



**CITY OF HART  
407 S. STATE ST.  
HART, MI 49420  
COUNCIL PROCEEDINGS  
JANUARY 22, 2019, 7:30 P.M.**

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

**ABSENT:** None

**OTHERS PRESENT:** City Manager – Lynne Ladner, City Attorney – Julie Springstead, Energy Department Superintendent – Mike Schiller, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Hart Main Street Manager – Julie Kreilick and Deputy 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 first amended agenda and supported by Ms. Martin. The minutes from January 8, 2019, regular meeting, were approved with corrections motioned by Mr. Frontiera and supported by Ms. Platt. All ayes, both motions were carried.

- ▶ Corrections are:
  - Please see attached corrected minutes.

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

- ▶ None

**DEPARTMENT REPORTS:**

- ▶ BioPure Superintendent, Paul Cutter: No comments - provided a written report.
- ▶ Police Chief, Juan Salazar:
  - On January 21, the 2014 Ford Interceptor sedan was placed up for auction using the Mitten Surplus website. February 4 is the final date for bidding.
  - In December of 2018, Officer Hintz attended a week-long FTO training program. Officer Hintz did well and will now train other officers.
  - Part-time Officer David Molotke was hired and began his FTO with Officer Hintz.
- ▶ DPW Superintendent, Brad Whitney:
  - Picking up Christmas trees from around the City.
  - Plowing streets.
  - Checking on frozen water services.
  - Reading Meters.
  - Vehicle Maintenance.
  - Electrical repairs within the DPW building.
  - Four Miss Digs in the last two weeks.
- ▶ Energy Superintendent – Mike Schiller:
  - DuBois tree service is back in the area working on trees.
  - Underground dam circuit is terminated and energized.
    - Distribution circuit is being worked on and should be done soon.
    - Taking down old lines and poles in the area.
  - The recent power outage was due to Consumers Electric – they lost transmission.

- An overview/training was given on the Terex digger-derrick truck by a Terex field man.
- A pole has been installed using the new truck.
- Fifty new LED lamps have been installed at the Starting Block.
- Mr. Schiller stated that the employee potluck was a success and thanked Ms. Ladner.
- ▶ Mainstreet Manager, Julie Kreilick:
  - MEDC is promoting a program for the downtown area to renovate upper story rental apartments.
    - Stevens’s property is being looked at for this project.
  - Match on Main program is to encourage entrepreneurship for current/new business for the downtown area, a 10% match for up to \$25,000.00 in funding.
  - MEDC and the pocket park are moving forward. Ms. Ladner is taking part in the project.
  - Mainstreet also reapplied for the MACA grant, which will pay for the Music on the Commons events.
    - Tracey Lipps has the “Music on the Commons” season already booked.
  - Winter Fest has great energy for the downtown.
    - There will be no alcohol served at this event this year.
    - There are ten entries for the Soup R’ Bowl event.
    - The State Street Mile race.

**REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:**

None

**BILLS, CLAIMS, PAYROLL:**

Ms. Ladner pointed out the following invoices to the attention of the Council:

\$3,401.40 – Hart Cemetery Commission

\$1,127.00 – Medler Electric

\$256,465.00 - Terex

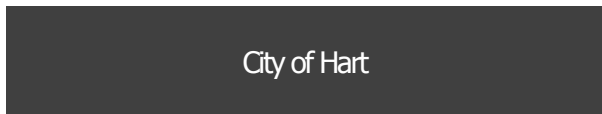
Bills totaled: \$555,170.75 Payroll totaled: \$54,862.64 Grand Total: \$610,033.39

A motion was made by Mr. Splane and supported by Mr. La Fever 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

Mayor and City Council

To:

From: Lynne Ladner

Date: 01-18-19

Re: Credit Card Policy/Procedure

As noted in the FY2018 financial audit the City is in need of adopting an updated, revised personnel policy regarding the use of credit cards issued to and used for the most efficient method of making small dollar purchases.

The proposed policy was provided to the Finance and Personnel Committee and to the City Council for review at the January 8, 2019 council meeting.

