

City of Hart, Michigan
CITY COUNCIL AGENDA
September 24, 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 September 10, 2019
6. Public Comments, Correspondence, Events, Presentations
7. Department Reports (* written report is in the packet)
 - a. Police*
 - b. BioPure
 - c. Public Works
 - d. Hydroelectric
 - e. Hart Main Street
8. Reports of Boards, Commissions, and Committees (***) Minutes in the packet
 1. Cemetery
 2. DPW
 3. Housing Board of Review
 4. Finance/Personnel***
 5. Fire Board
 6. Historic
 7. Police
 9. Power
 10. Recreation
 11. Parks
 12. Library
 13. Planning***
 14. TIFA
 15. ZBA
 16. Tax Abatement
 17. Water/BioPure
 18. Neglected/Dangerous Properties
 20. Hart Main Street
 21. Hart Lake Board
 22. Election Commission
 23. Starting Block Kitchen Incubator
9. Bills, Claims, Payroll
10. Action Items
 - a. Resolution 19-62 Accept bids for Oceana Dr utility extension
 - b. Ordinance 19-03 Marihuana Prohibitions Ordinance – first reading
11. Discussion Items
12. City Manager Report
13. City Attorney Report
14. Communications from the Mayor and Council
15. Adjournment - Next regular meeting Tuesday, October 8, 2019, 7:30 PM



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
SEPTEMBER 10, 2019, 7:30 P.M.
MINUTES**

PRESENT: Mayor Ron LaPorte, Councilors: Patrice Martin, Vicki Platt, Rob Splane, Joe Frontiera, Jason La Fever, and Steve Hegedus.

ABSENT: None

OTHERS PRESENT: City Manager – Lynne Ladner, Police Chief – Juan Salazar, DPW Superintendent – Brad Whitney, BioPure Superintendent – Paul Cutter 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. La Fever to approve the amended agenda, supported by Ms. Martin. The minutes from August 27, 2019, regular meeting, were approved motioned by Mr. La Fever and supported by Mr. Hegedus. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Brooke Bechtel, 311 E. Main St., approached the Council in regards to a shared interest in the parking lot of the old Walker's Restaurant that the City purchased. She would like to be able to buy the City's portion. This will be further discussed once the sale is completed on the building.
- Aaron Corey, 3911 Meadowbrook Lane, owns the building on the other side of the restaurant and would also be interested in selling it to the City. This also will be taken into consideration once the sale is wrapped up.
- Paul Erickson, local business person, and Fair Board President addressed the Council to thank them again for the City's assistance during Fair Week. The Fair broke records this year both for the City and for the vendors at the Fair. There will be a demo derby on September 28th at 4:30 pm. Many improvements have been made in the way of lighting and handicapped parking with more in the pipeline. Both Hart and Shelby athletic programs benefitted from being parking attendants as each received \$1,200.00 for their assistance.

DEPARTMENT REPORTS:

- BioPure Superintendent, Paul Cutter: No Report
- Police Chief, Juan Salazar:
 - In May of this year, Sgt. Skipski submitted a grant to the DALMAC Association/Tri-County Bicycle Association and was awarded the grant for the amount of \$2,250 to purchase bicycle helmets for children who are unable to buy helmets. In mid-August, we received those helmets; totaling 225 for both children and adults. I would like to again thank the DALMAC Association/Tri-County Bicycle Association for awarding our department the grant.
 - On Tuesday, August 13th, the department took part in the Lakeside Rehab and Family Fitness Center Kids Camp – Safety Day held at John Gurney Park. Sgt.

Skipski instructed 78 children on bicycle safety and held a bicycle rodeo for the children. This is the second year of us participating in the event and has been a great community event to be able to take part in.

- o Just a reminder; on Sunday, September 22nd, will be the Annual TEAM Golf Outing at the Oceana Golf Club in Shelby at 12:30 pm. All funds raised from the golf outing help pay for several trinkets and other items for the students throughout the TEAM program. TEAM: which is taught to the Hart Middle School 5th grade students, is a 12-week long program which includes topics as internet safety, drug awareness, emergency preparation, and active shooter training. The TEAM program has been well received by students and teachers alike.
- DPW Superintendent, Brad Whitney:
 - o The No. Valley Well has parts on order.
 - o Department is continuing to work on the new meters.
 - o A 4" water main was found on Union Street that was not supposed to be there.
 - o SAW grant recommendations are still being addressed.
 - o Storm damage work across the City is being worked on.
 - o The old DPW barn lost 25% of its back wall; it suffered a cave-in.
 - o Cross Connection training is taking place; eventually, all residences will need to be inspected.
- Energy Superintendent, Mike Schiller: Absent
- Mainstreet Manager, Julie Kreilick: Absent

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

- None

BILLS, CLAIMS, PAYROLL:

Bills totaled: \$337,002.72 Payroll totaled: \$61,051.68 Grand Total: \$398,054.40

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

Ayes: 7 Nay: 0 Absent: 0

ACTION ITEMS:

City Manager, Lynne Ladner presented the following:

Memo

To: Mayor and City Council
 From: Lynne Ladner
 Date: 9/6/19
 Re: Purchase of property parcel 020-345-002-00

Gayle Forner brought to the City's attention that the City's Compost pile is encroaching on his property. He has asked that the City either rent, purchase or cease use of the property. When asked by the Council he stated a price request of \$20,000.

