

City of Hart, Michigan
CITY COUNCIL AGENDA
May 14, 2019 7:30 PM
City Hall, 407 State Street, Hart, Michigan

1. Call to Order
2. Roll Call – LaPorte, Frontiera, Hegedus, La Fever, Martin, Platt, Splane
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes from April 23, 2019
6. Public Comments, Correspondence, Events, Presentations
7. Department Reports
 - a. Police
 - b. BioPure
 - c. Public Works
 - d. Hydroelectric
 - e. Hart Main Street
8. Reports of Boards, Commissions, and Committees (Minutes Attached***)

1. Cemetery	9. Power	16. Tax Abatement
2. DPW	10. Recreation	17. Water/BioPure
3. Housing Board of Review	11. Parks	18. Neglected/Dangerous Properties
4. Finance/Personnel***	12. Library	20. Hart Main Street
5. Fire Board	13. Planning	21. Hart Lake Board
6. Historic	14. TIFA***	22. Election Commission
7. Police***	15. ZBA	23. Starting Block Kitchen Incubator
9. Bills, Claims, Payroll
10. Action Items
 - a. Resolution 19-31 Tax Lien Delinquent Utility Accounts
 - b. Resolution 19-32 Fire Board Assessment
 - c. Second reading Ordinance 19-02 Addition of Chapter 1263 to Part Twelve Title Four Prohibition of Recreational Marihuana Establishments
11. Discussion Items
12. City Manager Report
13. City Attorney Report
14. Communications from the Mayor and Council
 - a. Appoint Gale Goldberg to the Planning Commission
15. Adjournment - Next regular meeting Tuesday, June, 2019, 7:30 PM



CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
MAY 14, 2019, 7:30 P.M.

PRESENT: Mayor Ron LaPorte, Councilors: Patrice Martin, Rob Splane, and Steve Hegedus.

ABSENT: Jason La Fever, Vicki Platt and Joe Frontiera

OTHERS PRESENT: City Manager – Lynne Ladner, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, Main Street Manager – Julie Kreilick, and Deputy City Clerk - Cheri Eisenlohr. See attached list for others in attendance.

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

A motion was made by Mr. Hegedus to approve the agenda and supported by Ms. Martin. The minutes from April 23, 2019, regular meeting, were approved motioned by Ms. Martin and supported by Mr. Splane. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Public Hearing – CDBG Public Facilities Application
 - The hearing was opened at 7:33 pm, no public comments, closed at 7:34 pm.
- Steve Bruch: Mr. Bruch read a letter that he wrote in appreciation of Chief Salazar and the Hart Police Department.
- Power Board Attendees: Power board members were present to show their support of keeping Varnum Law in place in regards to the ACO.

DEPARTMENT REPORTS:

- ▶ BioPure Superintendent, Paul Cutter: A written report was provided.
- ▶ Police Chief, Juan Salazar: Absent
- ▶ DPW Superintendent, Brad Whitney: Absent
- ▶ Energy Superintendent, Mike Schiller:
 - DuBois tree service is back in the City.
 - The transformer for Seneca foods has been installed.
 - All trucks passed their DOT inspections.
 - Power will be shut down at GHSP Sunday.
 - MECA Training will take place 5/15.
 - Power Line Supply inventory program has been started using a scanner to monitor inventory.
- ▶ Mainstreet Manager, Julie Kreilick: Report to follow:

Upon the approval of our 2019-2020 budget documents have been updated and prepared for the launching of our 2019-2020 fundraising campaign. With PR/Org committee's review of last year's documents and approach and a shortage of time, the sponsorship forms were updated and prepared for distribution. The board was reached out to for help with this process, and the help provided was appreciated. The addresses that were identified and reached out to were cut off at one hundred.

Sponsorship presentation has been delivered in person for as many as possible, and the reception has been encouraging and well received. There have been several who have

committed on the spot, including some new sponsors. At the time of this report, written May 6, we are about one-quarter of the way there, with the soft deadline of May 15. In the days before the deadline, there will be follow-ups with the bigger sponsors who haven't replied. To date: \$10,500

The Sister Simone Courtade and Mercy Health Missions grant were submitted April 18, and we look forward to learning if we implement the Power of Produce Program. POP will be modeled after New Era and Muskegon Farmers Markets. We are applying for \$3000 to fund this program for the 2019 Farmers Market Season. The POP has two groups, Kids and Seniors. The Kid's POP is inviting children from 3-13 to come to the market and earn \$2 to spend on their own produce, the Senior POP invites Seniors 60 and over to spend \$4 on produce. There are no income requirements for this program, which eliminates that complication. Members of POP simply register, and then the activity is tracked to record the outcomes of the program. The goal for us is to increase the activity in the market. Since this grant cannot go into effect until July, we have additionally reached out to the Hart Rotary Club and Hart Lions Club with the ask to support the June markets for the POP program. We will be in contact with both clubs as soon as we know the results.

A public hearing for the Pocket Park project is being held at the May 14 City Council meeting! It would be nice for any board members willing to be in attendance to show their support for this project.

Since starting on March 1, I have now interviewed 19 businesses to feature them on our HMS Facebook page on Tuesdays and Fridays. I developed three questions to ask in the interview and have been visiting the businesses alphabetically since the projects beginning. This has proved valuable in the approach and the relationship building outcomes. Our Facebook page has experienced so much growth and exposure; it seemed important to develop a fair way to share this exposure with businesses. The response has been amazing, both from businesses and the Facebook community. Exposure has ranged from one thousand views to eighteen thousand views. The new likes then provide the opportunity to invite new followers of our page, which has grown as well. I feel the status of our relationships in the downtown area are as good as they have been since my arrival.

Another area that has been established for the growth of our volunteer program is with Hart High School students. I reached out to Jennifer Copenhaver, the guidance counselor and the advisor of the leadership class, to promote volunteer opportunities. I reached out to Tracey Lipps for advice, who has a high school age child, and she provided some valuable insight. Rachel and I put together job descriptions, times and places for upcoming events and it will be part of the presentation being made May 7 at the school. Volunteer Rob Splane as offered to accompany us to the presentation to give his testimonial about the value of volunteering.

I have attended the first 2019 Leadership Learning Lab with eleven other leaders from Oceana and Manistee Counties. The group that has been invited to work together for the next nine months seemed to bond and fit well immediately. It has already been enriching to consider our leadership styles as well as those of others, and how important it is to take all the aspects of

those styles into consideration to be an effective leader. We will have valuable relationships being established from Shelby to Manistee as additional points of contact for the future.

The event planning is moving along for downtown Hart as well. The SK races, the Music on the Commons, Hart Sparks, Farmers Markets and Hart Lakefest are all in various stages of planning. We look forward to seeing how the new date for the SK is attended. The Music on the Commons bands and dates are being marketed. Money is being collected to help pay for the best fireworks in Oceana County, with the current total at \$9400 needing \$2900 to go! The Farmers Market continues to have vendor interest, and Hart Lakefest is the continually expanding version of Whatever Floats your Boat Regatta, with the addition of a fishing tournament.

The Street Light Banner Project is underway with students from Hart Middle School providing art for half of the banners, and the other half will be used to advertise events downtown. This is part of our fundraising campaign for sponsors of \$500 or more. We look forward to them refreshed and cheering up the streets throughout downtown. Thank you all for the leadership and hard work you give to your downtown!

