supply. Heat shall be supplied so as to maintain a minimum temperature of 68° F (20°) in all habitable rooms, bathrooms, and toilet rooms.~~

~~—Exceptions:~~

~~1. When outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Michigan Plumbing Code.~~

~~2. In areas where the average monthly temperature is above 30° F (-1° C) a minimum temperature of 65° F (18° C) shall be maintained.~~

~~—Add 702.5 Emergency escape. Emergency escape and rescue openings shall be provided and installed in accordance with this Code, as follows:~~

~~702.5.1 Emergency escape and rescue openings for existing rental dwellings shall be provided and installed in accordance with the Michigan Rehabilitation Code for Existing Buildings.~~

702.5.2 Emergency escape and rescue openings for each dwelling added to the housing licensing program after the adoption date of this Code shall be provided and installed in accordance with the Michigan Residential Building Code.

Add 703.3 Under-stair protection. Enclosed accessible spaces under stairs shall have the walls, under stair surface and any soffit protected on the enclosed side with minimum 1/2 inch gypsum wallboard, taped and finished. Use of under stair storage areas, which pose difficulty for compliance with this Code, shall be discontinued and permanently sealed from future use. Under stair mechanical areas, which pose difficulty for compliance with this Code, may be protected by the installation of domestic water sprinkler head(s) to completely protect the area.

Add 703.4 Separation required. Each dwelling subject to this Code with attached garage or storage areas shall have a fire separation extending the full width and height of the common wall(s) with the living portion of the structure. All separations shall be designed and installed in accordance with the Michigan Residential Building Code. If the living space of the structure is located above a garage space, the common floor/ceiling between the two spaces shall be separated in accordance with the garage separation section of this and all applicable codes. Fire resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend tight to and be sealed to the underside of the roof sheathing.

Amend 704.2 Smoke alarms. Each dwelling added to the housing licensing program after the adoption date of this Code shall have smoke alarms installed in accordance with the Michigan Residential Building Code. Dwellings licensed on or before the adoption date of the Code shall comply with State of Michigan law as amended for the Michigan Building Code (R408.30446), the Michigan Residential Building Code (R408.30546) and the Michigan Rehabilitation Code (R408.30566). In addition, existing buildings constructed after November 6, 1974, that do not comply with state law shall conform to state law when battery operated smoke alarms expire. Finally, when any new smoke alarm is installed in any dwelling licensed under this Code after this date, the smoke alarm shall comply with the following provisions:

704.2.1 A smoke alarm shall receive its primary power from the building wiring (provided that such wiring is served from a commercial source) and shall be equipped with a back-up battery.

704.2.2 A smoke alarm shall be sealed and have a non-removable, non-rechargeable battery which will last ten (10) years.

~~704.3~~

~~704.4~~

Add 704.5 Early detection with elevated sleeping surfaces. Sleeping rooms or areas with elevated sleeping surfaces such as bunk beds or lofts shall require the installation of a smoke detector in said sleeping room. It shall be the responsibility of the provider of the loft or bunk to provide a smoke detector that is sealed and has a non-removable, non-rechargeable battery that is

capable of operating the smoke alarm in the normal condition for a life of at least 10 years. This smoke detector must be mounted on the ceiling surface in accordance with manufacturers requirements.

~~—Add—704.6 Smoke alarm maintenance. Smoke alarms shall be maintained in good working condition and shall be replaced in accordance with the manufacturer's recommendations and the detector listing. Smoke alarms shall be maintained free of accumulations of dirt, dust and other materials that may impede operation. Covers shall be maintained on all alarm units for proper testing.~~

~~(Ord. 927, passed 5-14-07; Am. Ord. 1017, passed 10-12-16) Penalty, see § 152.999~~

§ 152.008 HOUSING LICENSE APPLICATION; FEE.

(A) No person shall occupy a dwelling subject to this Code unless a current, unrevoked housing license has been issued by the Fire Official, or designee, for the specific named dwelling.

(B) No person shall operate or permit occupancy of a dwelling subject to this Code unless a current, unrevoked housing license has been issued by the Fire Official, or designee, for the specific dwelling in the name of the owner.