To provide the City with the best information, a commercial appraisal was requested and completed by Broersma and Broersma Real Estate Appraisers. Their report is provided, and the conclusion is that the Fair Market Value of the property is \$14,700.

I have provided to the Council a resolution that allows the Council to determine if they choose to purchase the property the amount that they decide to offer. This is not a budgeted expense for FY 2020, so it will require a budget amendment.

Lynne

RESOLUTION 19-58
City Council
City of Hart, Michigan Oceana County

PURCHASE OF PROPERTY PARCEL 64-020-345-002-00

WHEREAS, the City of Hart has operations that currently encroach on the neighboring parcel which is currently owned by Gayle Forner; and

WHEREAS, the property owner has requested that the City either purchase the property on which the encroachment exists or vacate the use; and

WHEREAS, the city has done their due diligence regarding the market value of the property in question having hired Broersma & Broersma Real Estate Appraisers:
NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:

Accepts the appraisal value submitted by Broersma & Broersma Real Estate Appraisers of \$14,700 and

Authorizes the City Manager to offer Gayle Forner \$ 15,000 for parcel 64-020-345-002-00. If accepted, the City Council authorizes the City Manager to sign all necessary documents related to the purchase and transfer of title for the parcel.

Moved by Martin, supported by LaFever, and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, September 10, 2019.

Ayes 6 Nays 1 (Splane) 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

Memo
To: Mayor and City Council
From: Lynne Ladner
Date: 9/6/19
Re: Road Paving in John Gurney Park

The City is under a requirement from FERC to complete recreation improvements as part of our hydroelectric dam. Most recently in June, the City received a letter containing deadlines for specific projects that had been submitted which includes the completion of paving the roads in John Gurney

Park. I have had a conversation with Katelyn Wysoki from EGLE, and she has assured me that there will not be issues with the ACO if the City were to complete this project. Bids have been solicited, and there are two portions of the project. Hallack Contracting in the amount of \$48,489 for Katheryn St and East Park Rd and \$104,721 for inside John Gurney Park, and from Asphalt Paving Inc in the amount of \$51,972.00 for Katheryn St and East Park Rd and \$109,340.00 for inside John Gurney Park. The total for the low bidder Hallack Contracting for both portions of the project is \$153,219. I have provided a resolution to the Council that allows you to determine which portions you are interested in completing and fill in the cost of the project.

Lynne

RESOLUTION 19-59
City Council
City of Hart, Michigan Oceana County

ACCEPT BIDS AND AUTHORIZE PAVING OF ROADS IN JOHN GURNEY PARK

WHEREAS, the City of Hart owns and operates John Gurney Park including the campground, parking areas beach area and boat launch; and

WHEREAS, the City submitted to the Federal Energy Regulatory Commission (FERC) in 2014 a recreation improvements plan in compliance with the licensing for operation of the hydroelectric dam which included improvements to the park; and

WHEREAS, FERC has submitted a compliance deadline to the City for the completion of specific aspects of the park which includes the paving of the roads in John Gurney Park by the December 31, 2019, and

WHEREAS, The City has solicited bids for the completion of the work and received bids from Hallack Contracting in the amount of \$48,489 for Katheryn St and East Park Rd and \$104,721 for inside John Gurney Park, and from Asphalt Paving Inc in the amount of \$51,972.00 for Katheryn St and East Park Rd and \$109,340.00 for inside John Gurney Park

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:

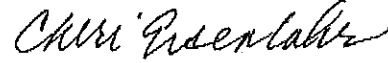
Accepts the bids from Hallack Contracting as the low bidder on the project and authorizes proceeding with the Katheryn/East Park St and John Gurney Park segment(s) at a total cost of \$153,219.00, and

Authorizes the City Manager to sign all necessary documents and contracts for the project.

Moved by Mr. Splane, supported by Mr. La Fever, and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, September 10, 2019.

