



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
JULY 28, 2020, 7:30 pm
MINUTES - APPROVED**

PRESENT IN PERSON OR VIA ZOOM: Mayor Ron LaPorte, Councilors: Jason La Fever, Rob Splane, Catalina Burillo, Joe Frontiera, and Steve Hegedus

ABSENT: Vicki Platt

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. La Fever made a motion to approve the agenda, supported by Mr. Hegedus, all ayes, the motion carried.
 - Ayes: 6 Nays: 0 Absent: 1

MINUTES:

- Mr. Hegedus made a motion to approve the minutes of the July 14, 2020 meeting, supported by Mr. La Fever, all ayes, the motion carried.
 - Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- A discussion took place with business owner, Tammy Beggs, regarding the placement of merchandise on City sidewalks and amending the current ordinance, 670.09, which prohibits this action and has a misdemeanor violation attached to it. It was decided to approach other communities to determine how they handle this issue and bring it to a future Council meeting. This delay will not negate the currently issued misdemeanor ticket.
- Truth in Taxation Public Hearing
 - The hearing opened at 8:01 pm and was closed at 8:02 pm due to no comments.

DEPARTMENT REPORTS:

- *Police Chief, Juan Salazar:*
 - A written report was provided.
- *Energy Dept. Superintendent, Mike Schiller:*
 - A written report was provided.
- *BioPure Superintendent, Paul Cutter:* Attended via Zoom
 - Mr. Cutter advised the Council that diminishing the smell from the plant is still in process, but progress has been made.
 - The new blowers are in place and operational and have already produced a \$2700.00 savings.
 - Irrigation is taking place efficiently.
 - Mayor LaPorte told Mr. Cutter job well done.
- *DPW Superintendent, Brad Whitney:*
 - A written report was provided.
- *HEART Director, Nichole Steel:*
 - A written report was provided.

BILLS, CLAIMS, & PAYROLL:

- Bills: \$169,813.76 Payroll: \$59,743.99 Grand Total: \$229,557.75
 - Mr. Splane made a motion to approve, supported by Mr. Hegedus, the motion carried.
 - Ayes: 6 Nays: 0 Absent: 1

ACTION ITEMS:

Ms. Ladner addressed the following Action Items:

Memo
To: Mayor and Council
From: Lynne Ladner
Date: 07/24/20
Re: Resolution 2020-43 Worker’s Comp ballot

Ladies and Gentlemen,
The City of Hart utilizes the Michigan Municipal League Worker’s Compensation Insurance program to provide our worker’s compensation insurance. At their annual meeting in 2020, there are two positions on the board of trustees open for election and two people nominated for the positions.
As a member of the fund, the City has the opportunity to vote in the election process, but the City’s vote requires the action of the governing body.
It is my recommendation that the Council adopts Resolution 2020-43 Authorizing casting a vote on the Official Ballot for the Worker’s Compensation Fund for Marlon Brown, City of Mason, and Penny Hill City of Traverse City.
Lynne

RESOLUTION 2020-43
City Council
City of Hart, Michigan

AUTHORIZING VOTE ON OFFICIAL BALLOT FOR
WORKERS COMPENSATION FUND

WHEREAS, there are two Trustee positions open with four-year terms beginning October 1, 2020, for the Michigan Municipal League Workers’ Compensation Fund; and

WHEREAS, Marlon Brown, City of Mason, appointee, and Penny Hill, the City of Traverse City, appointee, are seeking election; and

THEREFORE, BE IT RESOLVED that the City Manager be authorized, by the action of this governing body, to cast and mail a vote for the above persons to serve as trustees for four-year terms beginning October 1, 2020, for the Michigan Municipal League Workers’ Compensation Fund

Moved by Mr. Splane, supported by Mr. Hegedus, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, July 28, 2020.

Ayes 6 Nays 0 Absent 1

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



Cheri Eisenlohr, Deputy City Clerk

Memo
To: Mayor and Council
From: Lynne Ladner
Date: 07/24/20
Re: Resolution 2020-44 Authorize amendment to Joint Fire Agreement and FY 21 allocation

Ladies and Gentlemen,
Hart Area, Fire Department board, is seeking to amend the Joint Fire Agreement to modify the language in Financing, Section 8 adoption of the budgets to read “The Board shall designate 15% or more of the annual revenue from the Parties, for capital improvement and shall maintain these funds in a separate and designated Capital Improvements Fund.” They have also requested that each party to the agreement allocates the equivalent of one (1) mill of property taxes to the Hart Area Fire Department for FY 2021
The allocation of the equivalent of one (1) mill of property taxes has already been included in the FY 2021 budget