(C) No person who manages a property on behalf of an owner shall permit occupancy of a dwelling subject to this Code unless a current, unrevoked housing license has been issued by the Fire Official, or designee, for the specific dwelling in the name of the owner.

(D) The following shall apply to the issuance of any housing license:

(1) Application for a housing license or for renewal shall be made in writing by the owner to the Fire Official, on forms furnished by the Fire Official, and shall be accompanied by an inspection fee established pursuant to division (E) below. The owner's signature is required on the form.

(a) If after inspection(s) by the Fire Official, or designee, the dwelling is found to be in accordance with all provisions of this Code, and all applicable fees have been paid, a housing license will be issued.

(b) An initial housing license shall be valid for a period of one year from the date of issuance (unless sooner revoked). Any successive renewal of the housing license shall be valid for a one-year period from the date of expiration of the initial or any successive license renewal, except the Fire Official is authorized, for the initial housing license issued for a dwelling, to issue the housing license for a period of up to one year and nine months for the purpose of adjusting the time when such housing license expires.

(2) A violation of this Code shall not prevent the issuance of a housing license, unless the Fire Official determines existing conditions constitute either: (a) a hazard to the health, safety, or welfare of those who may occupy the dwelling; or (b) a hazard to the health, safety, or welfare of the community.

(3) Applicants shall designate in writing with each application or renewal, an agent upon whom service or notice under this Code and service or process for violation of this Code may be

made in the absence of the owner. The agent designated must reside in the county to receive such notice. This designated agent must give written approval for the use of his/her name as the designated agent. A violation of this section is a misdemeanor MUNICIPAL CIVIL INFRACTION

(4) Every person holding a housing license shall provide in the written lease a provision that the tenant or roomer will allow the Fire Official, or his/her designee, access to the dwelling and/or dwelling unit for the purpose of inspection required as a prerequisite to granting or renewal of a housing license, or for the purpose of investigating a complaint.

(5) No housing license is transferable to another dwelling, and each person issued a housing license shall give notice in writing to the Fire Official within seven days after having conveyed title, or assigned, transferred, or otherwise disposed of legal control of any licensed dwelling. Such notice shall include the name and address of persons succeeding to the ownership or control of such dwelling, and to whom the housing license is to be transferred. Within ten days of any transfer of ownership, the assigned shall comply with division (D)(3) above.

(6) Application for the renewal of a housing license shall be made at least 30 days prior to the expiration date of the existing housing license. Late applications will be charged a late fee.

(7) A record of all housing licenses issued shall be kept on file in the offices of the Fire Official, and copies will be furnished upon request. The Commission shall set this fee by resolution from time to time.

(E) Housing license fees shall be set by resolution of the Commission.

(Ord. 927, passed 5-14-07; Am. Ord. 966, passed 4-25-11; Am. Ord. 1022, passed 3-27-17)
Penalty, see § 152.999

§ 152.009 TEMPORARY LICENSE.

The Fire Official may issue a temporary housing license for all or part of a dwelling in the process of erection or alteration if the dwelling or part thereof to be occupied complies with the provisions of this Code. No temporary housing license may be issued for longer than six months, and no temporary housing license shall be effective more than five days after the erection or alteration of the dwelling is completed.

(Ord. 927, passed 5-14-07)

§ 152.010 ENFORCEMENT.

(A) General. The Fire Official shall enforce the provisions of this Code.

~~(B) Inspections. The Fire Official, or designee, shall make all required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible Officer of such approved agency or by the responsible individual. The Fire Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.~~

~~(C) Right of entry. The Fire Official, or designee, is authorized to enter all buildings or structures subject to this Code at reasonable times in order to inspect the buildings or structures,~~

~~subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Fire Official is authorized to pursue recourse as provided by law.~~

(Ord. 927, passed 5-14-07)

§ 152.011 HOUSING BOARD OF APPEALS.