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

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 9/6/19
Re: Traffic Control Order #324

In May the City adopted a temporary traffic control order prohibiting parking on Griswold St from Polk St to Wood St. The temporary order was necessary until we had a traffic engineer review the situation and provide their analysis. We have received that information from our engineers and Resolution 19-60 adopts Traffic Control Order #324 as a permanent prohibition on parking in that area. Its is my recommendation that the Council adopt Resolution 19-60
Lynne

RESOLUTION 19-60
City Council
City of Hart, Michigan
Oceana County

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

WHEREAS, The City of Hart Police Department have 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 radii;;

THEREFORE, BE IT RESOLVED, that the City of Hart adopts Traffic Control Order #324 Prohibiting Parking on Griswold Street between Polk Road and Wood Street.

Moved by Ms. Martin, supported by Ms. Platt, and thereafter adopted at the regular City of Hart City Council meeting on September 10, 2019.

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

RESOLUTION 19-61
City of Hart, Michigan

HALLOWEEN TRICK OR TREAT HOURS

WHEREAS, the City of Hart deems it is in the best interests of the City to set hours for Halloween,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Sets Halloween hours for Thursday, October 31, 2019 between the hours of 6PM and 8PM.

Moved by Mr. Hegedus, supported by Ms. Martin, and thereafter adopted at the regular City of Hart City Council meeting on September 10, 2019.

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

SPECIAL EVENTS PERMIT:

- Amended Special Event Permit for Suicide Awareness Walk to include a bake sale at the Hart Commons at the end of the walk.
 - Ms. Martin made a motion to approve, supported by Ms. Platt, all ayes, the motion carried.

DISCUSSION ITEMS:

- Golf Carts and ORV's on City Streets:

To: Mayor and City Council
 From: Lynne Ladner
 Date: 9/6/19
 Re: Golf Carts and ORV's

The City has received a request to consider an ordinance and resolution that permits the operation of Golf Carts and ORV's (off-road vehicles) on City Streets. This is part of an overall movement Countywide to permit these vehicles to boost economic development driven by tourism.

I have attached the documents that were provided to me. This item is for discussion only to see how the Council feels and if we were to move forward with a resolution and ordinance for this matter.

Lynne

- This item will be discussed in-depth with the City Attorney before any decision is rendered.

- Updated Pocket Park Design

Memo

To: Mayor and City Council
 From: Lynne Ladner
 Date: 9/6/19
 Re: Updated Pocket Park Drawings

Following the review of the Pocket Park plans and renderings by the State Historic Preservation Office members of the Main Street Board, MEDC, MiSHDA, and SHPO held a conference call to go over their concerns that SHPO had with the plans for the park. The result which meets the goals of the City to beautify the currently vacant lot and create a welcoming park in the downtown area while understanding and complying with the limitations placed by SHPO.

The proposed rendering is provided for review and approval to move forward obtain an updated cost estimate and move forward with the project.

Lynne

CITY MANAGER REPORT:

- Ms. Ladner advised that in regards to the "found" water main on Union Street, that it was going to involve search and discovery to locate the shutoff valves.

CITY ATTORNEY'S REPORT:

- None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Appointment of Compensation Committee Members:
 - Mayor LaPorte announced that Jack Witman, Harold Schaner, Ed Lukonic, Clancy Aerts and Bill Volpp would be on the committee with Fred Rybarz as an alternate.
 - Ms. Martin asked if the Fairgrounds changes had been committed to, and was advised that no commitment had been made and that this project would be presented to the Parks and Recreation Committee.
 - Mayor LaPorte reported that an elderly individual had taken a fall downtown and that she was assisted quickly back to her feet by caring persons.

There being no further business to come before the Council, the meeting adjourned at 8:41 p.m., upon motion by Ms. Martin and supported by Ms. Platt. The next regular meeting is September 24, 2019, at 7:30 p.m.

Respectfully Submitted

Cheri Greenblatt

Deputy City Clerk



CITY OF HART – ENERGY DEPARTMENT
POWER BOARD @ CITY HALL
 407 STATE STREET, HART, MICHIGAN
 MONDAY, SEPTEMBER 9, 2019
 8:00 AM – MINUTES

Present: Chair, Mike Powers, Members: Gayle Forner, Nick Wadel, Steve Bruch, Jason La Fever and Joe Frontiera

Absent: Mayor La Porte

Others present: City Manager – Lynne Ladner, Deputy Clerk - Cheri Eisenlohr, and Hydro Superintendent - Mike Schiller, resident – Bill Volpp

Chair Mike Powers, called the meeting to order at 9:00 am.

No motion was made to approve the current agenda. Mr. Frontiera made a motion to accept the minutes from the July 1, 2019 meeting, Mr. La Fever supported, all ayes, the motions carried.

