



CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS - AMENDED
NOVEMBER 13, 2018, 7:30 P.M.

PRESENT: Mayor Ron LaPorte, Councilors: Jason La Fever, Joe Frontiera, Steve Hegedus, Jack Wittman, and Karen Thomson.

ABSENT: Rob Splane

OTHERS PRESENT: City Manager – Lynne Ladner, City Attorney – Julie Springstead, Main Street Manager – Julie Kreilick, Police Chief – Juan Salazar, Energy Department Superintendent – Mike Schiller 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, Mayor-Elect Ron LaPorte and Council-Elect Vicki Platt and Patrice Martin were sworn into office by City Clerk, Cheryl Rabe. Jack Wittman and Karen Thomson vacated their positions on the board, and Ms. Platt and Ms. Martin were seated. The Mayor thanked both Mr. Wittman and Ms. Thomson for their service on the board. Mike Powers was also sworn in by the City Clerk for his position on Board of Review, Bill Wells was sworn in earlier in the day.

Mayor LaPorte then lead the Council in the pledge of allegiance.

A motion was made by Mr. La Fever to approve the agenda and supported by Mr. Hegedus. The minutes from October 23, 2018, 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:

- ▶ FERC – Order Granting Extension of Time: A letter was received advising of the extension of time in regards to the recreation plan and installation of additional recreational facilities at the hydro-electric dam.

DEPARTMENT REPORTS:

- ▶ BioPure Superintendent, Paul Cutter: Absent
- ▶ Police Chief, Juan Salazar:
 - The Chief thanked the Hart Rotary Club for their donation in the amount of \$547.36 for the Bleeding Control Kit. Many state school systems had received this kit as well from a grant from Mercy Health Systems to teach personnel. Training will be held on November 29 at the Oceana County Annex building; all officers will be attending.
 - He thanked all those that assisted with the HPS Halloween Parade.
- ▶ DPW Superintendent, Brad Whitney: Absent
- ▶ Energy Superintendent – Mike Schiller:
 - The crew has been pulling 30,000 ft. of wire, terminations and sectionalizing cabinets.
 - They have been working on the Christmas lights downtown.
 - There is a new department sign on their building.
 - A new roof will soon be installed on their building
 - Underground service is being installed on W. Main St.
- ▶ Mainstreet Manager, Julie Kreilick:
 - She reminded every one of the volunteer appreciation celebration on Saturday, November 17 at the Lakeside Rehab. Facility. The event is titled "League of Extraordinary Volunteers." Former City Manager, Stan Rickard will be one of ten who is being acknowledged. This family event will also be visited by Spiderman.
 - Small business Saturday will be on November 24.

- The Market Place will be open again this year in the former West Shore Pharmacy building, 18 S. State St.

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

None

BILLS, CLAIMS, PAYROLL:

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

- \$700.00 – Dickinson Wright
- \$88,424.00 – Prein & Newhof
- \$30,753.00 – Signature Ford

Bills totaled: \$502,222.21

A motion was made by Mr. La Fever and supported by Mr. Frontiera to approve bills, claims and payroll in the amount stated.

Ayes: 6 Nay: 0 Absent: 1

ACTION ITEMS:

City Manager, Lynne Ladner presented the following:

**RESOLUTION 18-84
*City of Hart, Michigan***

**AUTHORIZING RENEGOTIATION OF CLINTON
LONG-TERM ENERGY PURCHASE TRANSACTION**

WHEREAS, The City in partnership with other members of the MPPA entered into a long-term energy purchase transaction known as the Clinton Transaction in 2011 with NextEra Energy Resources, and

WHEREAS, Changes in technology related to the gas and power industry have substantially reduced pricing of current transactions, and

WHEREAS, NextEra Energy Resources is interested in to continuing to make long-term energy purchases on the futures market and is proposing a blend and extend transaction that would lower the remaining term of the existing transaction and extend the term for another ten years, and

WHEREAS, the revised transaction can be viewed as allowing for the original transaction members of which the City of Hart is a member to pay down the original transaction cost while retaining competitive long-term energy pricing for the length of the term,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Authorizes the Director of Energy Supply and Operations for the MPPA to present this blend and extend transaction to the MPPA Board of Commissioners for approval.