It is my recommendation the Council adopts Resolution 2020-44 to Authorize an amendment to Joint Fire Agreement and FY 21 allocation.
Lynne

**RESOLUTION 2020-44
City Council
City of Hart, Michigan**

AUTHORIZING AMENDMENT TO JOINT FIRE ADMINISTRATIVE BOARD AGREEMENT AND ALLOCATING OF THE EQUIVALENT OF ONE (1) MILL OF PROPERTY TAXES TO THE HART AREA FIRE DEPARTMENT FOR FY 2021

WHEREAS, the City of Hart participates in an interlocal multi-party agreement for the provision of fire protection services; and

WHEREAS, Joint Fire Administrative Board has determined the need to increase the amount of funds allocated for capital improvements to fund necessary equipment replacement; and

WHEREAS, the increased allocation of funds necessary for capital improvements necessitates the need to increase the amount of money contributed by each party in the agreement from the equivalent of 0.65 mills to 1.0 mills the maximum allowed in the agreement in order to maintain current operations and make the necessary capital improvement allocations;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Authorizes amendment to Financing, Section 8 adoption of the budgets to read "The Board shall designate 15% or more of the annual revenue from the Parties, for capital improvement and shall maintain these funds in a separate and designated Capital Improvements Fund." and

Allocates the equivalent of one (1) mill of property taxes to the Hart Area Fire Department for FY 2021

Moved by Mr. Hegedus, supported by Mr. La Fever, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, July 28, 2020.

Ayes 6 Nays 0 Absent 1

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Cheri Eisenlohr, Deputy City Clerk

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 07/24/20
Re: Resolution 2020-45 Authorize purchase of additional Electric Utility meters

Ladies and Gentlemen,

The Electric Utility continues to add additional customers and accounts necessitating that the Utility has electric utility meters on hand to provide that service and the City has chosen to work with Eaton for the AMI systems for the Utility

It is my recommendation that the Council approve Resolution 202-45 Authorizing the purchase of 34 meters of various sizes and configurations as determined by the Utility Superintendent in the amount of \$11,056.00 with the additional amount of \$221.12 for freight for a total of \$11,277.12

Lynne

**RESOLUTION 2020-45
City Council
City of Hart, Michigan**

AUTHORIZING PURCHASE OF ADDITIONAL ELECTRIC UTILITY METERS

WHEREAS, the City of Hart owns and operates a Municipal Electric Utility; and

WHEREAS, it is necessary to ensure that a timely response to customer requests and maintenance and repair needs to be associated with the placement of meters to account for electric power use; and

WHEREAS, the Electric Utility continues to add additional customers and accounts necessitating that the Utility has electric utility meters on hand to provide that service and the City has chosen to work with Eaton for the AMI systems for the Utility;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Authorizes the purchase of 34 meters of various sizes and configurations as determined by the Utility Superintendent in the amount of \$11,056.00 with the additional amount of \$221.12 for freight for a total of \$11,277.12

Moved by Mr. Splane, supported by Mr. La Fever, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, July 28, 2020.

Ayes 6 Nays 0 Absent 1

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Cheri Eisenlohr, Deputy City Clerk

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 07/24/20
Re: Resolution 2020-46 Waive Bidding requirement and authorize Preventative Maintenance and SCADA system upgrades at the Diesel Plant

Ladies and Gentlemen,

Due to requests for additional peak generation capacity throughout the state and the City's current capacity to provide back-up and peak generation which can be used to offset the City's power purchases during periods of peak or emergency need for the electric grid as well as increase system reliability requires that the City complete the work of bringing the plant and generators into current compliance.

In order to utilize our additional generation capacity – the diesel generators, preventative maintenance on the system at the Diesel Plant that has been deferred for more than twenty (20) years and needs to be completed before the safe operation of the generators at restart can be done. Additionally, the upgrades to the SCADA system can not be bid out as the equipment must integrate with the existing system which is sold and serviced by Utilities Instrumentation Service (UIS), and bidding would require the replacement of the entire SCADA system not just upgrades to the system at the Diesel Plant

It is my recommendation the Council approves Resolution 2020-46 Waiving the bidding requirement for the SCADA system preventative maintenance and upgrades at the Diesel Plant, and Authorizes the completion of preventative maintenance work at the Diesel Plant by UIS in the amount of \$6,281 and system upgrades by UIS in the amount of \$4,371 for a total project cost of \$10,652.