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

- None

BILLS, CLAIMS, PAYROLL:

Bills totaled: \$474,476.32 Payroll totaled: \$57,369.04 Grand Total: \$531,845.36

A motion was made by Mr. Splane and supported by Ms. Martin to approve bills, claims, and payroll in the amount stated.

Ayes: 5 Nay: 0 Absent: 2

ACTION ITEMS:

City Manager, Lynne Ladner presented the following:

Memo

To: Mayor and City Council
 From: Lynne Ladner
 Date: 5/14/19
 Re: Appointment of City Attorney for general legal services

During the April 23rd meeting, the members of the Council chose to table until the May 14th meeting the selection of a city attorney following the defeated motion to re-appoint Julie Springstead. The council has options:

Consider a motion to appoint one of the three other legal firms to act as the City Attorney;
 Consider a motion to reject all submitted proposals and request new proposals for consideration;
 or

Reconsider the defeated motion, Robert’s Rules of Order states: The motion to reconsider may be made only by a member who voted on the prevailing side in the original vote (such as someone who voted "yes" if the motion had passed or voted "no" if the motion was defeated). ... The motion to reconsider is debatable to the extent that the motion being reconsidered is debatable.

Resolution 19-25 is written with blanks which provide the council to complete the discussion at their meeting and if they are prepared to decide on how to move forward. The blanks allow the Council to fill in the Attorney/Firm that they would like to select along with setting a time frame

for contracting for services from the Attorney/Firm. That time frame can be as long or as short as the council prefers but should most likely be for at least a one-year term

While it is important that the Council engages in careful and deliberate consideration for the appointment, it is also very important that the City has a clear understanding of and direction in which they would like to proceed about City Attorney general counsel services. Per Sec 8.2 of the City Charter states that an appointed officer shall hold office until a successor is appointed it is my understanding that comments were made at the April 23rd meeting that could be interpreted as a resignation by the currently appointed City Attorney.

Additionally, attached is a copy of a letter received from Ms. Springstead, which appears to support this interpretation. Since and including the last Council meeting issues related to the request for sale of public land, request to modify and add additional easements for a project, request to consider a purchase, lease, vacation or adverse possession of the land, and employment has arisen. These are not issues that can be pushed down the road for an extended period of time.

Per City Charter:

Sec. 8.1. Generally.

The appointive officers of the City shall be the City Manager, Clerk, Assessor, City Attorney, Treasurer, and Chief of Police, who shall be a member of the City Police Department. The Council, may, by ordinance, create such department heads as it may deem necessary for the operation of the City government, or may combine any such appointive offices in one or more persons in any manner not inconsistent with the provisions of the general laws of the State.

Sec. 8.2. Appointments; Qualifications.

The Council shall within thirty (30) days following the annual City elections, appoint the appointive officers provided in this Charter, each of whom shall hold office until his successor is appointed. Appointees shall be selected with reference only to their qualifications and fitness and for the good of the public service. Residence requirements of the appointive offices shall be at the discretion of the Council except as hereinafter set forth.

Sec. 8.6. City Attorney.

The City Attorney shall be legal advisor and counsel for the City and for all the officers and departments thereof in all matters relating to their official duties. He shall prosecute ordinance violators and shall represent the City in cases before the courts and other tribunals. He shall perform such other duties in connection with his office as may be prescribed for him by this Charter or the Council. The Council, upon the City Attorney's recommendation or upon its own initiative, may retain special legal counsel to handle any matters in which the City has an interest or to assist the City Attorney.

I realize that the appointment of a City Attorney is the purview of the Council and I have tried to remain neutral in the process other than developing the RFP, disclosing my past relationship with one of the proposing firms and expressing how I conduct business but I also feel that it is important for the Council to understand my reasons for having requested permission to put legal services out to bid.

The Current City Attorney requested an increase in the monthly retainer for general counsel services.

The Current City Attorney based upon that retainer provides very limited legal counsel based upon their stated hourly rate for services \$250/hour. At the previous retainer amount that equaled 6 hours of legal services a month with the proposed increased retainer amount to \$2,600 that is equal to 10.4 hours of legal services a month. If the City was to consider a monthly retainer of \$2,600 with any of the three other firms based upon their proposed hourly rates the City would receive 13.7 hours of legal services from Dickenson Wright, 17.33 hours of

legal services from Rosati, Schultz, Joppich, and Amtsbuechler (RSJA), and between 16.77 hours and 6.58 hours from Mika Meyers (they said the rate depends upon the attorney) The current City Attorney stated that she is "writing off" between 10-15 hours per month of legal work at the current retainer agreement. With her proposed higher, she would still be "writing off" between 6-10 hours of services. At the hourly rate proposed by the other firms their potential write off in a retainer would be: Dickenson Wright – 2.3 and 7.3 hours, RSJA – a gain of 1.33 to write off of 3.67 hours and with Mika Meyers a gain of .77 to a write off of 14.42 hours (again depending upon the attorney assigned).

Based upon these numbers, a monthly retainer agreement with RSJA would have the greatest net benefit to the City for the least amount of funds expended. It has been my intention to not only advocate that the City obtain the best value for taxpayer dollar but to also have the potential to consolidate services for legal services that generally are needed by a City to include: General Counsel, Land Use and Planning, Contracts, Real Estate, Litigation (hopefully not necessary), Legislative Updates affecting current City Ordinances, Employment law – including collective bargaining, employee discipline, employee benefits, and retirement, Board of Review, Tax Tribunal and possibly environmental/regulatory issues.

I defer to the Council in their decision, and I realize that the firms that we are discussing are located outside of Hart. However, the expertise, potential for savings, positive impact of consolidating services to a single firm with a set retainer/hourly rate and the fact that as the challenges that face municipalities become greater and more specialized moving to a firm that solely works on municipal issues is in the best interest of the City. Change is hard, and the desire to retain as many services locally is a valid and strong argument, but when local experts do not exist than location should not be the deciding factor.

Lynne

RESOLUTION 19-25
City Council
City of Hart, Michigan
Oceana County

RESOLUTION AUTHORIZING THE APPOINTMENT OF MIKA MEYERS AS CITY ATTORNEY PROVIDING LEGAL SERVICES FOR THE CITY OF HART

WHEREAS, The City of Hart solicited and received requests for proposals for legal services for the City of Hart beginning July 1, 2019, and

WHEREAS, the City of Hart discussed and had the opportunity to hear from four of the legal firms proposing services to the City, and

WHEREAS, the Council has had the opportunity to review the legal services proposals ask questions and consider the options:

THEREFORE, BE IT RESOLVED, that the City of Hart resolves to contract with Mika Meyers for legal services beginning July 1, 2019, and authorizes the City Manager to sign the necessary documents to complete the contract.

Moved by Ms. Martin, supported by Mr. Splane, and thereafter adopted at the regular City of Hart City Council meeting on May 14, 2019.

Ayes: 3 Nays: 1 Absent: 3

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

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 5/14/19
Re: CDBG Public Facilities Authorizing Resolution

The City of Hart has been allocated a CDBG Grant for the construction of a downtown park at 33 S State St. a City-owned vacant lot. The formal application for the grant remains to be submitted following a public hearing on the project scheduled and advertised for earlier in this meeting. The requests an amount of \$316,857, which equals 90% of the estimated cost of construction of the park. The City is committing to spending an estimated \$35,206 equaling 10% of the estimated construction costs.