Public Comment: None

MPPA and MMEA: None

ELGL: None

MPSC: None

MDNR: None

FERC: None

City Manager Report:

- Lynne Ladner reported on the following items:
 - Chippewa Creek Culvert
 - The public notice has gone out.
 - Rate Study
 - The data is being finalized; the report should be finished by the end of the month.
 - Recreation Improvements
 - There is a conflict between FERC and the ACO regarding impermeable pavement; the State will honor FERC.
 - The bidding process for John Gurney Park is in the works.
 - A letter was received about the UAA. It stated that a UAA is only permitted in wetlands. It would require new legislation to change the parameters. Ms. Ladner will be contacting Van Singel and Bumstead to lend their voices for this change.

Superintendents Report:

- Mike Schiller spoke about the following topics:
 - New poles are being installed along Tyler, east of 88th Ave.
 - Lawson-Fisher along with Prein & Newhof are addressing the rip-rap at the Dam. A design is needed.
 - Power will be run to the new Adams location on Oceana Drive by coming off the north circuit. Undergrounding may be an option as well.
 - 360 digital meters have been installed to date.
 - The new smaller bucket truck has arrived.
 - DuBois tree service will be returning to the area in 1-2 weeks.
 - Engines 1 & 3 were started up at the Diesel plant with no significant issues. Employee training has been taking place.
 - One new meter was installed at John Gurney Park to take the place of the existing ones that are there now.
 - The recent storm caused drainage issues at the diesel plant. The storm sewer has been cleaned out.
 - The downtown outages were caused by a burnt wire along Johnson St., in the underground system. It will be analyzed. The longest that power was out was 2 hours at the school; most had power back in one hour.

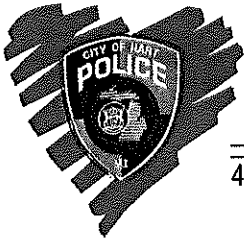
- Drain Commission, Michelle Martin, was going to talk to the County about the wash-outs near the dam on Harrison Road.
- The bent wastegates at the dam have been replaced.

Comments from the Power Board:

- Discussions took place as to when to have the next meeting as both Ms. Ladner and Mr. Schiller would be out of town in October.

Adjournment: Meeting adjourned at 8:35 am.

Next Meeting: Wednesday, November 6, 2019, at 8:00 am



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: September 24th, 2019

RECENT EVENTS

From Thursday, August 5th, 2019, through Monday, September 16th, 2019, the Hart Police Department received 65 complaints ranging from Suspicious Situations, Medical Assists, Peacekeepings, Assist to Other Agencies, Property Damage Accidents, Disorderly Conducts, Larcenies, Assault & Batteries, Vehicle Violations, Stalking Complaints, Criminal Sexual Conducts, Noise Complaints, Threat / Harassment Complaints, Well-Being Checks, Animal Complaints, Truancies, Reckless Drivings, Fraud Complaints and a Malicious Destruction of Property.

On Thursday, September 5th, 2019, the Hart Police Department was dispatched to the 700 block of East Main Street in reference to a stalking complaint. A 31-year-old Hart woman was approached by an individual in regards to a 26-year-old Baldwin man attempting to locate in what building/apartment the woman resided. The man was located and later arrested for an outstanding warrant for his arrest out of Wexford County. A report will be submitted to the Oceana County Prosecutor's Office in reference to Stalking.

On Thursday, September 5th, 2019, the Hart Police Department was dispatched to the area of Lincoln Street near State Street in regarding a male individual in the area, possibly intoxicated. Officers arrived on scene and noted a 49-year-old Hart man consuming alcohol directly in the middle of the roadway. The man was subsequently arrested for disorderly conduct. Due to the man's intoxicated state, the man was first transported to Mercy Health Lakeshore Hospital for medical clearance. The man was then lodged at the Oceana County Jail.

On Friday, September 6th, 2019, the Hart Police Department initiated a traffic stop on Oceana Drive near East Main Street regarding defective equipment. A 33-year-old Ludington man was arrested and lodged at the Oceana County Jail for Driving While License Suspended.

On Saturday, September 7th, 2019, the Hart Police Department initiated a traffic stop on Dryden Street near Polk Road regarding a vehicle violation. A 37-year-old Mears man was arrested and lodged at the Oceana County Jail for Driving While License Suspended 2nd of Subsequent Offence and Operating a Motor Vehicle without Insurance.

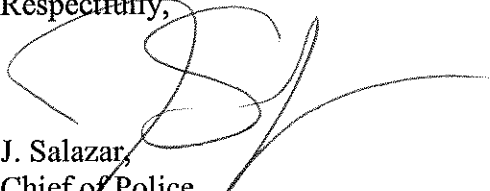
On Sunday, September 8th, 2019, the Hart Police Department was dispatched to the 20 block of Orchard Street in regards to a disturbance. An intoxicated 36-year-old Bartlett, Texas man was being restrained by family members due to causing a disturbance; yelling profanities at other family members within the home. Members of the family were noted restraining the man as the officer arrived on scene. The man was arrested and lodged at the Oceana County Jail for Disorderly Conduct.