**RESOLUTION 2020-46
City Council
City of Hart, Michigan**

WAIVE BIDDING REQUIREMENT AND AUTHORIZING PREVENTATIVE MAINTENANCE AND UPGRADES TO SCADA SYSTEM AT DIESEL PLANT

WHEREAS, the City of Hart owns and operates a Municipal Electric Utility; and

WHEREAS, the SCADA system provides the valuable and necessary information to the City and Electric Utility employees to maintain, repair and monitor the utility's generation and distribution equipment; and

WHEREAS, due to requests for additional peak generation capacity throughout the state and the City's current capacity to provide back-up and peak generation which can be used to offset the City's power purchases during periods of peak or emergency need for the electric grid as well as increase system reliability; and

WHEREAS, preventative maintenance on the system at the Diesel Plant have been deferred for more than twenty (20) years and needs to be completed before the safe operation of the generators at restart; and

WHEREAS, the upgrades to the SCADA system can not be bid out as the equipment must integrate with the existing system which is sold and serviced by Utilities Instrumentation Service (UIS), and bidding would require the replacement of the entire SCADA system not just upgrades to the system at the Diesel Plant;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Waives the bidding requirement for the SCADA system preventative maintenance and upgrades at the Diesel Plant; and

Authorizes the completion of preventative maintenance work at the Diesel Plant by UIS in the amount of \$6,281 and system upgrades by UIS in the amount of \$4,371 for a total project cost of \$10,652.

Moved by Mr. Frontiera, supported by Mr. Hegedus, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, July 28, 2020.

Ayes 4 Nays 1 (Splane) Absent 2 (Burillo had audio difficulties)

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Cheri Eisenlohr, Deputy City Clerk

**RESOLUTION 2020-47
City Council
City of Hart, Michigan**

DESIGNATION OF VEHICLE AND TRAILER ONLY PARKING AT JOHN GURNEY PARK BOAT LAUNCH

WHEREAS, the City of Hart owns and maintains the public boat launch in John Gurney Park; and

WHEREAS, in the area adjacent to the boat launch the open air picnic pavilion, sandy beach area and four (4) paved parking spaces have been constructed; and

WHEREAS, additional parking has been designated in the grass area adjacent on the north side of the dirt street Kathryn for overflow vehicles using the public access to Hart Lake;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Designates the four (4) paved parking spaces adjacent to the boat launch and picnic pavilion for vehicles with trailer parking only.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, July 28, 2020.

Ayes Nays Absent

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Cheri Eisenlohr, Deputy City Clerk

TABLED 7/28/2020

Mr. La Fever made a motion to table this resolution until Chief Salazar could be present for discussion, supported by Mr. Hegedus.

Ayes: 4 Nays: 2 (Splane & Burillo) Absent: 1

SPECIAL EVENTS PERMIT:

- None

DISCUSSION ITEMS:

- Insurance Coverage on buildings leased and subleased to other entities:
 - Library – Ms. Williams, the director, states that the City is responsible for insurance coverages as she stated that the City owns the building, and they just make the bond payment on it.
 - The Starting Block – the lease states that they are responsible for improvements/maintenance. The City has been supporting this entity for a few years now.
 - Further clarification will be sought in each case.

CITY ATTORNEY'S REPORT:

- No report was given/provided.

CITY MANAGER'S REPORT:

- Ms. Ladner has been asked to be on a sub-committee by the MPPA.
- The Primary is August 4, along with the ZBOA meeting at 5:30 pm.
- Mike Blackmer will be starting construction on a unit at the Creeks Development.
- The Council agreed that the City could sell individual lots to developers/residents. A resolution will be presented at the next Council meeting.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mr. La Fever asked if alcohol was permitted at the Historic District, Ms. Ladner, that are no City ordinances prohibiting it. If selling alcohol, they would need to purchase a permit from the State.
- Mr. Splane pointed out that Bob's Wood Shop (near the Historic District) needs to be maintained by its owner and no longer by the City as it was never the City's responsibility. Ms. Ladner will ask Mr. Dickman, City Code Enforcement Officer, to look into this matter.

There being no further business to come before the Council, the meeting adjourned at 8:56 pm upon a motion by Mr. Frontiera and supported by Mr. Hegedus. The next regularly scheduled meeting will be on August 11, 2020, at 7:30 pm, in the Hart Community Center.

Respectfully Submitted



Deputy City Clerk