



**CITY OF HART  
407 S. STATE ST.  
HART, MI 49420  
COUNCIL PROCEEDINGS  
JUNE 9, 2020, 7:30 pm.  
MINUTES - APPROVED**

**PRESENT:** Mayor Ron LaPorte (in person), Councilors: Vicki Platt (Zoom), Jason La Fever (in person) Rob Splane (Zoom), Catalina Burillo (Zoom), Joe Frontiera (in person) and Steve Hegedus (in person)

**ABSENT:** None

**OTHERS PRESENT** City Manager – Lynne Ladner, and Deputy City Clerk - Cheri Eisenlohr.

- Mayor LaPorte called the meeting to order at 7:30 pm, following the roll call, the Mayor lead the Council in the pledge of allegiance.

**AGENDA:**

- Mr. Hegedus made a motion to approve the agenda, supported by Mr. La Fever, all ayes, the motion carried.
  - Ayes: 7            Nays: 0            Absent: 0

**MINUTES:**

- Mr. Frontiera made a motion to approve the minutes of the May 26, 2020, meeting, supported by Mr. Hegedus, all ayes, the motion carried.
  - Ayes: 7            Nays: 0            Absent: 0

**PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:**

- Mr. Sadler commended HEART Director, Nichole Steel, on a job well done.

**DEPARTMENT REPORTS:**

- *Police Chief, Juan Salazar:*
  - A written report was provided in the packet.
- *Energy Dept. Superintendent, Mike Schiller:*
  - A written report was provided in the packet.
- *BioPure Superintendent, Paul Cutter:* Attended via Zoom
  - Mr. Cutter reported that the lagoons have started turning over due to high temperatures, which is causing an odor to settle over the City. He said that it has started to settle, and the odor should disappear soon.
  - During the recent storm, 95' of dock was flipped over. It has been cleaned, repaired, and re-installed.
  - June 22 is the start date for the new blowers.
- *DPW Superintendent, Brad Whitney:*
  - No Report provided
- *HEART Director, Nichole Steel:* Attended meeting via Zoom.
  - A written report was provided in the packet.

**BILLS, CLAIMS, & PAYROLL:**

- Bills: \$249,452.40    Payroll: \$62,291.08    Grand Total: \$311,743.48
  - Mr. Splane made a motion to approve, supported by Mr. Hegedus, the motion carried.
    - Ayes: 7            Nays: 0            Absent: 0

**ACTION ITEMS:**

Ms. Ladner addressed the following Action Items:

Memo

To: Mayor and Council

From: Lynne Ladner

Date: 06/5/20

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Re: Resolution 2020-31 LIEAF Opt-in

This is the annual renewal of the City’s participation in the low-income electric assistance fund that we have participated in for the past several years. The City has the option to opt-in or out every year. There is a \$1 per meter charge that the City has always incurred rather than passing this on to the customers as a cost of doing business, but it provides assistance to residential customers that otherwise are struggling to pay their electric utility bill during the winter.

Lynne

**RESOLUTION 2020-31  
Hart City Council  
City of Hart, Michigan**

***LOW-INCOME ELECTRIC ASSISTANCE FUND (LIEAF)***

WHEREAS, the City of Hart owns, operates and maintains an electric utility system; and

WHEREAS, the State of Michigan enacted Public Act 95 in 2013 that prohibits discontinuance of electric service during cold weather months unless the utility opts into the Low-Income Energy Assistance Fund program established by the Act; and

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

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Accepts and approves the provisions of the Low-Income Energy Assistance Fund of Public Act 95 that authorizes the City to shut off electric service during cold weather months, and adopts a funding factor to be established by the State of Michigan not to exceed \$1.00 per month per meter.*

*Authorizes and directs the City Manager to implement the Public Act 95 LIEAF program on behalf of the City of Hart for the cold weather term from November 1, 2020 to April 15, 2021 and thereafter until repealed by City Council action.*

Moved by Mr. Frontiera, supported by Mrs. Platt and thereafter adopted by the Hart City Council at a regular council meeting held on June 9, 2020.

Ayes: 7 Nays: 0 Absent: 0

I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.



Cheri Eisenlohr, Dep. City Clerk

**RESOLUTION 2020-32  
Hart City Council  
City of Hart, Michigan**

***Adopt revised MPPA Power Supply Risk Management Policy***

WHEREAS, the City of Hart owns, operates and maintains an electric utility system; and  
WHEREAS, the MPPA acts on behalf of the City and other members to purchase power from the marketplace at different points to ensure load capacity to utility customers; and  
WHEREAS, the MPPA board has adopted a revised Power Supply Risk Management Policy and is requiring all utilities to complete an election form determining the level of risk and services related to Power Supply that the utility prefers to utilize for their share of purchased power:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Adopts the revised MPPA Power Supply Risk Management Policy and elects to choose the Stability Plan – 60 Month Horizon Energy Hedge Plan, Accepts RTO Capacity Services, Accepts Peak Load Resource Planning and Hedge Services, Accepts Congestion Management, Accepts Renewable Energy Compliance Management Services and Accepts Intra-Month Optimization Services*

Moved by\_Mr. Frontiera, supported by Ms. Platt and thereafter adopted by the Hart City Council at a regular council meeting held on June 9, 2020.