On Monday, September 9th, 2019, the Hart Police Department was dispatched to Mercy Health Lakeshore Hospital in Shelby in regarding an assault and battery which had occurred at the Hart Park-N-Ride within the City of Hart. A 36-year-old Shelby man stated he had stopped in the area to smoke a cigarette when approximately 2-3 individuals, unknown to the man, came from behind him and began to assault him. The man managed to get back in his vehicle and leave the area but later realized his wallet and cell phone had been stolen. The man had apparent facial injuries due to this incident. An investigation is ongoing.

On Friday, September 13th, 2019, the Hart Police Department was dispatched to the 300 block of Johnson Street in reference to a Criminal Sexual Conduct complaint. A 14-year-old juvenile disclosed to officer she had been sexually assaulted 10 years ago; while she was 4-years-old. An investigation is ongoing.

On Friday, September 13th, 2019, the Hart Police Department initiated a traffic stop on Polk Road near 72nd Avenue referencing a vehicle violation. A 29-year-old Hart woman was arrested and lodged at the Oceana County Jail for Operating a Motor Vehicle without a License.

Respectfully,


J. Salazar,
Chief of Police

Payables Date: 9/24/19	Description	Total	General +	DPW	Energy	BPTF	Water
Anderson, Shawn	Training Expenses	\$ 27.90	\$ 27.90				
Brickley DeLong	Accounting Assistance	\$ 2,350.00	\$ 587.50		\$ 587.50	\$ 587.50	\$ 587.50
Charter	Starting Block Phone	\$ 149.97			\$ 149.97		
Charter	Hart Commons	\$ 104.99			\$ 104.99		
Consumers Energy	Utilities	\$ 112.30			\$ 112.30		
Freed Management	JGP Mgmt Fee	\$ 3,570.00	\$ 3,750.00				
Frontier	Dam #1	\$ 102.89			\$ 102.89		
Gray & Co.	Energy Efficiency Incentive	\$ 12,880.61			\$ 12,880.61		
Guardian	Oct. Ins. Prem.	\$ 1,019.15	\$ 331.19	\$ 138.42	\$ 342.59	\$ 155.91	\$ 51.04
Hart Cemetery Commission	Summer Taxes	\$ 3,590.97	\$ 3,590.97				
Jons to Go	Portable Restrooms	\$ 210.00			\$ 210.00		
Kendall Electric	Parts/Supplies	\$ 149.61			\$ 149.61		
Ladner, Lynne	Re-imburse Travel Expense	\$ 161.24	\$ 161.24				
Lawson-Fisher	DSSMR & Annual Impoundment Report	\$ 464.30			\$ 464.30		
Lawson-Fisher	MI-2019 Licensing Requirements - Dam	\$ 5,950.27			\$ 5,950.27		
LEAF	Police Copier Fee	\$ 39.00	\$ 39.00				
MHP	Drug Screening	\$ 14.00	\$ 14.00				
Michigan Municipal League	Audit Results - Additional billing	\$ 2,457.00	\$ 1,007.37		\$ 909.09	\$ 417.69	\$ 122.85
Michigan Section American Water	Cross Connection Seminar	\$ 170.00		\$ 170.00			
MMEA	Membership Dues - Cutter	\$ 75.00					\$ 75.00
MPPA	Purchased Power	\$ 139,978.15			\$ 139,978.15		
NYE Uniform	Duty Belt - Credit Memo	\$ (49.50)	\$ (49.50)				
NYE Uniform	Pants w/stripes	\$ 69.50	\$ 69.50				
Office Machines	Police Copy Overage Fees	\$ 24.13	\$ 24.13				
Power Line Supply	Parts/Supplies	\$ 5,302.26			\$ 5,302.26		
Pranger Property Mgmt	Cleaning Services	\$ 168.00	\$ 168.00				
Quill	Office Supplies	\$ 341.94	\$ 341.94				
Quill	Office Supplies	\$ 326.90	\$ 326.90				
Quill	Coatstand	\$ 60.99	\$ 60.99				
Quill	Calendars	\$ 69.46	\$ 69.46				
Verizon Connect	GPS Units	\$ 229.50	\$ 40.50	\$ 94.50	\$ 54.00	\$ 40.50	
Windridge	T-Shirts - Code Enforcement Officer	\$ 32.25	\$ 32.25				
		\$ -					
	Subtotal	\$ 180,152.78	\$ 10,593.34	\$ 402.92	\$ 167,298.53	\$ 1,201.60	\$ 836.39
Additional Bills		\$ -					
		\$ -					
	Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Subtotal Reg and Additional	\$ 180,152.78					
HAND CHECKS							
Alerus - ACH	City Share 401 Retirement	\$ 3,200.35	\$ 3,200.35				
US Postmaster	Postage Utility Bills	\$ -					
Michigan Mun. Risk Mgmt Auth.	Liability Insurance	\$ 18,779.25	\$ 6,197.15		\$ 8,075.08	\$ 3,004.68	\$ 1,502.34
		\$ -					
		\$ -					
	TOTAL HAND CHECKS	\$ 21,979.60	\$ 9,397.50	\$ -	\$ 8,075.08	\$ 3,004.68	\$ 1,502.34
	Sub-Total Regular Bills/Additional Bills/Hand Checks	\$ 202,132.38	\$ 19,990.84	\$ 402.92	\$ 175,373.61	\$ 4,206.28	\$ 2,338.73
Gross Payroll	466						
	Sub-Total	\$ -					
	GRAND TOTAL	\$ 202,132.38	\$ 19,990.84	\$ 402.92	\$ 175,373.61	\$ 4,206.28	\$ 2,338.73

