



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

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

ABSENT: None

OTHERS PRESENT: DPW Superintendent – Brad Whitney 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 agenda, supported by Ms. Martin. The minutes from October 8, 2019, regular meeting, was motioned by Ms. Platt to accept and supported by Ms. Martin. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Austin Bechtel asked for an update on the purchase/closing of the Walker's building by the City, and when would the results report be issued on the survey that was done. He stated that he and his wife were unaware that the survey was being conducted and that they lost business for two days because of it. He would like to be kept in the loop as to the progress of the closing and the disposition of the parking lot issue. The Mayor assured him that the City Manager would do so when she returned to the office on November 4.
- Mr. George Sadler had questions for the Council:
 - Has the City determined a use for the old Walker's place? He was told not at this time, that the City was waiting on the testing results.
 - Was the waiving of past-due utilities included in the Purchase Agreement for the Walker's Restaurant? The Mayor said that it was not.
 - Mr. Sadler noted that there was Miss Dig for the E. Main Street area that DTE was working on. The area will be dug up again to replace a gas main.

DEPARTMENT REPORTS:

- BioPure Superintendent, Paul Cutter: Absent
- Police Chief, Juan Salazar: Absent
- DPW Superintendent, Brad Whitney:
 - The soft-start and motor are done at the North Valley Well.
 - Mains and laterals are almost complete on the Lincoln Street project.
 - Bids are being requested for the demo of the old DPW building on State St.
 - The booster station motor needs work.
 - The City Well generator is shot, it will be run from a portable generator.
 - Asphalt patches are done.
- Energy Superintendent, Mike Schiller: Absent
- Interim Mainstreet Manager, Christine: Absent

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEE:

Ms. Martin made mention of the minutes from the Compensation Committee; Mayor LaPorte asked that the Council Members keep those minutes and that they will be addressed when the City Manager is back.

BILLS, CLAIMS, PAYROLL:

Bills totaled: \$420,673.99 Payroll totaled: \$59,089.89 Grand Total: \$483,089.87

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: 10/4/19

Re: Repeal Registered Caregiver language

At the PC meeting on Oct. 3, the planning commission held a public hearing regarding changes to the Zoning Ordinance which includes the repeal of section 1243.27 Registered Primary Caregivers. After hearing no comments from the public and closing the hearing the PC discussed the ordinance and voted to recommend to the Council adoption of Ordinance 19-04 Registered Primary Caregiver Repeal

This ordinance cleans up the zoning ordinances in that the language currently on the books is no longer enforceable under decisions and changes that have been made to the Medical Marijuana Regulations through court cases.

It is my recommendation that the council accept the first reading of Ordinance 19-04 Registered Primary Caretaker Repeal.

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 22nd day of October 2019, at 7:30 p.m.

PRESENT: Members: LaPorte, Frontiera, Hegedus, Martin, Platt and Splane

ABSENT: Members: None

The following preamble and ordinance were offered by Member Splane and supported by Member Hegedus:

ORDINANCE NO. 19-04

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF HART PART 12 – TITLE IV

**THE ZONING ORDINANCE, TO DELETE SECTION 1243.27
REGISTERED PRIMARY CAREGIVER PURSUANT TO THE
MICHIGAN MEDICAL MARIHUANA ACT**

THE CITY OF HART ORDAINS:

Section 1. **Repeal of Section 1243.27 Registered Primary Caregiver Pursuant to the Michigan Medical Marihuana Act.** Section 1243.27, governing registered primary caregivers pursuant to the Michigan Medical Marihuana Act, is hereby repealed in its entirety.

Section 2. **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.

Ron LaPorte, Mayor

Dated: October 22, 2019.

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 September 19, 2019, and that such ordinance was entered with the Ordinance Book of the City on October 22, 2019.

Dated: October 22, 2019.

Cheryl Rabe, City Clerk
City of Hart

CITY OF HART, OCEANA COUNTY, MICHIGAN

Councilmember Splane, supported by Councilmember Hegedus, moved the adoption of the ordinance.

Ayes: 7 Nays: 0 Absent: 0

First reading: October 8, 2019

Second reading: October 22, 2019

Ordinance becomes effective: November 10, 2019

SPECIAL EVENTS PERMIT:

- None

DISCUSSION ITEMS:

- None

CITY MANAGER REPORT:

- None

CITY ATTORNEY'S REPORT:


- None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mr. La Fever commended the Energy Department for its work during the current wind storm.

There being no further business to come before the Council, the meeting adjourned at 7:45 p.m., upon motion by Mr. Frontiera and supported by Mr. La Fever. The next regular meeting is November 12, 2019, at 7:30 p.m.

Respectfully Submitted



Deputy City Clerk