Resolution 19-26 Authorizes the formal application submission and designates the City Manager as the person authorized to sign the grant agreement and payment requests for the project.
Lynne

RESOLUTION 19-26
City Council
City of Hart, Michigan
Oceana County

A RESOLUTION TO AUTHORIZE THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN SUPPORT OF THE DOWNTOWN POCKET PARK PROJECT

WHEREAS, the City of Hart has been invited by the Michigan Strategic Fund to submit a CDBG application in the amount of \$316,857; and

WHEREAS, the City of Hart desires to use the CDBG funds for the Downtown Pocket Park Project; and

WHEREAS, the City of Hart commits local funds from its Parking Lot Fund in the amount of \$35,206; and

WHEREAS, the proposed project is consistent with the local community development plan as described in the Application; and

WHEREAS, at least 51% of the beneficiaries for the proposed project will be low- and moderate-income persons; and


WHEREAS, local funds and any other funds to be invested in the project have not been obligated and will not be obligated prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to incur costs from the Michigan Economic Development Corporation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hart hereby designates the City Manager as the Certifying Officer, the person authorized to certify the Michigan CDBG Application, and the person authorized to sign the Grant Agreement and payment requests.

Moved by Splane, supported by Hegedus, and thereafter adopted at the regular City of Hart City Council meeting on May 14, 2019.

Ayes: 4 Nays: 0 Absent: 3

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

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 5/14/19
Re: Local Pavement warranty program adoption and implementation

As part of the Legislatures Transportation Funding of 2015 communities are required to adopt and implement a local pavement warranty program before September 18, 2019. A copy of information distributed by the MML regarding the program is attached
Resolutions 19-27 and 19-28 comply with this state mandate.
Lynne

RESOLUTION 19-27
City Council
City of Hart, Michigan
Oceana County

RESOLUTION TO ADOPT A LOCAL PAVEMENT WARRANTY PROGRAM

WHEREAS, the Michigan Legislature (MCL 247.663) requires each city or village to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Michigan Local Agency Pavement Warranty Program was developed by the Local Agency Pavement Warranty Task Force for use by all 533 cities and villages in the format approved by the Michigan Department of Transportation in 2018;

WHEREAS, the Michigan Department of Transportation has reviewed and approved the Michigan Local Agency Pavement Warranty Program consisting of Special Provisions (Boilerplate, Concrete, HMA, Location, Pass-Through Warranty Bond); a Warranty Bond Form and Contract Form; and Guidelines for Local Agency Pavement Warranty Programs;

NOW THEREFORE BE IT RESOLVED, the City of Hart hereby adopts the Michigan Local Agency Pavement Warranty Program and accompanying documents in accordance to the requirements of MCL 247.663;

Moved by Ms. Martin, supported by Mr. Hegedus, and thereafter adopted at the regular City of Hart City Council meeting on May 14, 2019.

Ayes: 4 Nays: 0 Absent: 3

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

**RESOLUTION 19-28
City Council
City of Hart, Michigan
Oceana County**

RESOLUTION TO IMPLEMENT A LOCAL PAVEMENT WARRANTY PROGRAM

WHEREAS, The Michigan Legislature created a requirement (MCL 247.663) as part of the Transportation Funding Package of 2015 that requires each city and village to adopt a Local Agency Pavement Warranty Program that was approved by the Michigan Department of Transportation in 2018;

WHEREAS, the City of Hart adopted the Michigan Local Agency Pavement Warranty Program on May 14, 2019;

WHEREAS, the City of Hart agrees to consider a local pavement warranty on each project that includes \$2 million or more in paving-related items *and* includes any state or federal funds;

WHEREAS, the Local Agency Pavement Warranty Program law requires each city and village to report annually on each project that includes \$2 million or more in paving-related items *and* includes any state or federal funds, whether or not a warranty was utilized in the project;

WHEREAS, the City of Hart agrees to implement the Michigan Local Agency Pavement Warranty Program consistent with the Guidelines for Local Agency Pavement Warranty Program document that was approved by the Michigan Department of Transportation in 2018; and which the City of Hart's_ adopted Implementation Policy defines the City of Hart's intent of its pavement warranty program;

NOW THEREFORE BE IT RESOLVED, the City of Hart hereby agrees to implement the Local Agency Pavement Warranty Program and annual report in accordance with the law.

Moved by Mr. Hegedus, supported by Ms. Martin, and thereafter adopted at the regular City of Hart City Council meeting on May 14, 2019.

Ayes: 4 Nays: 0 Absent: 3

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

Memo
To: Mayor and City Council
From: Lynne Ladner
Date: 5/14/19
Re: Contract for Property and Liability Insurance

While reviewing the City's property and Liability Insurance needs, I discovered areas in which the City had exposure based upon the policy that had been contracted for FY 19. In order to reduce or eliminate these exposures, I publicized and requested bid proposals from the commercial and specialized property, and liability carriers to meet the City's needs. We received two submissions. One from our current carrier Tokyo Marine (through the Michigan Township Par Plan) and a second from the Michigan Municipal Risk Management Authority. Each company provides the insurance that the City needs but offers varying additional services, grant opportunities, and potential for dividend distributions that are attractive to the City. Representatives from the carriers will be presenting to the Finance and Personnel Committee as well as be available for presentation and questions from the Council during the meeting. Resolutions 19-29 is drafted to allow the council to hear from the carriers and authorize a contract for property and liability insurance effective July 1, 2019.
Lynne

RESOLUTION 19-29
City Council
City of Hart, Michigan
Oceana County

RESOLUTION AUTHORIZING THE ACCEPTANCE OF PROPOSAL FROM MMRMA PROVIDING PROPERTY AND LIABILITY INSURANCE FOR THE CITY OF HART

WHEREAS, The City of Hart solicited and received requests for proposals for property and liability insurance for the City of Hart beginning July 1, 2019, and
WHEREAS, the City of Hart Personnel and Finance Committee has heard from the proposing organizations and
WHEREAS, the Council has heard from the proposing organizations and
WHEREAS, the Council has had the opportunity to review the proposals ask questions and consider the options:

THEREFORE, BE IT RESOLVED, that the City of Hart resolves to contract with MMRMA for property and liability insurance beginning July 1, 2019, and authorizes the City Manager to sign the necessary documents to complete the contract.

Moved by Mr. Splane, supported by Ms. Martin, and thereafter adopted at the regular City of Hart City Council meeting on May 14, 2019.

Ayes: 4 Nays: 0 Absent: 3

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

Memo
To: Mayor and City Council
From: Lynne Ladner
Date: 5/14/19
Re: Temporary Traffic Control Order #324

The City has the authority under the Michigan Uniform Traffic Code to adopt Traffic Control Orders regulating traffic issues on local streets. Due to the commercial traffic and increase in the use of the County Services building creating overflow parking on to the street issues have arisen with the flow of traffic and ability of commercial vehicles to access businesses along Griswold Street. Resolution 19-30 adopts a temporary traffic control order to prohibit parking on Griswold from Polk Rd. to Wood St. This will need to be formalized with a review from a traffic engineer and adopted by ordinance by the Council within 180 days if they are interested in making the order permanent.
Lynne

RESOLUTION 19-30
City Council
City of Hart, Michigan
Oceana County

RESOLUTION ADOPTING TEMPORARY TRAFFIC CONTROL ORDER #324
PROHIBITING PARKING ON GRISWOLD STREET BETWEEN POLK ROAD AND WOOD STREET

WHEREAS, The City of Hart Police Department has reviewed the road width, and traffic patterns on Griswold Street, and
WHEREAS, the paved surface area of the street is approximately thirty feet in width and
WHEREAS, the standard vehicle traffic lane is ten feet with Griswold Street is a two-directional traffic street and
WHEREAS, commercial traffic serving the businesses and County Services building need adequate unencumbered travel and turning radius.
THEREFORE, BE IT RESOLVED, that the City of Hart adopts Temporary Traffic Control Order #324 Prohibiting Parking on Griswold Street between Polk Road and Wood Street.
Moved by Mr. Splane, supported by Ms. Martin, and thereafter adopted at the regular City of Hart City Council meeting on May 14, 2019.