PAYROLL AMOUNTS					
09/19/19					
Pay 467		GROSS PAY	OVERTIME	ETO	BASE PAY
Employee Code	Dept.		PAY	BUYBACK	
FULL-TIME					
MGR.	MSM	\$7,134.75	\$0.00	-\$5,519.54	\$1,615.21
DPW1	DPW	\$2,275.50	-\$110.70	\$0.00	\$2,164.80
DPW2	DPW	\$2,275.50	-\$110.70	\$0.00	\$2,164.80
DPW3	DPW	\$2,113.36	-\$112.56	\$0.00	\$2,000.80
DPWS	DPW	\$2,376.80	\$0.00	\$0.00	\$2,376.80
ENERGY1	Energy	\$3,626.00	-\$176.40	\$0.00	\$3,449.60
ENERGY2	Energy	\$3,136.00	\$0.00	\$0.00	\$3,136.00
ENERGYS	Energy	\$3,765.60	\$0.00	\$0.00	\$3,765.60
ENERGY3	Energy	\$2,963.73	\$0.00	\$0.00	\$2,963.73
ENERGY4	Energy	\$2,628.81	-\$140.01	\$0.00	\$2,488.80
ENERGY5	Energy	\$2,682.84	-\$371.08	\$0.00	\$2,311.76
DCC	Office	\$1,556.00	\$0.00	\$0.00	\$1,556.00
MGR.	Office	\$3,552.00	\$0.00	\$0.00	\$3,552.00
CC	Office	\$1,968.80	\$0.00	\$0.00	\$1,968.80
DCC	Office	\$1,381.60	\$0.00	\$0.00	\$1,381.60
PO	Police	\$2,307.36	\$0.00	\$0.00	\$2,307.36
PO	Police	\$3,329.94	-\$1,022.58	\$0.00	\$2,307.36
PO	Police	\$2,667.94	-\$649.00	\$0.00	\$2,018.94
PC	Police	\$2,463.20	\$0.00	\$0.00	\$2,463.20
DS	Police	\$2,369.84	\$0.00	\$0.00	\$2,369.84
BIOS	WW	\$2,816.00	\$0.00	\$0.00	\$2,816.00
BIOS	WW	\$2,226.30	-\$258.30	\$0.00	\$1,968.00
BIOS	WW	\$2,350.96	-\$150.08	\$0.00	\$2,200.88
TOTAL		\$63,968.83	-\$3,101.41	-\$5,519.54	\$55,347.88
COUNCIL					
CC1		\$180.00	\$0.00	\$0.00	\$180.00
CC2		\$180.00	\$0.00	\$0.00	\$180.00
CC3		\$180.00	\$0.00	\$0.00	\$180.00
CC4		\$300.00	\$0.00	\$0.00	\$300.00
CC5		\$180.00	\$0.00	\$0.00	\$180.00
CC6		\$180.00	\$0.00	\$0.00	\$180.00
CC7		\$180.00	\$0.00	\$0.00	\$180.00
TOTAL		\$1,380.00	\$0.00	\$0.00	\$1,380.00
PART-TIME					
MGR.	HHD	\$797.50	\$0.00	\$0.00	\$797.50
EW	Office	\$0.00	\$0.00	\$0.00	\$0.00
CEO	Office	\$162.50	\$0.00	\$0.00	\$0.00
PPO	POL-PT	\$345.00	\$0.00	\$0.00	\$345.00
PPO	POL-Pt	\$720.00	\$0.00	\$0.00	\$0.00
TOTAL		\$2,025.00	\$0.00	\$0.00	\$1,142.50
TOTAL PAYROLL		\$67,373.83	-\$3,101.41	-\$5,519.54	\$57,870.38

