



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
APRIL 13th 2021
MINUTES – APPROVED**

PRESENT: Mayor Vicki Platt, Councilors: Catalina Burillo, Jim Evans, Fred Rybarz, Rob Splane, and Kris Trygstad.

VIA ZOOM: Catalina Burillo, Dean Hodges

ABSENT: None

OTHERS PRESENT: City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Energy Superintendent – Michael Schiller, Police Chief Juan Salazar, Nichole Steel (HEART), Barbra Marczak of Prein & Newhof, George Sadler.

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

APPROVAL OF AGENDA: F. Rybarz motioned to approve the agenda and was supported by R. Splane.

- Ayes: 5 Nays: 0 Absent: 2

PUBLIC COMMENTS: None

CORRESPONDENCE, EVENTS, PRESENTATIONS: None

CONSENT AGENDA:

- Approval of Minutes from March 23rd, 2021
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - R. Splane motioned to approve Consent Agenda with correction of date from the minutes to March 23rd, 2021 and supported by J. Evans.
 - Ayes: 5 Nays: 0 Absent: 2

ACTION ITEMS:

- Resolution 2021-24 Authorize DPW to install a 2-inch water service line to Historic District.
The Historic District has requested that the Public Works department install a 2-inch water service line on the Historic District's property to assist with their landscaping maintenance.
The Estimated cost for City crews to complete the project, including the asphalt patching, is \$7,843.57. This item is not in the FY 21 Budget.
J. Evans asked how this would be paid for since not in the budget. There is a cost amount on the memo but no explanation of where this money will pay for this project. Would this be paid out of the General Fund, Is there a grant that will pay for this, etc.?
R. Splane also mentioned that they wanted to run natural gas thru the Historic District. Should we get with DTE and coordinate for Natural Gas installation while installing new water lines?
 - R. Splane motioned to table Resolution 2021-24 for better explanation and supported by J. Evans.
 - Ayes: 5 Nays: 0 Absent: 2
- Resolution 2021-25 Authorization to submit an application for 2021 Blight Elimination Grant.
As mentioned at the last meeting, the state has opened the submission window for the 2021 Blight Elimination Grant, of which \$8 million has been set aside for Redevelopment Ready Certified projects.
This year as we did last year, we are submitting for funding for the demolition and clean up of the former Walkers Building.
This resolution authorizes the submission of the grant application.
 - R. Splane motioned to approve Resolution 2021-25 and supported by J Evans
 - Ayes: 5 Nays: 0 Absent: 2
- Resolution 2021-26 Authorize Power Purchase agreement with MPPA for PY 25/26 through PY 34/35.
The MPPA, as the City's partner agency assisting with identifying current and future needs for the purchase of power to supply the Hart Energy system, has developed a plan for PY 25/26 thru PY 34/35.

The Power Board has reviewed and is recommending the proposed agreement.

City Manager L. Ladner recommends that Resolution 2021-26 be adopted.

- F. Rybarz motioned to approve Resolution 2021-26 and supported by R. Splane
 - Ayes: 5 Nays: 0 Absent: 2

▪ Resolution 2021-27 Adopt Election Inspector Uniform policy.

The City of Hart conducts elections at varying times as required for primary, general, and special elections. The City relies on independent contractors to serve as Election Inspectors, ensuring the election activities' smooth and efficient legal conduct. Establishing a uniform dress policy will enable voters to identify the Election Inspectors instead of merely looking for individuals who may or may not be wearing an identification card on a lanyard. The proposed policy has been reviewed and approved by the City's legal counsel.

City Manager L. Ladner recommends that the Council adopt Resolution 2021-27, Election Inspector Uniform Policy.

- R. Splane motioned to approve Resolution 2021-27 and supported by J. Evans
 - Ayes: 5 Nays: 0 Absent: 2

▪ Resolution 2021-28 Accept bids on Griswold Lift Station Emergency Repair and award contract.

The City of Hart has solicited bids for emergency repairs to the Griswold Lift Station. The City received two bids, one from Hallack Contracting and one from Wadel Stabilization.

1st Hallack Contracting: Base bid \$55,000, Alternate 1, \$15,000 Alternate 2, \$135,000 Totals BB&1 \$70,000, ALL \$205,000

2nd Wadel Stabilization: Base bid \$83,565, Alternate 1, \$33,000 Alternate 2, \$139,500 Totals BB&1 \$116,565, ALL \$256,065.

The City's engineering firm is recommending that the City proceed with completing the work specified in the Base Bid as well as the work listed in Alternate 1 with the option if the Council feels that there is not adequate resources in the budget to complete Alternate 2, this could be temporarily delayed until the next budget year.

City Manager L. Ladner recommends that the Council adopt Resolution 2021-28, accepting the bids from Hallack Contracting and Wadel Stabilization for the Griswold Lift Station's emergency repairs.

P. Cutter stated that upon inspection, found two good-sized holes (golfball size) just above the center pump, probably from all the sand that goes thru there has worn it out. There are a total of three pumps and without inspecting the other two could not say if they are affected as well and if another pump was to go down the Lift Station can not operate on just one pump.

B. Marczak from Prein & Newhof stated how they asked for the bids was to start with the base bid, which is for the minimum amount of work to be done. Then an Alternate bid to replace some additional piping. Alternate 2 bid, as long as the station was down and thinking if some of the pipes are bad, that they all may be. Upon discussion, Hallack was asked to relook at the Alternate 2 proposal as a specialty subcontractor would do the work, so they relooked at Alternate 2. The revised bid amount came in at \$36,540, which is substantially lower than what 1st was submitted. B. Marczak would propose to the base project with Alternate 1 and revised Alternate 2. Total project cost \$106,540. Once the station is drained and cleaned up for us to get in and look at all the work that needs to be done, there is a possibility that the cost could change.