(A) Creation. A Housing Board of Appeals is hereby created to provide a reasonable interpretation of the provisions of this Code and to give relief where unnecessary hardship would result from carrying out the strict letter of this Code. The duty of the Board shall be to consider appeals from decisions of officials charged with the enforcement of this Code and to determine in particular cases whether any deviation from the strict enforcement of this Code will violate the intent of this Code or jeopardize the public health, safety and welfare.

(B) Membership and appointment. The Building Fire and Sanitary Sewer Board of Appeals shall perform the duties of the Housing Board of Appeals.

(C) Public meetings.

(1) The Housing Board of Appeals shall meet in a fixed place, and all meetings shall be open to the public.

(2) When an appeal has been properly filed and is to be considered, the Housing Board of Appeals shall give at least ten days' notice of the time and place of the hearing in a daily newspaper of general circulation in the city. The Housing Board of Appeals shall also give five days' notice by personal service or by mail to the applicant, and Fire Official, and, when an appeal applies to the condition or appearance of the outside of a building or to conduct by an occupant which the Housing Board of Appeals reasonably believes may adversely impact neighboring properties, to any person to whom real property is assessed that is within 100 feet of the premises of the appeal, and such notice will be addressed to the respective owners at the address given on the last assessment roll. Any party may appear at such hearings in person or by agent.

(D) Rules, minutes and records. The Housing Board of Appeals shall adopt its own rules or procedure and keep a record of its proceedings, showing the action of the Board. Such records shall be considered public records.

(E) Appeal cases. Any person affected by any notice and order which has been issued in connection with the enforcement of this Code who has not otherwise been offered a hearing under this Code may request and shall be granted a hearing on the matter before the Housing Board of Appeals, provided that such person shall file in the office of the Fire Official a written petition requesting such hearing and setting forth the name, address, and phone number of the petitioner and a brief statement of the grounds for such hearing. Petition shall be filed within ten days after the day the notice of order is served. Upon receipt of such a petition, the Fire Official shall set a time for the hearing before the Housing Board of Appeals and shall give the petitioner written notice thereof.

(F) Fee for appeal cases. A fee shall be paid to the City Treasurer before filing a petition as set forth in division (E) above. The Commission shall set this fee by resolution.

(G) Stay of order. Any determination made by the Fire Official which is appealed to the Housing Board of Appeals under division (E) above shall be stayed until a disposition of the appeals is made by the Housing Board of Appeals.

(H) Action of Board. After a hearing, the Housing Board of Appeals shall sustain, modify, or withdraw the notice and order depending upon its findings. If it clearly appears that, by reason of special conditions, undue hardship would result from the strict application of any section of this Code, the Housing Board of Appeals may permit a variance from the mandatory provisions thereof in such a manner that the public safety shall be secured, substantial justice done, and the spirit of the provisions of this Code upheld. All decisions to permit a variance under this section shall be by a majority vote of the total membership of the Board, excluding the alternate member.

(Ord. 927, passed 5-14-07)

§ 152.012 DETERMINATION AND NOTICE OF VIOLATION.

(A) If upon inspection the Fire Official finds a violation of this Code, he/she shall issue a notice and order directed to the owner of record ~~in accordance with the 2021 International Property Maintenance Code. -stating the date of inspection, the name of the inspector, the nature of the violation, and the time within which the correction shall be completed.~~

(B) A violation which is determined by the Fire Official to constitute a hazard to health or the occupants or the community as a whole, shall be ordered corrected within the shortest reasonable time, and notice of having begun compliance shall be given to the Fire Official by the owner within 48 hours. All other violations shall be corrected within 30 calendar days from the date of notice.

