



INDUSTRIAL PRE-TREATMENT PLAN LEGAL SERVICE AGREEMENT

At a regular meeting of the City of Hartford Commission, located at 19 West Main Street and called to order by Mayor Jane M. Danger on December 15, 2025

The following resolution was offered:

Moved by Commissioner _____, and supported by Commissioner _____.

WHEREAS, the City has been working with a local business that is subject to the City’s Industrial Pretreatment Plan (IPP), and the business is currently out of compliance, having received a Notice of Violation in August 2025 and three violations- phosphorus exceedance, failure to submit a semi-annual report, and failure to collect semi-annual monitoring samples – for which the company was assessed fines totaling \$11,107; and

WHEREAS, the business did not respond to the City until pressured to meet in October 2025, and a formal response was not received until November 2025, and given the business’s repeated history of noncompliance, the City is seeking special legal representation to assist with compliance and enforcement issues and to revise the current Sewer Use Ordinance; and

WHEREAS, Attorney Davis prides himself on keeping his clients out of court while achieving compliance and can assist the City in achieving the goal of returning the user to compliance with applicable legal requirements, including drafting and preparing appropriate escalated enforcement and settlement documents, communicating and meeting with the user, preparing appropriate user permit conditions, and taking other relevant actions as requested by the City; and

WHEREAS, the City’s current Sewer Use Ordinance is only minimally sufficient to meet the applicable requirements of the City’s NPDES permit and Michigan Pretreatment Regulations, and Attorney Davis can recommend improvements that would provide significant benefits to the City and maximize its flexibility and authority in implementing and enforcing the IPP, including enhancements to the ordinance’s civil penalty authority and cost-reimbursement provisions; and

WHEREAS, these provisions could be amended concurrently with the addition of the City’s new local limits—currently under development with F&V—to the Sewer Use Ordinance, and Attorney Davis can assist in preparing the appropriate ordinance amendments as requested by the City; and

WHEREAS, the City may also request Attorney Davis to provide additional legal services related to the administration and implementation of its Industrial Pretreatment Program (IPP), including reviewing and recommending procedures and documents associated with the IPP to ensure that users meet applicable legal requirements and that the program functions effectively and as intended; and

WHEREAS, such documents may include the City’s Notice of Violation and Order forms, the EGLE-required Control Authority Enforcement Response Plan, User Permit forms, and other materials contained in the City’s IPP Manual of Procedures, and Attorney Davis possesses significant experience and expertise in these areas; and

WHEREAS, Attorney Davis will review all necessary background documents and communications, draft essential documents, and hold meetings or teleconferences with City personnel, sewer users, and, as needed, EGLE; and

NOW THEREFORE, BE IT RESOLVED, the City Commission hereby authorizes the retention of Attorney Davis to provide legal services related to the City's Industrial Pretreatment Program (IPP), at a rate of \$155 per/hour and further authorizes the City Manager to execute the agreement on behalf of the City.

YEAS: Commissioners'

NAYS: Commissioner ABSENT:

RESOLUTION DECLARED ADOPTED

DATE: December 15, 2025

RoxAnn Rodney-Isbrecht, City Clerk

I RoxAnn Rodney-Isbrecht, Clerk for the City of Hartford, do hereby certify that the foregoing is a true and complete copy of a Resolution duly adopted by the City Commission of the City of Hartford during a meeting held on December 15, 2025 and the public notice of said meeting was held in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

DATE: , 2025

RoxAnn Rodney-Isbrecht, City Clerk
City of Hartford
19 West Main Street
Hartford MI 49057