It is my recommendation that the City adopt Resolution 19-04 Credit Card Policy/Procedures as revised in January 2019

Lynne

**RESOLUTION 19-04**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

***ADOPT CITY OF HART CREDIT CARD POLICY/PROCEDURE***

WHEREAS, the City of Hart to promote operational efficiency has adopted a credit card program for use with small dollar value purchases; and

WHEREAS, the FY18 audit noted that the City needed to update their Credit Card use policy to adhere to current banking and auditing requirements; the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Adopts the City of Hart Credit Card Policy and Procedure as revised in January 2019.*

*Authorizes the distribution and documentation of the new policy to all employees.*

Moved by Mr. Splane, supported by Mr. Frontiera, and thereafter adopted at the regular City of Hart City Council meeting on January 22, 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



To: Mayor and City Council  
 From: Lynne Ladner  
 Date: 01-18-19  
 Re: Adopt City Drug and Controlled Substance Employee Policy

With the legalization of recreational marihuana in the State of Michigan, it is necessary to revise and update the City’s Drug and Controlled Substance Policy. The policy adopts a zero-tolerance platform regarding the use of substances whose use has the ability to impair employee’s ability to perform on the job.

The proposed policy was provided to the Finance and Personnel Committee and to the City Council for review at the January 8, 2019 council meeting.

It is my recommendation that the City adopt Resolution 19-05 Drug and Controlled Substance-Free Workplace Policy as revised in January 2019

Lynne

**RESOLUTION 19-05**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

***Adopt City Drug and Controlled Substance Employee Policy***

WHEREAS, the City of Hart to promote operational efficiency has adopted a Drug and Controlled Substance Policy; and

WHEREAS, recent changes regarding the use of recreational marihuana necessitates that the policy be updated to address changes related to Federally Controlled Substances designated to be lawful in the State of Michigan:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Adopts the City of Hart Drug and Controlled Substance Employee Policy as revised in January 2019.*

*Authorizes the distribution and documentation of the new policy to all employees.*

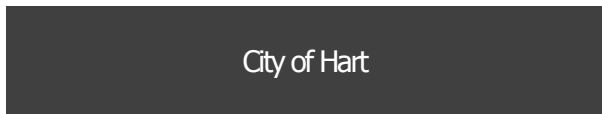
Moved by Mr. Splane, supported by Ms. Platt, and thereafter adopted at the regular City of Hart City Council meeting on January 22, 2019.

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: 01-18-19  
Re: Dam Waste Gate Motor

Following the 2018 inspection of the Hydroelectric Dam the need to purchase new wastegate motors for the control of the wastegates used for identifying high water levels and providing relief for the system through the release of excess high water levels.

The existing waste gates require compatible replacement motors to ensure the safe and efficient operation of the wastegates. This necessitates a single source supply for these items and waiver of the bidding process. The wastegate parts are proposed to be supplied by Swanson Flo for two Limitorques MXA-40 conversion kits in the amount of \$3,028 and two Limitorque MX wastegates with cover and recessed knobs in the amount of \$816 for a total project cost of \$4,744.

It is my recommendation that the City adopt Resolution 19-06 Purchase of Dam Waste Gate motors and conversion kits in the amount of \$4,744.

Lynne

**RESOLUTION 19-06**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

***Purchase of Dam Waste Gate motors and conversion kits***

WHEREAS, the City of Hart owns, operates and maintains a hydroelectric dam for the generation of electricity; and

WHEREAS, the FY2018 inspection of the dam concluded a necessity to replace the wastegate motors for both wastegates:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Authorize the purchase of the Limitorque wastegates with cover and recessed knobs for \$3,928 and the purchase of the Limitorque conversion kits for \$816 with a total project cost of \$4,744.*

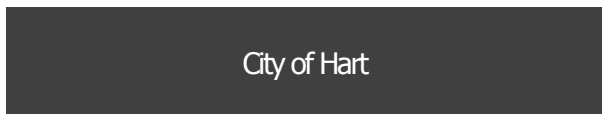
Moved by Mr. La Fever, supported by Ms. Martin, and thereafter adopted at the regular City of Hart City Council meeting on January 22, 2019.

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: 01-18-19  
Re: Aeration Membrane Replacement

As previously discussed and as recommended by the BioPure board the aeration basin membranes have begun functioning at a significantly reduced capacity requiring the increased usage of the blowers to provide adequate aeration in the basin.

