



**CITY OF HART**  
**407 S. STATE ST.**  
**HART, MI 49420**  
**COUNCIL PROCEEDINGS**  
**APRIL 23, 2019, 7:30 P.M.**

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

**ABSENT:**

**OTHERS PRESENT:** City Manager – Lynne Ladner, City Attorney – Julie Springstead, 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. Frontiera to approve the agenda and supported by Mr. Splane. The minutes from April 9, 2019, regular meeting, were approved motioned by Mr. Frontiera and supported by Mr. Hegedus. All ayes, both motions were carried.

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

- Mr. Gayle Forner brought it to the Council's attention that he now owns the property to the north of the DPW lot and pointed out that the City's mulch pile is infringing on his property and he would like the City to consider moving the pile or possibly purchasing the property from him. Ms. Ladner will look into the legal considerations of this suggestion and report.
- Citizen Discussion of City Sign Ordinance:
  - Mr. Sadler attended the meeting to speak in regards to the sign ordinance, believing that it was to go before the Council tonight. He was advised that the sign ordinance is still with the Planning Commission at this time.

**DEPARTMENT REPORTS:**

- ▶ BioPure Superintendent, Paul Cutter:
  - The new membranes will be delivered next week.
  - De-watering the lagoons.
  - Water testing has increased in volume.
  - Blower and SCADA projects are moving forward.
  - Irrigation has started but no center pivot yet – May 1<sup>st</sup> or so.
- ▶ Police Chief, Juan Salazar:
  - The \$1200.00 taser grant was received and tasers purchased.
  - Officer Malotke completed his FTO on April 15.
  - Officer Anderson celebrated his 10th anniversary in June 2018. He was presented with a plaque in March 2019 commemorating his time with the City.
- ▶ DPW Superintendent, Brad Whitney: Absent
- ▶ Energy Superintendent, Mike Schiller:
  - The department is currently working with Consumers Power regarding the power poles north of the City.
  - Miss Dig Reports.
  - Transducer upgrades are being done north of the City.

- There has been training with Great Lakes Energy in locating services
- The transformer for Seneca Foods has been shipped.
  - Mayor LaPorte advised Mr. Schiller that there are missing covers on some of the outlets at the Hart Commons.
- ▶ Mainstreet Manager, Julie Kreilick
  - More electrical capacity is needed at the Hart Commons.

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

None

**BILLS, CLAIMS, PAYROLL:**

Bills totaled: \$309,642.56 Payroll totaled: \$56,013.90 Grand Total: \$365,656.46

A motion was made by Mr. Splane and supported by Ms. Martin 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:

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

Date: 4/18/19

Re: Consider rescinding appointment of Irene Knoth to TIFA board

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Irene Knoth is currently an appointed member of the TIFA board. We have reached out to her several times notifying her of scheduled meetings, delivered meeting packet information and followed up to determine if she will be in attendance at the meetings. To date she has not responded to inquiries regarding attendance and has not attended any of the TIFA meetings during my tenure in Hart.

Her husband has stopped by City Hall and stated that she no longer wants to serve on the board, but we have not received anything in writing from her. Cheri sent a letter several weeks ago with a section for her to check yes or no regarding her desire to remain on the board, sign and return in the stamped addressed envelope to City Hall. We have not received this either.

Having a member that does not attend meetings nor respond to contact from the City create a hardship for the board in ensuring that a quorum is available for all meetings.

It is my recommendation that the Council rescinds the appointment of Irene Knoth to the TIFA board due to attendance issues.

Lynne

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

Date: 4/18/19

Re: Appointment of City Attorney for general legal services

During the April 9<sup>th</sup> meeting the members of the Council had the opportunity to hear from our current City Attorney and from three other firms that have submitted proposals to provide legal services to the city.

Resolution 19-24 is written with blanks which provide the council to complete the discussion at their meeting and if they are prepared to make a decision 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. It is my recommendation make and pass a motion that adopts Resolution 19-24 appointing \_\_\_\_\_ as City Attorney providing legal services for the City of Hart for a period of \_\_\_\_\_ years.

Lynne

**RESOLUTION 19-24**  
**City Council**  
**City of Hart, Michigan**  
**Oceana County**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF \_\_\_\_\_ 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 \_\_\_\_\_ for legal services beginning July 1, 2019 for a \_\_\_ year period and authorizes the City Manager to sign the necessary documents to complete the contract.*

Moved by Mayor LaPorte, supported by Ms. Platt, and thereafter adopted at the regular City of Hart City Council meeting on April 23, 2019.

Ayes: 3      Nays: 4      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.

Discussion: After the defeat of Resolution 19-24, Ms. Springstead stated that her services would cease at the end of the month as no new legal service was chosen.



Cheri Eisenlohr, Deputy City Clerk

**SPECIAL EVENTS PERMIT:**

Hart Awakens:

- Motion by Mr. Splane, supported by Ms. Martin. All ayes, event approved.

Hart Sparks:

- Motion by Mr. La Fever, supported by Ms. Martin. All ayes, event approved.

Music on the Commons:

- Motion by Mayor LaPorte, supported by Mr. La Fever. All ayes, event approved.

Rich Tompkins Memorial Race:

- Motion by Mr. Hegedus, supported by Mr. La Fever. All ayes, event approved.

Big Hart Disc Golf Day:

- Motion by Ms. Martin, supported by Ms. Platt.
  - Ayes: 5 Nays: 1 Abstain: 1
  - Event approved.

Lions Club White Cane Fundraiser:

- Motion by Mr. Hegedus, supported by Mr. La Fever. All ayes, event approved.

### **DISCUSSION ITEMS:**

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

Date: 4/18/19

Re: Replacement of roof at current DPW building

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The current DPW building roof has significant leaks and areas of disrepair that make it prudent to consider replacing the roof. However, it is my understanding that in recent years the City Council has considered the possibility of potentially relocating the DPW department to a different location. With this in mind, it then becomes a consideration of whether the City wants to expend significant capital funds to replace the roof at the current structure if they are not there long enough for us to see a return on the investment.

This is a project that would if completed need to be bid out to contractors but in an effort to get an understanding of what the potential cost would be Brad obtained an estimate for the removal and replacement of the roof from Blackmer Construction. The project estimate is in excess of \$30,000. It is a potential project that can be considered for the FY 20 budget if the Council so chooses but again if relocation is still a consideration in the near future perhaps it is time for the City to formalize better their plans moving forward.

Lynne

Ms. Ladner will add this cost to the new budget.

### **CITY MANAGER REPORT:**

- Ms. Ladner reported that there had been many requests for a Citywide clean-up day as the City has done in the past. The estimated cost is \$12,000.00+. She stated that this item is not in the current budget and that to cover future costs, the Council should consider raising the garbage fee by \$1.00 per utility bill to cover the next year's cost.
  - Mr. La Fever made a motion to approve the cleanup day, May 11, 2019, supported by Mr. Splane.
    - Ayes: 4 Nays: 3 Absent: 0

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

- None

**COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

- Gale Goldberg submitted her application to be on the TIFA board.
  - Mr. La Fever made the motion to approve, supported by Mr. Frontiera, all ayes, Ms. Goldberg is approved to be on the TIFA board.

There being no further business to come before the Council, the meeting adjourned at 9:03 p.m., upon motion by Mr. Hegedus and supported by Mr. Splane. The next regular meeting is May 14, 2019, at 7:30 p.m.

Respectfully Submitted



Deputy City Clerk