Ayes: 4 Nays: 0 Absent: 3

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

Memo

To: Mayor and City Council

From: Lynne Ladner

Date: 5/14/19

Re: First reading of Ordinance 19-02 related to Recreational Marihuana establishments and facilities zoning

This is the first reading of Ordinance 19-02 amending Part Twelve Title Four by adding a new chapter designated as chapter 1263 Prohibition of Recreational Marihuana Establishments. This language is what has been reviewed and recommended by the Planning Commission for adoption. As a first reading, no formal action needs to be taken, but a review by the council of the language and any changes would be addressed at this time.

Lynne

ORDINANCE NO. 19-02

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF HART PART TWELVE TITLE FOUR BY ADDING A NEW CHAPTER WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 1263 OF TITLE FOUR OF SAID CODE

THE CITY OF ORDAINS:

Section 1. Addition of Chapter 1263 to Part Twelve Title Four. Chapter 1263, "Prohibition of Recreational Marihuana Establishments," is added to Title Four, "Zoning," of the Code of Ordinances of the City of Hart to read as follows:

CHAPTER 1263

PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS AND MARIHUANA FACILITIES

Marihuana establishments and facilities, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act and the Medical Marihuana Facilities Licensing Act, are prohibited in all zoning districts, and shall not be permitted as home occupations as defined in Chapter 1241.

No use that constitutes or purports to be a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer and provisioning center, marihuana secure transporter or any other type of marihuana related business authorized by the Act, that was engaged in prior to the enactment of this Ordinance, shall be deemed to have been a legally established use under the provisions of the City Code of Ordinances; that use shall not be entitled to claim legal nonconforming status.

Violations of this section are subject to the violations and penalties pursuant to Section 1249.99 of Chapter 1242 and may be abated as nuisances

This section does not supersede rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the City to the extent provided by the Michigan Regulation and Taxation of Marihuana Act.

Nothing in this Chapter shall limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, and this Chapter does not supersede the rights and regulations under Section 1243.27 of Part Twelve, Title Four

Section {2} Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are repealed.]

Section [3]. Effective Date. This Ordinance shall be effective seven (7) days after the publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart.

Section [4]. Publication. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the City Clerk in The Oceana Herald, a newspaper of general circulation in the City.

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2019
_____, [Mayor][President] [Supervisor]
_____, Clerk

CERTIFICATION

I, the undersigned duly appointed City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in _____ a newspaper of general circulation in the City on _____, 2019, and that such ordinance was entered with the Ordinance Book of the City on _____, 2019.

Dated _____, 2019
_____, Clerk

First Reading

Cheri Eisenlohr, Deputy City Clerk

SPECIAL EVENTS PERMIT:

- None

DISCUSSION ITEMS:

- None

CITY MANAGER REPORT:

- 10 Month Budget Report
 - o The city is doing well.
- The budget will be finished in one week to ten days.
- Walk/Bike to School event went well.

- Next Thursday is MPPA's Stakeholders meeting. Steve Bruch and Vicki Platt will also be attending.
- Next Tuesday is the TIFA Financial meeting, Steve Bruch and Gold Goldberg will also be attending.
- The grant funding for Lincoln/Hanson Street repairs was denied.
- The Creeks Divison was discussed at a legal meeting held this morning.

CITY ATTORNEY'S REPORT:

- None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

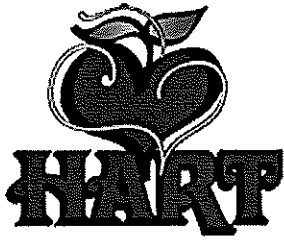
- None

There being no further business to come before the Council, the meeting adjourned at 9:28 p.m., upon motion by Ms. Martin and supported by Mr. Hegedus. The next regular meeting is May 28, 2019, at 7:30 p.m.

Respectfully Submitted



Deputy City Clerk



CITY OF HART

407 STATE ST., HART, MI 49420
FINANCE & PERSONNEL COMMITTEE
MAY 14, 2019 – 6:30 PM
MINUTES

PRESENT: Mayor Ron LaPorte, Rob Splane, and Steve Hegedus

ABSENT: None

OTHERS PRESENT: City Manager Manager – Lynne Ladner and Deputy Clerk - Cheri Eisenlohr

The meeting was called to order by Mayor LaPorte at 6:00 pm.

- The minutes of April 2, 2019, meeting were approved by a motion made by Mr. Hegedus and supported by Mr. Splane, all ayes, the motion carried.

Council Agenda Items:

- Review Property and Liability Insurance Proposals:
 - Berends, Hendrick & Stuit (Tokio Marine) and MMRMA each had representatives speak about the benefits of using their services.
 - The decision will be made at Council following this meeting.

Comments from the Board:

The meeting adjourned at 7:15 pm by motion made by Mr. Rob Splane and supported by Mr. Hegedus.



CITY OF HART

407 S. STATE ST.

HART, MI 49420

TAX INCREMENT FINANCE AUTHORITY (TIFA)

May 9, 2019, at 1:00 pm

Minutes

Members Present: Chair – Patrice Martin, Tracey Lipps, Tom Drenth, Garth Larson, Gale Goldberg, and Steve Bruch

Members absent: Bill Hegg

Also present: Deputy City Clerk - Cheri Eisenlohr, Main Street Manager – Julie Kreilick, George Sadler, Business Owner.

Chair Martin called the meeting to order, roll call was taken.

Agenda Approval: Gale Goldberg made the motion, supported by Steve Bruch, all ayes.

Minutes Approval: (no quorum at last meeting – notes only) Steve Bruch made the motion, Garth Larson supported, all ayes.

Public comments were made at this time:

- Mr. Sadler made the board aware that he has property for sale downtown behind Hart Pizza. The cost is estimated to be \$24,882.00.
- He also asked if the TIFA board would pay for an asbestos survey if he purchased the old Walker's restaurant building.
 - Decisions will be made at a later date for both requests.

Financial Report:

- No financial report was made available for this meeting.

Old Business:

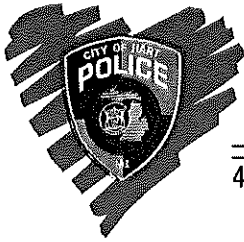
- Prioritization Process
 - Changes were proposed for the application form.
- Sidewalk Application form:
 - This document will be looked over and changes discussed at a future meeting.
- PA57 Workshops were briefly discussed.

Communications from Members:

- It was confirmed that unused budgeted funds carried over into the next fiscal year.

The meeting adjourned at 1:58 upon a motion made by Steve Bruch and supported by Tom Drenth.

The next meeting on Thursday, June 13, 2019, at 1:00 p.m. at City Hall.