Due to the time consuming nature of the membrane replacement process it is most efficient to replace all the membranes as a single project rather than to replace a portion each year for several years as it also provides the greatest efficiency to have all the membranes fully functional at the same time.

Environmental Dynamics International (Columbia, MO) is the sole-source supplier of the membranes which necessitates that the Council waive the bidding process for this item. The cost of the 1 meter membranes is \$32.25 each and the BioPure facility utilizes 1,056 membranes for at cost of \$34,056 and the 1/2 meter membranes cost \$19.50 each and the BioPure facility utilizes 296 membranes for at a cost of \$5,772 for a total project cost of \$39,828.

The clamps that will be used for this project can be purchased through other sources and do not have the same lead time so that purchase will be brought to the council at a future date.

It is my recommendation that the Council approve Resolution 19-07 authorizing the purchase of 1056 1 meter membranes and 296 1/2 meter membranes from Environmental Dynamics International at a total project cost of \$39,828.00

Lynne

**RESOLUTION 19-07  
City Council  
City of Hart, Michigan  
Oceana County**

**MEMBRANE DIFFUSER REPLACEMENT  
WASTEWATER TREATMENT PLANT**

WHEREAS, the City of Hart owns, operates and maintains a municipal wastewater treatment plant and aeration facilities therein; and

WHEREAS, the aeration basin membrane air diffusers installed in 2014 need to be replaced due to deteriorating performance; and

WHEREAS, Environmental Dynamics International (Columbia, MO) is the sole-source supplier of the membranes; and

WHEREAS, the Water-Wastewater Board recommended on January 7, 2019 that the membranes be replaced; and

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

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Accepts the BioPure board recommendation authorizing the purchase of 1056 1 meter membranes and 296 ½ meter membranes from Environmental Dynamics International at a total project cost of \$39,828.00 (the "PROJECT").*

*Declares Environmental Dynamics International (EDI) the sole-source supplier, waives competitive bidding, declares an emergency and awards the PROJECT to EDI.*

*Authorizes and directs the City Manager and Wastewater Treatment Plant Superintendent to implement the Project.*

Moved by Mr. Splane, supported by Mr. Frontiera, and thereafter adopted at the regular City of Hart City Council meeting on January 22, 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

City of Hart  
Memo

To: Mayor and City Council  
From: Lynne Ladner

Date: 01-18-19

Re: Purchase of SCADA radar loop transmitter and authorize installation/reconfiguration of Waste Gate alarms

As part of the ongoing maintenance of the Hydroelectric dam including the waste gates and the connected SCADA alarm system it is in the City's best interest at this time with the work being done concurrently to replace the waste gate motors to purchase and install a radar loop level transmitter to provide the waste gate torque alarms, provide for the programming of the new transmitter and disconnect the obsolete torque alarm and install the new PLC and HMI programming for the new torque alarms.

As the alarms must be compatible with our existing SCADA system IHS SCADA is a single source supplier for the parts and programming necessary for this project which necessitates that the Council waive the bidding process for these items.

The purchase and installation of 1 radar loop transmitter, PLC and HMI programing and startup services from IHS is quoted to cost \$10,325. The termination of the obsolete system and installation and programing of the new torque alarm system is quoted to cost \$6,295 for a total project cost of \$16,620.

It is my recommendation that the council waive the bidding process and authorize the purchase of the radar loop transmitter, terminate the obsolete over torque alarm and install, program and startup the new waste gate over torque alarm system for a total project cost of \$16,620.

Lynne

**RESOLUTION 19-08**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

***Purchase of SCADA radar loop transmitter and authorize installation/reconfiguration of Waste Gate alarms***

WHEREAS, the City of Hart owns, operates and maintains a hydroelectric dam for the generation of electricity; and

WHEREAS, the purchase of new waste gates necessitates the upgrade and installation of new over torque alarms; and

WHEREAS, IHS SCADA is a single source supplier for upgraded over torque alarms due to the configuration and compatibility requirements for these items; 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:

*Authorize the termination of the obsolete over torque alarm and install, program and startup the new wastegate over torque alarm system for a total project cost of \$6,295*

*Declares IHS SCADA the sole-source supplier, waives competitive bidding, declares an emergency and awards the PROJECT to IHS.*