Ayes: 7 Nays: 0 Absent: 0

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Cheri Eisenlohr, Dep. City Clerk

Memo  
To: Mayor and Council  
From: Lynne Ladner  
Date: 06/5/20  
Re: Resolution 2020-33 Temporary Social Zones

The Temporary Social Zones policy has been reviewed by the HEART and TIFA boards and reviewed and recommended with specific guidelines defined by the Planning Commission to allow restaurants, microbreweries, coffee shops, bakeries, taverns, and similar establishments to expand their capacity temporarily to assist in offsetting the restrictions that have been placed on them resulting from the COVID-19 pandemic. There is no fee to the businesses to apply; an application has been developed by making minor modifications to the City’s Special Event Permit application, a memo along with the application has been developed for the businesses and distributed in good faith that the Council would agree with the boards that have already reviewed this policy and encourage this opportunity to assist them in these challenging economic times.

The businesses will be required to provide a certificate of liability showing that they have insurance coverage for the area in which they are requesting as a “Social Zone” if the business has a liquor license, they will be required to comply with all Liquor Control Commission requirements and regulations, businesses will be responsible for manning, cleaning and clearing waste, and otherwise maintaining the

area as reasonable while meeting the guidelines laid out in the policy. Social Zones are only allowed to be open from 7:00 am to 10:00 pm, and while the business can ask for their permission to last for any length of time (days, weeks, etc.), all permits will expire on October 31, 2020.

With our food and beverage establishments for the foreseeable future limited to 50% capacity for their seating indoors and even in currently approved outdoor seating areas due to social distancing guidelines this temporary policy which is being implemented in cities all over the state will provide them with an opportunity to recoup some of that capacity and may be the difference between whether these businesses are able to weather the COVID-19 crisis.

Lynne

**RESOLUTION 2020-33  
Hart City Council  
City of Hart, Michigan**

***Adopt temporary Social Zones Policy***

WHEREAS, the City of Hart recognizes the impact the COVID-19 pandemic has had on local businesses within the City; and

WHEREAS, the City wants to assist businesses in utilizing available resources to the best of their ability to assist in the recovery from the pandemic including the use of public spaces; and

WHEREAS, the due to ongoing restrictings capacity limitations on businesses such as restaurants, microbreweries, coffee shops, bakeries, and taverns it has been determined that it is prudent to adopt a policy permitting temporary social zones to expand the capacity of these establishments:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Adopts the Temporary Social Zones Policy and Social Zones Permit Application to for restaurants, microbreweries, coffee shops, bakeries, and taverns. The Social Zones policy and permits will be in effect until October 31, 2020.*

Moved by Mr. Frontiera, supported by Mr. Hegedus and thereafter adopted by the Hart City Council at a regular council meeting held on June 9, 2020.

Ayes: 5    Nays: 1 (Frontiera)    Absent: 1 (Burillo – dropped call)

I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.



Cheri Eisenlohr, Dep. City Clerk

Discussion: After much discussion, it was decided to extend the hours to 11:00 pm with no service being offered after that time. Mr. Sadler was assured that this only pertains to new outside service areas; existing outside areas can conduct business as usual.

Memo

To: Mayor and Council

From: Lynne Ladner  
 Date: 06/5/20  
 Re: Resolution 2020-34

As we are nearing the end of FY 2020, the proposed Budget Amendments are brought to the Council as a way to clean up the books as we prepare to end the fiscal year. In some areas, we have had additional expenditures that were unanticipated in the Sewer Department. This was seen with several unplanned projects that were discovered with the completion of the SAW grant line videoing with areas that need immediate repairs. This also came up in the Lincoln Street project, where we struggled with discovering active lines that had been previously labeled as dead or removed. In the General Fund, we saw substantial additional spending at the end of the 3<sup>rd</sup> and throughout the 4<sup>th</sup> quarter as we have adapted to the pandemic response. Including new computer hardware and software to enable staff to meet the state requirements for working from home while still providing essential City services, equipment and supplies to provide the necessary protection for employees from plexiglass barriers for the payment window at city hall and dividers for the council chamber, a significant increase in cleaning supplies, specialty cleaning equipment, disinfectants, and hand sanitizers.