OVERTIME HOURS WORKED										Item 9
Pay Period 8/30/19 - 9/12/19	Pay 467	PAID HOURS			Call-Out	Pay Date 9/19/19				
EMPLOYEE NAME	DEPT.	DATES WORKED	1.5x	2x	2.25x	Sched.	REASON			
Chris Kies	BPTF	8/31 9/1,5	4	2.25		S	Lab/Irrigation - Work on new Police Office			
Frank Lloyd	BPTF	9/4,5	4			S	Work on new Police Office			
Jason Riggs	DPW	9/5/2019	3			S	Work on new Police Office			
Mike Eisenlohr	DPW	9/5/2019	3.00			S	Work on new Police Office			
Matt Adams	DPW	9/5/2019	3.00			S	Work at the Shop			
Terry Birkman	Energy	9/5/2019	3.00			S	Work on new Police Office			
Andy Van Zoeren	Energy	9/2,7,8	2.75	5.00		S	Lab/Irrigation			
Nathan Gowell	Energy									
Jed Van Dyke	Energy	9/5/2019	3.00				Work on new Police Office			
Scott Van Agtmael	Energy									
Shawn Anderson	Police									
Brian Hintz	Police	9/5,8,10	26.00			S	Cover Shifts, Court			
Kevin Skipski	Police									
Joe Ingalls	Police	9/2/2019			11	S	Worked Holiday			
Elizabeth Mantyck (PT)	Police									
David Malotke (PT)	Police	9/2, 11	10.00			S	Worked Holiday			

Memo

To: Mayor and City Council
From: Lynne Ladner
cc:
Date: 9/20/19
Re: Utility Extension on Ocean

The Energy department has solicited a bid from the only qualified local contractor for directional boring services to complete an extension of service south of Tyler Rd on Oceana Dr for a new business. The extension will also provide a connection/tie line location for future work to connect with the electrical circuit on Polk Rd.

I am advising that the Council waive the bidding process for this project as there is only a single qualified bidder in the area and the Energy department has worked successfully with this contractor in the past.

It is my recommendation that the Council adopt Resolution 19-62 Accept bid for Oceana Dr Utility Extension.

Lynne

GUSTAFSON HDD L.L.C.
8793 N. 72ND AVENUE
PENTWATER, MI 49449
231-425-0388
gustafsonhdd@yahoo.com
www.gustafsonhdd.com

Estimate

ADDRESS

Mike Schillinger
407 S State St
Hart, MI 49420

ESTIMATE # 1063

DATE 08/21/2019

*Oceana Drive Project for new business
& future tie point.*

DATE	DESCRIPTION	QTY	RATE	AMOUNT
08/21/2019	Directional bore 3-2" pipes	1,000	14.00	14,000.00
08/21/2019	Directional Boring 2" pipe	300	10.00	3,000.00
08/21/2019	Labor/ Fusing	4	125.00	500.00
08/21/2019	Vacuum Truck	2	1,000.00	2,000.00
08/21/2019	@ Oceana DR			

TOTAL

\$19,500.00

Accepted By

Accepted Date

RESOLUTION 19-62
City of Hart, Michigan

ACCEPT BID FOR OCEANA DR UTILITY EXTENSION

WHEREAS, the City of Hart owns and operates a Municipal Electric Utility servicing customers in and around the City in a designated area; and

WHEREAS, a request has been submitted to the Electric Utility for the extension of service to a new business going on Oceana Drive South Tyler Rd and this extension will allow for a future connection/tie line with the circuit at Polk Rd.

WHEREAS, the City requested bids for boring service for the project to go under Oceana Drive from Gustafson HDD as the only local contractor, a was received from Gustafson HDD LLC for the project in the amount of \$19,500.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Waives the requirement for three bids and accepts and awards the bid from Gustafson HDD LLC for directional boring services for the Oceana Dr utility extension project in the amount of \$19,500

Authorizes the City Manager to sign any necessary paperwork

Moved by _____, supported by _____, and thereafter adopted at the regular City of Hart City Council meeting on September 24, 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: 9/20/19
Re: Marihuana Prohibitions Ordinance

As the Council is aware the City Attorney has reviewed all the previously adopted ordinances related to Medical and Recreational Marihuana. This is the first reading of an ordinance that will simplify those previous ordinances to make them more easily understood and enforced.

Unless there are any questions or concerns it is my recommendation that the Council acknowledge the first reading of Ordinance 19-03 Marihuana Prohibitions Ordinance.

