



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

**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 28<sup>th</sup> 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 13<sup>th</sup>, the department took part in the Lakeside Rehab and Family Fitness Center Kids Camp – Safety Day held at John Gurney Park. Sgt.

Skipki 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.

- Just a reminder; on Sunday, September 22<sup>nd</sup>, 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 5<sup>th</sup> 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:
  - The No. Valley Well has parts on order.
  - Department is continuing to work on the new meters.
  - A 4" water main was found on Union Street that was not supposed to be there.
  - SAW grant recommendations are still being addressed.
  - Storm damage work across the City is being worked on.
  - The old DPW barn lost 25% of its back wall; it suffered a cave-in.
  - 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

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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

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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.



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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

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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 Eisenhardt*

Deputy City Clerk