Resolution 2021-28 would have to be revised depending on the work approved by The Council.

- F. Rybarz motioned to approve Resolution 2021-28 Project awarded to Hallack Construction w/the Base Bid, Alternate 1 and revised Alternate 2 amount with a 10% contingency subject to revision depending on findings, and supported by R. Splane.
 - Ayes: 5 Nays: 0 Absent: 2

▪ Resolution 2021-29 Act 51 Street Decertification

The Michigan Department of Transportation has done an audit of City streets that are certified to the state annually for inclusion on the City's Act 51 Map and included in calculations for Local and Major street funds.

In their most recent audit, they discovered that the section of Mechanic St that is platted from W Main across Russell Creek to Water St has not been constructed in its entirety and that 478 feet of a local street in that area need to be decertified. This will bring road length calculations into compliance with the MDOT audit.

- R. Splane motioned to approve Resolution 2021-29 and supported by F. Rybarz
 - Ayes: 5 Nays: 0 Absent: 2

- Resolution 2021-30 Authorize the creation of a Social District in downtown Hart
The HEART board is requesting that the City permit the creation and operation of a Social District in the downtown. The districts were authorized by PA 124 of 2020 and are designed to assist local businesses in operating in compliance with the current pandemic restrictions.
J. Evans questioned Social District & Common Areas Local Management Plan Proposal: Under Management, it states The Hart Social District would be created and managed by the City through the Hart Economic and redevelopment Team's Director. The social district management and operations will be assisted by the City's Police Department, Department of Public Works, Clerk, and Finance departments. The Hart Police Department will provide security and enforcement in the Hart Social District. Mr. Evans stated there are too many unknowns that should be addressed before a resolution like this passes and suggested to table it for now.
R. Splane asked for Police Chief J. Salazar's intake. Chief Salazar stated around the commons area is family-oriented and does not see Social District to be a benefit to the Community.
As this was supposed to be a discussion item, not a resolution, J. Evans suggested tabling resolution 2021-30 and adding it to the next City Council meeting agenda as a discussion item.
 - J. Evans motioned to table Resolution 2021-30 for further discussion and supported by R. Splane
 - Ayes: 5 Nays: 0 Absent: 2
- Resolution 2021-31 Accept Hart Area Fire Department FY 22 Budget.
At the Hart Area, Fire Administrative Board meeting held on March 25, 2021, to determine their budget for FY 22 and the City as a contributing member must approve the budget independently. Therefore must be presented to the Hart City Council to approve.
 - R. Splane motioned to approve Resolution 2021-31 and supported by J. Evans
 - Ayes: 5 Nays: 0 Absent: 2
- Two Special Event Permit's submitted for the use of the Hart Commons area.
One a Musical Performance by Stephen R. Lindley. Mr. Lindley would like to play the guitar and sing on June 10th, 2021, from 5 pm-7 pm, with a rain date of June 9th, 2021
The other event is Pound Fitness Classes/Step Bootcamp with Juanita Garza-Lakeside Fitness on Monday, Wednesday, and Thursday, Pound from 5-6 pm, and Bootcamp from 6-7 pm.
Upon discussion from the City Council, it has been determined that both parties must follow District Health Department 10 guidelines for Covid-19 and provide proof of liability insurance.
 - J. Evans motioned that each applicant reapply for Special Event Permit's with the guidelines follow District Health Department 10, Provide proof of liability insurance and supported by R. Splane
 - Ayes: 5 Nays: 0 Absent: 2

DISCUSSION ITEMS:

- Parks Committee & Freed Management and discussed a few issues regarding the lawnmower and golf cart that the City provides the equipment for John Gurney Park. The equipment the park is using now needs repairs. Should the City try and repair the lawnmower and golf cart or purchase new? As new equipment is not currently in the budget, The City will look into getting both repaired to get through this year's season and budget for FY 22.
- Boy Scouts Cabin, D. Hodges was looking into if the City does own and may need to tear it down due to condition. M. Schiller contacted building inspector Randy Miller about a demolition permit. Upon talking with Randy Miller, due to the building's age, they do require an asbestos test along with the permit. R. Miller referred Mike to lakeshore environmental out of Muskegon. Left a message and waiting for a call back regarding the message that said they were working remotely.
- F. Rybarz questioned large action items added to the agenda at the last minute. Maybe a phone call with a heads up would be good in the future, so the item can be looked at before getting to the meeting.
- C. Burillo brought up questions regarding the City Ordinance about noise. It was brought up about how loud music can be and what kind of verbiage would be added to our special events permit. Is there an ordinance in place already regarding? J. Salazar stated there is an ordinance in place and does not matter what time it is if you are creating any type of noise that is disturbing or that type of nature to anyone could be a violation,

however anytime a special events permit pulled and approved by the City Council the ordinance is exempt for the event because the Council approved it.

CITY MANAGER'S REPORT: None

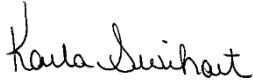
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Applications for new City Manager. J. Evans will be drafting up a new application/contract. J. Evans stated he would have a draft in place by Friday, April 16th, 2021, and emailed out to the rest of the panel.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at 8:50 pm upon a motion by R. Splane and supported by F. Rybarz. The next regularly scheduled meeting will be on April 27th, at 7:30 pm.

Respectfully Submitted



Karla Swihart
City Clerk