(C) At the end of the period of time the Fire Official has allowed for the correction of any violation notice as provided, the Fire Official shall reinspect the licensed dwelling, and if he/she determines that the conditions requiring corrections set forth in the notice sent have not been corrected, the Fire Official may issue an order notifying the owner of the continuing violation(s) and schedule a hearing to suspend the housing license ~~under the procedure as outlined in the 2021 International Property Maintenance Code.~~

~~— (1) The hearing will be held before the Building Official, the Department of Public Works Director, and the Planning and Economic Development Director.~~

~~— (2) Notice of the continuing violation(s) and the date and place of the hearing will be provided to the owner at least five days before the hearing.~~

~~— (3) At the hearing, the Fire Official, or designee, shall present evidence to establish that a violation of the Code exists.~~

~~— (4) The owner shall have the right to present evidence and ask questions of the Fire Official, or designee.~~

~~— (5) The Fire Official, or designee, shall have the right to ask questions of the owner.~~

~~— (6) The hearing panel shall determine, by a preponderance of the evidence, if a violation of the Code exists and if the housing license is suspended.~~

~~(7) Within seven days after the hearing, the hearing panel shall present a written decision to the Fire Official and the owner.~~

(D) Any person whose housing license under this section has been suspended shall be entitled to an appeal to the Housing Board of Appeals. If no appeal is properly presented within 21 days following the issuance of the order of suspension, the housing license shall be revoked except that if prior to the revocation of the housing license any person whose housing license has been ordered suspended may request reinspection, upon a showing that the violation or violations cited in the notice have been corrected.

(E) If, upon reinspection pursuant to the request of the person whose housing license has been ordered suspended but not yet revoked, the Fire Official finds the dwelling in connection with which notice was issued is now in compliance with this Code and with applicable rules and regulations issued pursuant thereto, he/she shall reinstate the housing license. A request for reinspection shall not extend the suspension period.

(F) If an appeal to the Housing Board of Appeals is taken, and if the Housing Board of Appeals does not reverse the decision, the housing license shall be revoked within ten days following the denial of the appeal by the Housing Board of Appeals.

(G) If an owner or occupant fails to comply with an order of suspension which has not been appealed, or which the Housing Board of Appeals has sustained, the Fire Official or his/her agent may take action to abate or enjoin the violation and enforce the provisions of this Code.

(H) When an uncorrected violation creates an imminent danger to the health and safety of the occupants of the dwelling or premises, the city may file an action seeking a preliminary injunction or other temporary relief appropriate to remove such danger during the pendency of any action.

§ 152.013 NOTICE.

(A) Service and terms. All notices shall be in writing and shall be deemed given when one of the following is done:

(1) Personal service.

(2) A copy of such notice is sent by certified mail, postage prepaid, return receipt requested.

(3) If no address so appears nor is known to the Fire Official, a copy of the notice shall be mailed to the owner at the address of the building or structure and a copy of the notice and order shall be posted in a conspicuous place on the building or structure.

(4) Service by certified mail in the manner herein provided shall be effective on the date of mailing; proof of service of the notices and the manner of such service shall be made by affidavit sworn to by the person affecting such service, declaring time, date, and the manner in which the service was made. The affidavit, together with any receipt for mailing and any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the Fire Official.

(B) Notice. The failure of any person to receive notice as provided for above shall not affect the validity of any proceedings taken under this Code.

§ 152.999 PENALTY.

(A) Except as provided in the sections above, any person violating a provision of this Code shall be responsible for a municipal civil infraction and subject to a fine set by the court.

(B) Fines for permitting occupancy of unlicensed dwellings, in violation of divisions (B) and (C) of § 152.008, shall be as follows:

(1) First offense \$50.

(2) Second offense, or offense by an individual who knew or should have known about the city's housing licensing requirements. An individual who owns, manages, or is an employee or principal of an entity that owns or manages a licensed rental dwelling in the city is presumed to know about the city's licensing requirements
\$2,500.

(3) Each subsequent offense \$5,000.

Section 4. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 30 days after its adoption.

YEAS: Commissioner(s) _____
NAYS: Commissioner(s) _____
ABSTAIN: Commissioner(s) _____
ABSENT: Commissioner(s) _____

CERTIFICATION

As the City Clerk of the City of Mount Pleasant, Isabella County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Mount Pleasant City Commission at a regular meeting held on _____, 2023.

Date: _____, 2023

Amy Perschbacher, Mayor

Date: _____, 2023

Heather Bouck, City Clerk

Introduced: _____, 2023

Adopted: _____, 2023

Published: _____, 2023

Effective: _____, 2023

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