City of Hart Police Department

407 State Street

Ph. (231)873-2488 Fax (231)873-0100

Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: May 28th, 2019

RECENT EVENTS

From Thursday, May 9th, 2019, through Wednesday, May 22nd, 2019, the Hart Police Department received 94 complaints ranging from Suspicious Situations, Trespassings, Medical Assists, Property Damage Accidents, Assist to Other Agencies, Motorist Assists, Larcenies, Abandoned Vehicles, Reckless Driving, Ordinance Violations, Fraud Complaints, Traffic Hazards, Juvenile Runaway, Domestic Assaults, Vehicle Violations, Animal Complaints, Parole / Probation Violations, Noise Complaints, Disturbances, Family Trouble, Retail Fraud, Warrant Arrests, Harassment/Threat Complaints and a Malicious Destruction of Property Complaint.

On Sunday, May 12th, 2019, the Hart Police Department was dispatched to the 500 block of Church Street regarding a juvenile runaway. After an argument, a 16-year-old Hart woman had run away from home. On Tuesday, May 14th, 2019, the woman was located. A joint investigation with the Oceana County Child Protective Services is ongoing.

On Monday, May 13th, 2019, the Hart Police Department initiated a traffic stop on a vehicle on Polk Road near 72nd Avenue referencing defective equipment. A 28-year-old Hart man was arrested and lodged at the Oceana County Jail for Operating While Intoxicated (Drugs) / Operating a Motor Vehicle without insurance.

On Monday, May 13th, 2019, the Hart Police Department was dispatched to the 1000 block of Dryden Street. A 38-year-old Hart woman alleges a 41-year-old Hart man had forcefully removed something from her hand and shoved her. The parties were separated, and a report will be submitted to the Oceana County Prosecutor's Office for his review.

On Tuesday, May 14th, 2019, the Hart Police Department initiated a traffic stop on a vehicle on Polk Road near the US31 Expressway referencing a vehicle violation. A 66-year-old Spring Lake man was cited for Operating a Motor Vehicle without insurance.

On Wednesday, May 15th, 2019, the Hart Police Department was dispatched to the 100 block of Lincoln Street about retail fraud. An unknown male individual is noted via surveillance footage stealing a pair of gloves from a local business. An investigation is ongoing.

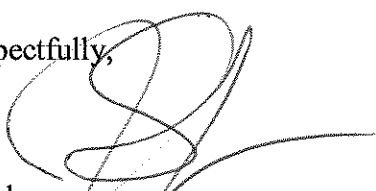
On Wednesday, May 15th, 2019, the Hart Police Department was dispatched to the 400 block in reference to a suspicious situation. During the investigation, a 38-year-old Hart woman was arrested and lodged at the Oceana County Jail on an outstanding warrant for her arrest out of the Oceana County Sheriff's Office.

On Thursday, May 16th, 2019, the Hart Police Department was dispatched to the Hart-Montague Rail Trail near Enterprise Drive for a trespassing complaint, a tent noted in the area. During the investigation, a 67-year-old Baldwin man was arrested and lodged at the Oceana County Jail on an outstanding warrant for his arrest out of the Oceana County Sheriff's Office.

On Friday, May 17th, 2019, the Hart Police Department initiated a traffic stop on a vehicle on Polk Road near Oceana Drive about careless driving. A 27-year-old Hart woman was arrested and lodged at the Oceana County Jail for Operating a Motor Vehicle While Intoxicated (Drugs).

On Wednesday, May 22nd, 2019, the Hart Police Department initiated a traffic stop on a vehicle on Polk Road near the US31 Expressway regarding a vehicle violation. A 25-year-old Shelby man was arrested and lodged at the Oceana County Jail for Operating a Motor Vehicle without a License, and a 21-year-old Shelby woman was arrested and lodged at the Oceana County Jail on an outstanding warrant for her arrest out of the Manistee County Sheriff's Office

Respectfully,



J. Salazar,
Chief of Police

Payables Date: 5/28/19	Description	Total	General +	DPW	Energy	BPTF	Water
Allshred	Recycling Services	\$ 44.35	\$ 44.35				
Brown, Rebekah	Refund	\$ 100.00				\$ 100.00	
Ceres Solutions	Fuel/Parts/Supplies	\$ 550.13				\$ 550.13	
Ceres Solutions	Diesel	\$ 358.69				\$ 358.69	
Charter	City Mgr - Internet Svc	\$ 84.21	\$ 84.21				
Cobb Communications	Shoreline Visitors Guide	\$ 1,800.00	\$ 1,800.00				
Delta Dental	June Ins. Prem.	\$ 1,366.96	\$ 551.04	\$ 180.81	\$ 429.35	\$ 135.15	\$ 70.61
DTE	Natural Gas	\$ 709.91	\$ 280.44	\$ 211.73	\$ 87.16	\$ 77.69	\$ 52.89
Frontier	Dam - Phone	\$ 70.40			\$ 70.40		
Frontier	DPW Fax	\$ 151.05		\$ 151.05			
Gracon	SOPHOS	\$ 2,576.50	\$ 858.84	\$ 429.42	\$ 429.42	\$ 429.42	\$ 429.40
Hach	Lab Supplies	\$ 1,630.75				\$ 1,630.75	
Hart Cemetery	Summer/Winter Taxes	\$ 13.71	\$ 13.71				
Jons to Go	Portable Restrooms	\$ 210.00			\$ 210.00		
Lawson-Fisher	Various Projects	\$ 1,320.15			\$ 1,320.15		
LEAF	Copier Fee	\$ 39.00	\$ 39.00				
Lincoln National Insurance	June Ins. Prem.	\$ 950.00	\$ 259.33	\$ 151.23	\$ 319.87	\$ 170.01	\$ 49.56
Michigan Election Resources	Voter ID Card	\$ 33.00	\$ 33.00				
Miguel-Lopez, Rogelio	Refund	\$ 336.34				\$ 336.34	
MPPA	Purchased Power	\$ 13,567.30			\$ 13,567.30		
Power Line Supply	Parts/Supplies	\$ 5,357.08			\$ 5,357.08		
Pranger Property Mgmt	Cleaning Svcs	\$ 168.00	\$ 168.00				
Prein & Newhof	Various Projects	\$ 40,158.03	\$ 10,814.10			\$ 28,717.06	\$ 626.87
Priority Health	June Ins. Prem.	\$ 18,765.60	\$ 8,330.77	\$ 2,509.09	\$ 5,434.76	\$ 2,400.71	\$ 90.27
Quill	Ink - Historic District	\$ 119.94	\$ 119.94				
State of Michigan	License Renewal - Riggs	\$ 95.00					\$ 95.00
State of Michigan	Water Testing	\$ 100.00					\$ 100.00
T&R Electric	Credit Memo	\$ (1,691.25)				\$ (1,691.25)	
T&R Electric	Single Phase KVA	\$ 778.00			\$ 778.00		
Trace Analytical	Water Testing	\$ 80.00				\$ 80.00	
Vision Service Plan	June Ins. Prem.	\$ 263.28	\$ 99.34	\$ 29.50	\$ 85.02	\$ 36.11	\$ 13.31
Zambrowski, Richard	Refund	\$ 57.93				\$ 57.93	
		\$ -					
		\$ -					
	Subtotal	\$ 90,164.06	\$ 23,496.07	\$ 3,662.83	\$ 28,088.51	\$ 33,388.74	\$ 1,527.91
Additional Bills		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
		\$ -					
	Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Subtotal Reg and Additional	\$ 90,164.06					
HAND CHECKS							
Alerus - ACH	City Share 401 Retirement	\$ 3,022.42	\$ 3,022.42				
US Postmaster	Postage Utility Bills	\$ 131.73			\$ 85.25	\$ 39.52	\$ 6.96
		\$ -					
	TOTAL HAND CHECKS	\$ 3,154.15	\$ 3,022.42	\$ -	\$ 85.25	\$ 39.52	\$ 6.96
	Sub-Total Regular Bills/Additional Bills/Hand Checks	\$ 93,318.21	\$ 26,518.49	\$ 3,662.83	\$ 28,173.76	\$ 33,428.26	\$ 1,534.87
Gross Payroll	459	\$ 59,069.28					
	Sub-Total	\$ 59,069.28					
	GRAND TOTAL	\$ 152,387.49	\$ 26,518.49	\$ 3,662.83	\$ 28,173.76	\$ 33,428.26	\$ 1,534.87