Lynne

			<b>Resolution 20-34</b>	
			<b>City of Hart - City Council - Hart, Michigan</b>	
			<b>BUDGET AMENDMENT</b>	

WHEREAS, the City Council may amend the annual budget to reflect changes in purchasing patterns or revised objectives; and

WHEREAS, the City Council desires to secure the benefits of efficient self-government and to promote and protect our common interests and welfare;

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL amends the FY2020 Annual Budget as follows:

<b>Expenditures</b>	<b>FUND</b>	Description	<b>GL Number</b>	<b>ADOPTED BUDGET</b>	<b>AMENDED BUDGET</b>	<b>JUSTIFICATION</b>
	<b>General Fund</b>		-	-	-	-
1	Administrative	Property Acquisition	101-172.000-970.009	\$0	\$56,393	227 E Main Purchase
2	Administrative	Computer Upgrading	101-172.000-970.005	\$5,000	\$24,558	Server and Software upgrades - COVID related
3	Administrative	Professional Svs	101-172.000-801.000	\$20,000	\$35,000	Legal, Planning, Consulting Svs
		Total			\$115,951	
4	Elections	Office Supplies	101-191.000-727.000	\$700	\$2,800	Supplies
5	Elections	Professional Svs	101-191.000-801.000	\$1,000	\$1,400	training
6	Elections	Printing & Publishing	101-172.000-801.000	\$20,000	\$35,000	Ballots and envelopes
		Total			\$39,200	

7	Assessor	Contractual Svs	101-209.000-818.000	\$33,000	\$40,800	Tax Tribunal Expenses
		Total			\$40,800	
8	Com & Econ Dept	Main Street Manager	101-728.000-702.220	\$42,000	\$21,466	phased out
9	Com & Econ Dept	Wages Zoning Enforcement	101-728.000-702.230	\$26,000	\$7,500	furloughed due to COVID-19
10	Com & Econ Dept	Planning Comm	101-728.000-999.541	\$15,000	\$10,000	reduced uses
		Total			\$38,966	
11	Recreation & Culture	Contractual Svs	101-775.000-818.000	\$328,290	\$38,290	construction delayed due to COVID-19
		Total			\$38,290	
	<b>Local Streets</b>					
12	Routine Maintenance	Overtime	203-463.000-702.900	\$0	\$222	not budgeted
13	Routine Maintenance	FICA	203-463.000-715.000	\$0	\$17	not budgeted
14	Routine Maintenance	Operating Suppies	203-463.000740.000	\$0	\$720	not budgeted
15	Routine Maintenance	Prof. Svs	203-463.000801.000	\$0	\$820	not budgeted
		Total			\$1,779	
	<b>Street Improvements</b>					
16	Expenditures	Prof. Svs	204-000.000-801.010	\$40,954	\$96,000	addition issues with Lincoln St project
	<b>Hydro</b>					
17	Accounting & Collec	Clerical	580-537.500-702.300	\$63,700	\$68,000	employee wages additional time spent
		Meter reading	580-537.500-702.350	\$2,500	\$3,500	additional time spent
		Total			\$71,500	
	<b>Sewer</b>					
18	Sewer Collection - Transmission	Prof. Svs	590-527.300-801.000	\$612,000	\$795,000	Sinkholes and line repairs discovered during TV
		Total			\$795,000	

Moved by Ms. Splane and supported by Mr. Hegedus and thereafter approved by Hart City Council at a regular meeting on June 9, 2020

Ayes: 7 Nays: 0 Absent: 0

I hereby certify this to be a true and correct copy of the document on file with the office of the City

of Hart Clerk:  Cheri Eisenlohr, Deputy City Clerk

Discussion: Mr. Frontiera was concerned about the gaps in the budgeted amounts vs. the actual amounts. The Mayor stated that the budget always has to be balanced, and Mr. Splane reminded him that budgets are built around a 5-year rolling history, and unexpected expenditures will occur.

**SPECIAL EVENTS PERMITS:**

- None

**DISCUSSION ITEMS:**

- None

**CITY ATTORNEY'S REPORT:**

- No report was given/provided.

**CITY MANAGER'S REPORT:**

- Ms. Ladner asked the Council to look over the draft budget that was provided to them; it will be presented as a resolution at the next meeting.
- City-wide clean up will be Saturday, June 13.
- Hazard waste drop-off is scheduled for August.
- The MEDC wrote a letter congratulating the City on its RRC certification.
- June 23 meeting will have a public hearing to cover the truth in taxation; the public will be given the opportunity to join the meeting via Zoom.
  - Mr. Frontiera is concerned that the public will have difficulty accessing the meeting using a computer.
  - The Mayor advised that history shows that not many people attend these taxation meetings.

**COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

- Ms. Platt stated that people could be encouraged to go to the Library, and the staff there would assist them.
- Ms. Ladner stated that a computer with a camera could be set up in the vestibule for any public that attends.
- Mr. La Fever stated that he was added to the Planning Commission, but never received a packet. Ms. Ladner stated that she would be sure to include him.
- Ms. Burillo was given an overview of how Resolution 2020-33 came out as her call was dropped.
- Mr. Frontiera asked if the Veteran's Park project should be pursued at this time due to the current financial situation of the City.
  - The Mayor stated that it has to be pursued due to FERC requirements.
  - Ms. Ladner stated that she would continue to pursue other means of covering the City's cost if the grant is awarded.
  - Mr. La Fever feels it should be pursued because of the high visibility of the project for the City.

There being no further business to come before the Council, the meeting adjourned at 8:51 pm upon a motion by Mr. Hegedus and supported by Mr. Frontiera. The next regularly scheduled meeting will be on June 9, 2020, at 7:30 pm, in the Hart Community Center.

Respectfully Submitted



Deputy City Clerk