*Authorizes and directs the City Manager and Energy Superintendent to implement the Project.*

Moved by Mr. La Fever, supported by Ms. Platt and thereafter adopted at the regular City of Hart City Council meeting on January 22, 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:** None

**DISCUSSION ITEMS:**

- ▶ Presentation by Senior Cooperatives of West Michigan steering committee
  - The steering committee for Senior Cooperative Housing has asked to be placed on the agenda to present to the council a project that they would like to undertake to provide market-rate housing for seniors within the Creeks Subdivision.
  - I have attended one meeting of the steering committee and had an additional conversation regarding the project that they are proposing. The project as discussed with me would necessitate separating out five duplex sites (10 total building sites) as a separate cooperative development. This would most likely require a significant change to the existing approved site plan for the Creeks, amending the Master Deed for the project (to separate these sites from involvement in the existing home owner's association) as the project committee has expressed a desire to not be a part or subject to the HOA regulations.
  - Last fall the City passed a resolution 18-59 to approve and accept the proposal for development of the remaining lots in the development to Mike Blackmer Construction with the contract currently in negation for presentation to the City. The City of Hart is in good faith negotiations with Mike Blackmer Construction and efforts to allow the removal of the five duplex (10 building) lots from the existing planned subdivision could possibly jeopardize that agreement. It is also important

to note that the residents currently living in the development and others that have previously purchased lots that are not yet developed are all subject to the HOA and may be unhappy and unwilling to approve a change to the Master Deed.

- Lynne Ladner, City Manager
- Karen Shears, Linda Foster, and Mary Riddell, representatives of the Senior Cooperatives of West Michigan, were present to discuss this project with the Council.
  - Mayor LaPorte directed the City Manager and City Attorney to look into the nuances of the project.
    - Ms. Ladner stated that at a minimum, the land would have to be re-platted. It would also be combining two different types of housing projects to join with the current HOA that is in place there now.
    - Ms. Martin stated that it is owed to the community to explore all options.
    - This committee is being sponsored by the Oceana Home Partnership and the Housing Commission.
    - Ms. Ladner will need 45 days to obtain further information that is needed to proceed. More information should be available for the first Council meeting in March. (3/12/19)

#### **CITY MANAGER REPORT:**

- ▶ 6-Month Budget Report:
  - Things are on target at this time.
- ▶ Some insurance entries will need to be journaled to take care of some discrepancies.
- ▶ There will be training in Rochester for Mayors/Municipal leaders in April for dealing with Active Assailant aftermath.
- ▶ Jim Weeks (MPPA) is retiring in March.
- ▶ City Hall purge day is January 24; the office will be closed to the public.
- ▶ Coldwater Power Project
  - The MPPA is responsible for one half the cost of this proposed energy producing plant. Therefore, MPPA members are also responsible. The City of Hart could be potentially accountable for 5% of the \$2,150,000.00 that MPPA has to provide.
    - There will be a resolution presented at the next Council meeting.
- ▶ Ms. Ladner's six-month evaluation is now due. A written form was provided to Council members to complete and return in a sealed envelope. Ms. Martin asked if a column titled "Need more Info" could be added to the document. She was told that would be ok to do.

#### **CITY ATTORNEY'S REPORT:**

- ▶ None

#### **COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

- ▶ The Council was presented with a request to approve Crystal Hallack for the Hart Main Street Board. Ms. Martin made the motion, supported by Ms. Platt, all ayes, the motion was approved to add Ms. Hallack to the Main Street Board.
- ▶ Mr. Splane would like the City to consider an ordinance that would prohibit parking on any surface other than a paved one, specifically, front lawns. This request would have to be presented to the Planning Commission first.
- ▶ Mr. Splane would also like to see the last parking space on State Street in front of La Fiesta to be eliminated so that visibility would improve for that intersection.

- ▶ Mayor LaPorte would like a survey done of homeowners as to why they park on their unpaved surfaces. Ms. Ladner will see about having the new code enforcement officer look into this once he starts.

There being no further business to come before the Council, the meeting adjourned at 8:47 p.m., upon motion by Mr. Frontiera and supported by Ms. Martin. The next regular meeting is February 12, 2019, at 7:30 p.m.

Respectfully Submitted



Deputy City Clerk