PAYROLL AMOUNTS					
05/16/19					
Pay 458		GROSS PAY	OVERTIME	INS OPT-Out	BASE PAY
Employee Code	Dept.		PAY	PAY	
FULL-TIME					
MGR.	MSM	\$1,576.00	\$0.00	\$0.00	\$1,576.00
DPW1	DPW	\$2,256.00	-\$144.00	\$0.00	\$2,112.00
DPW2	DPW	\$1,920.00	\$0.00	\$0.00	\$1,920.00
DPW3	DPW	\$2,147.20	\$0.00	\$0.00	\$2,147.20
DPWS	DPW	\$2,319.20	\$0.00	\$0.00	\$2,319.20
ENERGY1	Energy	\$3,671.04	-\$305.92	\$0.00	\$3,365.12
ENERGY2	Energy	\$3,518.08	-\$305.92	\$0.00	\$3,212.16
ENERGYS	Energy	\$3,673.60	\$0.00	\$0.00	\$3,673.60
ENERGY3	Energy	\$2,693.04	\$0.00	\$0.00	\$2,693.04
ENERGY4	Energy	\$2,428.00	\$0.00	\$0.00	\$2,428.00
ENERGY5	Energy	\$2,255.44	\$0.00	\$0.00	\$2,255.44
DCC	Office	\$1,518.40	\$0.00	\$0.00	\$1,518.40
DCC	Office	\$1,518.40	\$0.00	\$0.00	\$1,518.40
MGR.	Office	\$3,269.60	\$0.00	\$0.00	\$3,269.60
CC	Office	\$1,920.81	\$0.00	\$0.00	\$1,920.81
DCC	Office	\$1,348.00	\$0.00	\$0.00	\$1,348.00
PO	Police	\$2,046.40	\$0.00	\$0.00	\$2,046.40
PO	Police	\$2,046.40	\$0.00	\$0.00	\$2,046.40
PO	Police	\$2,199.88	-\$153.48	\$0.00	\$2,046.40
PC	Police	\$2,403.20	\$0.00	\$0.00	\$2,403.20
DS	Police	\$2,101.60	\$0.00	\$0.00	\$2,101.60
BIOS	WW	\$2,747.20	\$0.00	\$0.00	\$2,747.20
BIOS	WW	\$2,400.00	-\$288.00	\$0.00	\$2,112.00
BIOS	WW	\$2,263.10	-\$311.10	\$0.00	\$1,952.00
TOTAL		\$56,240.59	-\$1,508.42	\$0.00	\$54,732.17
COUNCIL					
CC1		\$0.00	\$0.00	\$0.00	\$0.00
CC2		\$0.00	\$0.00	\$0.00	\$0.00
CC3		\$0.00	\$0.00	\$0.00	\$0.00
CC4		\$0.00	\$0.00	\$0.00	\$0.00
CC5		\$0.00	\$0.00	\$0.00	\$0.00
CC6		\$0.00	\$0.00	\$0.00	\$0.00
CC7		\$0.00	\$0.00	\$0.00	\$0.00
CC8		\$0.00	\$0.00	\$0.00	\$0.00
CC9		\$0.00	\$0.00	\$0.00	\$0.00
TOTAL		\$0.00	\$0.00	\$0.00	\$0.00
PART-TIME					
MGR.	HHD	\$733.70	\$0.00	\$0.00	\$0.00
DPW - PT	DPW	\$765.00	\$0.00	\$0.00	\$765.00
PPO	POL-PT	\$0.00	\$0.00	\$0.00	\$0.00
PPO	POL-PT	\$400.00	\$0.00	\$0.00	\$400.00
EW	Office	\$0.00	\$0.00	\$0.00	\$0.00
PPO	POL-PT	\$930.00	\$0.00	\$0.00	\$930.00
TOTAL		\$2,828.70	\$0.00	\$0.00	\$2,095.00
TOTAL PAYROLL		\$59,069.29	-\$1,508.42	\$0.00	\$56,827.17

Item 9

OVERTIME HOURS WORKED

Pay Period 5/10/19 - 05/22/19	Pay 459	PAID HOURS			Call-Out	Pay Date 5/30/19
EMPLOYEE NAME	DEPT.	DATES WORKED	1.5x	2x	2.25x	REASON
Chris Kies	BPTF	5/18,19,21	6	1.5		Lab, Irrigation/Diffusers
Frank Lloyd	BPTF	5/11,12,20,21	6.5	1.5		Lab, Irrigation/Diffusers
Jason Riggs	DPW					
Mike Eisenlohr	DPW					
Matt Adams	DPW	5/20,21	4.00			Sweep Hart & Pentwater
Terry Birkman	Energy	5/19/2019	4.00			Turn on/off power at GHSP
Andy Van Zoeren	Energy					
Nathan Gowell	Energy	5/19/2019		4.00		Turn on/off power at GHSP
Jed Van Dyke	Energy					
Scott Van Agtmael	Energy					
Shawn Anderson	Police					
Brian Hintz	Police					
Kevin Skipski	Police					
Joe Ingalls	Police	5/13,22	4.00			S Court, Cover Shift
Hildigardo Hinjosa (PT)	Police					
Austin Buckingham (PT)	Police					

Memo

To: Mayor and City Council
From: Lynne Ladner
cc:
Date: 5/28/19
Re: Tax Lien Delinquent Utility Accounts

In recent years the City has certified to the County delinquent utility accounts to the County to be placed as a tax lien on the property. This process allows the City to collect on accounts that are otherwise uncollectable through traditional means. Collection of even a portion of these utility account revenues enables the city to maintain utility rates that are equitable for all users.