Lynne

CITY OF HART

COUNTY OF OCEANA, MICHIGAN

At a regular meeting of the City Council of the City of Hart, held at the City Hall, 407 State Street, within the City, on the ____ day of _____, 2019, at ____ p.m.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and ordinance were offered by Member _____ and supported by Member _____:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF HART BY DELETING THE PROVISIONS OF ORDINANCE NO. 18-06 AND ORDINANCE NO. 18-07 AND REPLACING THOSE PROVISIONS WITH THE FOLLOWING PROVISIONS WHICH SHALL NOW COMPRISE ALL OF CHAPTER 818 TO PART 8 – THE BUSINESS REGULATION AND TAXATION CODE, TITLE II

THE CITY OF HART ORDAINS:

Section 1. **Repeal of Ordinances 18-06 and 18-07.** Ordinances 18-06 and 18-07, intended to create Chapter 818 “Prohibition of Marihuana Establishments” and to add to the City ordinances prohibitions on sale and consumption of marihuana in public places, and to amend Part 10, Title VI, Chapter 1068 “Prohibitions on Sale and Consumption of Marihuana in Public Places” are hereby repealed and replaced in their entirety by the following provisions, which shall be included in Part 8 Business Regulation and Taxation Code. The provisions shall comprise Chapter 818 and shall read in their entirety as follows:

CHAPTER 818 REGULATION OF MARIHUANA BUSINESSES, SALE, POSSESSION AND CONSUMPTION

818.01 Prohibition on Recreational Marihuana Establishments. Any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, are completely prohibited in the City and may not be established or operated in any zoning district, by any means, including by way of a variance. The City of Hart has determined

that the licensing of marihuana facilities or establishments within the City should not be permitted for policy reasons, including public safety, law enforcement concerns and the limited amount of appropriately zoned space for certain of these facilities and establishments. Pursuant to this ordinance, the City specifically prohibits, and does not in any way authorize, the issuance of licenses authorizing State-licensed marihuana facilities or establishments to locate and operate within the City. This prohibition shall also include all marihuana establishment licenses and activities established by rules promulgated under the Initiated Law 1 or associated statutes. The Zoning Board of Appeals shall not have jurisdiction to consider a use variance that would allow the licensing or operation of a marihuana establishment.

- 818.02 **Medical Marihuana Facilities Prohibited.** Public Act 281 of 2016 provided for State licensing of certain defined marihuana facilities, including growers, processors, provisioning centers, safety compliance facilities and secure transporters (“marihuana facilities”). Section 205 of Act 281 provides that a marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility. Pursuant to this ordinance, the City specifically prohibits, and does not in any way authorize, the issuance of licenses authorizing State-licensed marihuana facilities or establishments to locate and operate within the City. This prohibition shall also include all marihuana establishment licenses and activities established by rules promulgated under the Initiated Law 1 or associated statutes. The Zoning Board of Appeals shall not have jurisdiction to consider a use variance that would allow the licensing or operation of a marihuana facility, and unless this ordinance is amended, nothing in the ordinances of the City of Hart shall be construed as satisfying the requirement in Section MCL 333.27205(1)(a), which requires that prior to issuance of a license, a copy of the local ordinance authorizing a marihuana facility be submitted to the State of Michigan.
- 818.03 **Medical Marihuana Rights not Affected.** Nothing in this Chapter shall limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq.*
- 818.04 **Transportation and Other Rights not Affected.** This section shall not limit or supersede any privileges, rights, immunities or defenses of a person to transport marihuana into or through the City to the extent such right is protected by the Michigan Regulation and Taxation of Marihuana Act or other state laws, nor does it supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies or operates such property, as provided in and authorized by the Act. This ordinance does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.
- 818.05 **Use or Possession of Marihuana on City Property is Prohibited.** No person shall possess, use, be impaired by or distribute marihuana on City property.
- 818.06 **Prohibition on Sale and Consumption of Marihuana in Public Places.** In conformance with Sections 4.1(e) and 6.2(b) of the Michigan Regulation and Taxation of Marihuana Act, the sale, possession or consumption of marihuana in any form, the smoking of

marihuana, and the sale or display of marihuana accessories, as defined by the Act, is prohibited in any public place within the boundaries of the City.

818.07 **Municipal Civil Infraction.** Any person who violates any of the provisions of this Chapter 818 shall be responsible for a municipal civil infraction punishable by a civil fine of \$500, plus court-imposed costs.

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

Section 3. **Publication; Effective Date.** This ordinance shall become effective ten (10) days after its publication or ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart.

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2019. _____
Ron LaPorte, Mayor

Cheryl Rabe, City Clerk
City of Hart

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 the *Oceana's Herald-Journal*, 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. _____
Cheryl Rabe, City Clerk
City of Hart

CITY OF HART, OCEANA COUNTY, MICHIGAN

Councilmember _____, supported by Councilmember _____, moved the adoption of the ordinance.

Ayes: _____ Nays: _____ Absent: _____

First reading: _____, 2019

Second reading: _____, 2019

Ordinance becomes effective: _____, 2019