Lynne

RESOLUTION 19-31
City Council
City of Hart, Michigan
Oceana County

TAX LIEN DELINQUENT UTILITY ACCOUNTS

WHEREAS, the City of Hart owns, operates and maintains municipal electric, water and sewer utilities; and

WHEREAS, the City administers customer billing and collection systems to fund the costs associated with operating and maintaining the aforementioned utilities; and

WHEREAS, delinquent customer accounts are sometimes uncollectable using traditional methods; and

WHEREAS, State of Michigan statutes pursuant to Public Act No. 94 of 1933 (MCL 141.101 et seq.) allow municipal utilities to lien properties to collect delinquent accounts through the taxing authority of municipalities; and in accordance with City of Hart Ordinance No. 2016-02 adopted March 22, 2016 the City of Hart has the authority to lien properties for delinquent utility accounts; 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 HART CITY COUNCIL:

Declares electric, water and sewer accounts delinquent in accordance with the aforementioned statute and ordinance for the following customer, account number, property number and owner as follows:

CUSTOMER	ACCOUNT NO.	PROPERTY NO.	ADDRESS	ELEC.	WATER	SEWER	TOTAL
COMMERCIAL ACCOUNTS							
East Main Rentals -Owner							
James Wallor	MA10-000215-0000-04	64-020-209-003-00	215 E Main	\$60.79	\$16.60	\$59.56	\$136.95
Jacquelynn Rogers	MA10-000215-0000-05			\$28.74	\$8.30	\$42.23	\$79.27
				\$89.53	\$24.90	\$101.79	\$216.22
Stevens Apartments - Owner							
Kids @ Hart	ST10-000055-0000-06	64-020-208-010-00	55 State St	\$403.76	\$13.70	\$87.55	\$505.01
	TOTAL OF COMMERCIAL ACCTS:			\$493.29	\$38.60	\$189.34	\$721.23
RESIDENTIAL ACCOUNTS							
Gary Phillips - Owner							
A. Martin	CH20-000106-0001-05	64-020-716-007-00	106 Church	\$205.09	\$21.44	\$94.02	\$ 320.55

Doug Wells - Owner							
L. Tenney Jr.	CH20-000111-0000-18	64-020-721-003-00	111 Church	\$149.09	\$41.59	\$148.13	\$ 338.81
D. Langford	CH20-000111-0000-19			\$12.19	\$5.20	\$22.59	\$ 39.98
J. Wemple	CH20-000111-0000-20			\$172.96	\$20.88	\$84.04	\$ 277.88
				\$334.24	\$67.67	\$254.76	\$ 656.67
Channel Housing- Owner							
Y. Marie Salazar	CH20-000409-0000-15	64-020-724-003-00	409 Church St	\$113.17	\$28.87	\$86.76	\$228.80
J.Sleight	CH20-000409-0000-16			\$154.18	\$30.80	\$120.71	\$305.69
R.Carrasco	CH20-000409-0000-17			\$9.75	\$3.50	\$16.19	\$29.44
				\$277.10	\$63.17	\$223.66	\$563.93
'Stevens Apartments							
J. Hill	CH20-000509-0001-16	64-020-318-002-00	509 Church	\$90.88	\$ -	\$ -	\$ 90.88
Hegg Real Estate-Owner							
M.Dykman	CO10-000009-0000-24	64-020-201-002-00	9 Courtland	\$130.35	\$20.55	\$101.85	\$ 252.75
S. Hegg	CO10-000009-0000-25			\$27.29	\$6.85	\$29.78	\$ 63.92
				\$157.64	\$27.40	\$131.63	\$ 316.67
Jesus Salinas -Owner							
M. McClintic	CO10-000714-0000-11	64-020-737-002-00	714 Courtland	\$ 77.48	\$ 12.70	\$ 48.84	\$ 139.02
Russ Robbins- Owner							
S.Wilson	DR10-000209-0000-02	64-020-717-004-00	209 Dryden	\$ 95.46	\$ 14.86	\$ 90.63	\$ 200.95
J. Sawdy	DR10-000211-0000-04		211 Dryden	\$ 43.21	\$ 12.24	\$ 52.75	\$ 108.20
Lynda Robbins- Owner							
M. Buck	DR10-000607-0000-04	64-020-735-008-00	607 Dryden	\$ 132.29	\$ 21.78	\$ 84.38	\$ 238.45
S. Samuels	DR10-000607-0000-06			\$ 453.86	\$ 26.85	\$ 124.11	\$ 604.82
				\$ 586.15	\$ 48.63	\$ 208.49	\$ 843.27
Gale Real Estate							
M.Collins	DR10-000720-0000-08	64-020-740-002-90	720 Dryden	\$ 91.45	\$ 16.57	\$ 84.61	\$ 192.63

Patircia Renna	GR10-000606-0000-02		606 Griswold	\$ 208.20			\$ 208.20
Sharon Degraff	GR10-000711-0000-04	64-020-740-012-00	711 Griswold	\$ 106.36	\$ 20.55	\$ 89.34	\$ 216.25
Jason Pragner - Owner							
J. Pranger	GR10-000808-0000-05	64-020-335-001-10	808 Griswold	\$ 45.89	\$ 8.01	\$ 33.09	\$ 86.99
D. Mccann	GR10-000808-0000-11			\$ 240.77	\$ 13.37	\$ 54.84	\$ 308.98
M. Johnson	GR10-000808-0000-12			\$ 687.31	\$ 18.88	\$ 82.08	\$ 788.27
				\$ 973.97	\$ 40.26	\$ 170.01	\$ 1,184.24
Bernard Preston-Owner							
R. Carroll	HA30-000411-0000-20	64-020-728-009-00	411 Hart St	\$ 290.86	\$ 38.02	\$ 156.09	\$ 484.97
Wendy Smith Forsyth-Owner							
W. Smith	JO10-000007-0000-04	64-020-725-001-50	7 W Johnson	\$ 35.86	\$ 6.85	\$ 29.78	\$ 72.49
R.Devoe	JO10-000007-0000-09			\$ 272.30	\$ 34.47	\$ 129.06	\$ 435.83
				\$ 308.16	\$ 41.32	\$ 158.84	\$ 508.32
Larry Stevens -Owner							
K.West	MA10-000324-0000-17	64-020-249-002-00	324 E Main	\$ 59.90	\$ 8.01	\$ 33.09	\$ 101.00
J.Berger	MA10-000324-0000-18			\$ 83.76	\$ 14.12	\$ 49.94	\$ 147.82
				\$ 143.66	\$ 22.13	\$ 83.03	\$ 248.82
Marsha Hildreth-Owner							
C. Guertin	MA10-000505-0000-07	64-202-147-003-00	505 E Main	\$ 296.08	\$ 20.47	\$ 79.12	\$ 395.67
Kevin Greiner - Owner							
M. German	MA11-000461-2000-15	64-202-514-005-00	416 W Main	\$ 217.17	\$ 20.55	\$ 89.34	\$ 327.06
Trenton Bruce - Owner							
C. Smith	ME10-000014-0000-05	64-020-203-003-00	14 E Mechanic	\$ 491.61	\$ 20.55	\$ 181.99	\$ 694.15
Christi Huizenga - Owner							
J. Covey	ME10-000020-0002-16	?	20 E Mechanic	\$ 117.29	\$ 61.13	\$ 2.99	\$ 181.41

Jim Kumzi- Owner							
M. Gilland	PE10-000007-0000-06	64-020-513-006-00	7 Peach	\$ 149.24	\$ 30.10	\$ 119.17	\$ 298.51
R. Alltop	PE10-000007-0000-07			\$ 38.94	\$ 6.19	\$ 23.80	\$ 68.93
H. Gleason	PE10-000007-0000-08			\$ 156.08	\$ 21.28	\$ 84.65	\$ 262.01
C. Newsted	PE10-000007-0000-09			\$ 139.98	\$ 16.02	\$ 77.59	\$ 233.59
				\$ 484.24	\$ 73.59	\$ 305.21	\$ 863.04
Rural Housing - Owner							
P. Fraizer	PE10-000108-0000-03	64-020-512-007-00	108 Peach	\$ 115.03	\$ 7.56	\$ 72.80	\$ 195.39
Val Pro LLC - Owner							
M. Pierce	PE10-000111-0000-05	64-020-519-010-00	111 Peach	\$ 341.75	\$ 52.82	\$ 304.29	\$ 698.86
Mirad Family LP -Owner							
J. Crane	RI10-000113-0000-05	64-020-611-018-00	113 Riverside	\$ 81.87	\$ 9.17	\$ 52.20	\$ 143.24
Ashley Simons - Owner							
J. Escamilla	RI10-000204-0000-04	64-202-611-025-00	204 Riverside	\$ 65.18	\$ 9.40	\$ 38.46	\$ 113.04
Andrew Parsons - Owner							
W. Sheafor	RI10-000209-0000-06	64-020-611-015-00	209 Riverside	\$ 323.26	\$ 21.23	\$ 113.64	\$ 458.13
Heggs Rentals LLC - Owner							
B. Burmeister	WA10-000409-0000-07	64-020-213-002-00	409 Washington	\$ 256.90	\$ 33.59	\$ 135.82	\$ 426.31
Juan & Delia Salazar - Owner							
J. Guerrero	WA20-000425-0000-08	64-020-726-012-00	425 S Water	\$ 184.29	\$ 20.12	\$ 87.51	\$ 291.92
Justin James Morgan - Owner							
C. Wiegand	WO10-000503-0000-10	64-020-740-009-10	503 Wood St	\$ 992.82	\$ 27.40	\$ 119.21	\$ 1,139.43
	TOTAL OF RESIDENTIAL ACCTS:			\$7,957.40	\$824.54	\$3,429.28	\$ 12,211.22

Authorizes, approves and directs a tax lien in the total amount stated herein against the aforementioned customer, account number, owner, and property number; and directs the City Clerk-Treasurer or City Deputy Clerk-Treasurer to file a tax lien there upon.

Moved by _____, supported by _____, and thereafter adopted by the City of Hart, Michigan City Council at a regularly scheduled meeting held on Tuesday, May 28, 2019.

Ayes: Nays: Absent:

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

Memo

To: Mayor and City Council
From: Lynne Ladner
cc:
Date: 5/28/19
Re: FY 2020 Fire Board Assessment

The City of Hart receives fire protection services from the Hart Area Fire Board, a consortium formed by City of Hart, Hart Township, Weare Township and Golden Township. The entities in the consortium all assist with financing fire protection services through an allocated contribution. This year the Fire Board is requesting an increase from .65 to .75 mills of property millage assessment in the amount of \$238,080 and assessed to each entity as follows: Golden Township (\$117,302 or 51%), Hart Township (\$54,335 or 24%), Weare Township (\$27,787 or 12%) and Hart City (\$31,106 or 13%).

Lynne

RESOLUTION 19-32
City Council
City of Hart, Michigan
Oceana County

*HART AREA FIRE BOARD ASSESSMENT
FOR FIRE PROTECTION SERVICES*

WHEREAS, the City of Hart receives fire protection services from the Hart Area Fire Board, a consortium formed by City of Hart, Hart Township, Weare Township and Golden Township; and

WHEREAS, on February 28, 2019 the Hart Area Fire Board adopted a total FY2020 fire protection budget based on 0.75 millage assessment in the amount of \$238,080 and assessed to each entity as follows: Golden Township (\$117,302 or 51%), Hart Township (\$54,335 or 24%), Weare Township (\$27,787 or 12%) and Hart City (\$31,106 or 13%); 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:

Approves the FY2020 (July 1, 2019 – June 30, 2020) Hart Area Fire Board annual assessment to the City of Hart in the amount of \$31,106 paid quarterly at \$7,776.50.

Moved by _____, supported by _____, and thereafter adopted at the regular City of Hart City Council meeting on May 28, 2019.

Ayes: Nays: Absent:

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

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 5/28/19

Re: Second reading of Ordinance 19-02 related to Recreational Marihuana establishments and facilities zoning

This is the second reading of Ordinance 19-02 amending Part Twelve Title Four by adding a new chapter designated as chapter 1263 Prohibition of Recreational Marihuana Establishments. There are no changes to the ordinance from the first reading conducted at the May 14, 2019 meeting.

Lynne

**ORDINANCE
NO. 19-02**

**AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES OF THE CITY OF HART PART TWELVE
TITLE FOUR BY ADDING A NEW CHAPTER WHICH
NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER
1263 OF TITLE FOUR OF SAID CODE**

THE CITY OF ORDAINS:

Section 1. Addition of Chapter 1263 to Part Twelve Title Four. Chapter 1263,
“Prohibition of Recreational Marihuana Establishments,” is added to Title Four,
“Zoning,” of the Code of Ordinances of the City of Hart to read as follows:

CHAPTER 1263

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS AND
MARIHUANA FACILITIES**

- (A) Marihuana establishments and facilities, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act and the Medical Marihuana Facilities Licensing Act, are prohibited in all zoning districts, and shall not be permitted as home occupations as defined in Chapter 1241.
- (B) No use that constitutes or purports to be a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer and provisioning center, marihuana secure transporter or any other type of marihuana related business authorized by the Act, that was engaged in prior to the enactment of this Ordinance, shall be deemed to have been a legally established use under the provisions of the City Code of Ordinances; that use shall not be entitled to claim legal nonconforming status.
- (C) Violations of this section are subject to the violations and penalties pursuant to Section 1249.99 of Chapter 1242 and may be abated as nuisances
- (D) This section does not supersede rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the City to the extent provided by the Michigan Regulation and Taxation of Marihuana Act.

- (E) Nothing in this Chapter shall limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, and this Chapter does not supersede the rights and regulations under Section 1243.27 of Part Twelve, Title Four

Section {2} Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are repealed.]

Section [3]. Effective Date. This Ordinance shall be effective seven (7) days after the publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart.

Section [4]. Publication. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the City Clerk in The Oceana Herald, a newspaper of general circulation in the City.

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2019

_____, Mayor

_____, Clerk

CERTIFICATION

I, the undersigned duly appointed City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in, a newspaper of general circulation in the City on _____, 2019, and that such ordinance was entered with the Ordinance Book of the City on _____, 201.

Dated _____, 2019

_____, Clerk



City of Hart
407 S. State St.
Hart, MI 49420

RECEIVED
MAR 27 2018
BY *[Signature]*

BOARDS – COMMITTEES - COMMISSIONS
APPLICATION FOR APPOINTMENT - REAPPOINTMENT TO
SERVE ON CITY ADVISORY BOARDS – COMMITTEES - COMMISSIONS

- Power Board
- Water/BioPure Board
- Hart Lake Improvement Board
- Housing Board of Review
- Planning Commission
- Cemetery Board
- Zoning Board of Appeals
- ~~Board of Review - Property Taxes~~
- TIFA

PLEASE CHECK OFF THE BOARDS/COMMITTEES/COMMISSIONS YOU ARE INTERESTED IN SERVING ON.

Name: Gale Goldberg Home Phone: 231-903-7744
 Home Address: 504 Wood
 Employer Address: Unemployed at this time
 Work Phone: _____ Cell Phone: _____
 Email Address: _____

What special experience, education or interest do you have for serving on each of the board(s), committees(s), commissions(s) you selected?

City employee for 22 years

What other board(s), committee(s), and commission do you currently serve on or have served on in the past?

NONE

Gale Goldberg Date: 3-27-2019
Signature

Please return completed application to:

City of Hart
~~Stan Rickard~~, City Manager LYNNE LADNER
407 S. State St.
Hart, Michigan 49420
Fax: 231-873-0100

City use only:

Date of Approval: _____