Moved by Mr. La Fever, supported by Mr. Hegedus, and thereafter adopted at the regular City of Hart City Council meeting on November 13, 2018.

Ayes: 6 Nays: 0 Absent: 1

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 18-85
City of Hart, Michigan

AUTHORIZING APPLICATION TO THE MTPP
RISK REDUCTION GRANT PROGRAM

WHEREAS, The City of Hart is an active participant in the Michigan Township Participating Plan (Par Plan) for our property and liability insurance, and

WHEREAS, the MTPP provides opportunities to apply for risk reduction assistance through their RRGP grant program and

WHEREAS, The City of Hart Police Department has one X-26 Axon Taser which is approximately 8 years old and have been notified by Axon that they will no longer be servicing or maintaining this model Taser, and

WHEREAS, the department currently only has a single Taser for use by the agency, sees continual wear and tear and operational failure creates a gap in alternatives to traditional use of force presenting an increased risk of injury to our officers.,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Authorizes the City of Hart Police Department to submit an application to the Michigan Township Participating Plan (Par Plan) Risk Reduction Grant Program for funds to purchase and update of two X26P Tasers and six holsters in the amount of \$3,170.00 with no cost share for the purchase by the City..

Moved by Mr. La Fever, supported by Mr. Frontiera, and thereafter adopted at the regular City of Hart City Council meeting on November 13, 2018.

Ayes: 6 Nays: 0 Absent: 1

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

Discussion: Ms. Platt asked the Chief why he didn't apply for three units. It was decided that additional units would be applied for next year.

SPECIAL EVENTS PERMIT:

- ▶ Holiday Parade and Community Tree Lighting at Hart Commons
 - Mr. Hegedus made a motion to approve the permit, Mr. Frontiera supported the motion, all ayes, the motion carried.

DISCUSSION ITEMS:

- ▶ Recreational Marijuana Information Packet:
 - In 2016 the City passed a resolution opting out of PA 281 in relation to medical marijuana facilities. On November 6th of this year, Proposition 1 passed during the state general election legalizing the recreational use of marijuana. In light of this action by the voters of the state, the City is in need of more formalizing their decisions to prohibit the location of facilities related to the growth, process, transport, provisioning, and safety compliance of marijuana. What you have in front of you is a packet of information and sample documents which the city can utilize for the formalization process. First is a general law ordinance that can be modified to meet the city's needs and incorporated in Part Eight, Title Two of the Code of Ordinances under Business Regulation and Taxation Code. The second draft ordinance would again be modified to meet the needs of the City but would be incorporated in Part Twelve Title Four Zoning to amend the City's zoning regulations for the prohibition of any business or facility related to the marijuana industry. The last item in the packet of information is a sample drug and controlled substance-free workplace policy. Again this document can be modified to meet the City's needs but adoption, distribution, and acknowledgment of a workplace policy of this type provides current and future employees with a clear understanding of the expectations of the City as their employer in relation to both the medical and recreational use of controlled substances. To quote an article in this evening's Grand Rapids Press "Unfortunately, it is unclear from the text of the MRTMA when precisely the state will begin accepting applications for licenses (it must do so within 12 months)," Plainfield Township's lawyer, Jeff Sluggett, wrote in a memo to the Board of Trustees. "This is an important 'unknown' because our ability to enforce and rely on an ordinance prohibiting marijuana establishments must be 'in effect' when the application is filed with the state of Michigan."
 - Ms. Ladner reminded the Council that marijuana use is still illegal on a federal level.
 - The Council agreed to not allow marijuana use at any City festivals/events and will have an ordinance written to reflect this decision.
 - The Mayor gave a brief history to Ms. Martin regarding the medical marijuana issue.
 - The Mayor would personally like the City to stay away from this, and it is not needed here. He does not like what is going on in Colorado at this time.
 - Mr. Frontiera believes that it will cost more in police activity.
- ▶ BS & A Community Dev and Human Resource Modules:
 - In 2016 the City transitioned to BS&A software to meet many of the city's enterprise management needs including our financial, assessing and utility billing. This software also has many other components which can significantly benefit the City if the Council would authorize their purchase. Two such modules that I am asking the Council to consider purchasing though not budgeted for this fiscal year are the Community Development and Human Resources modules. With the City actively engaged in hiring an Ordinance Enforcement officer the Comm. Dvlp module will provide a database location where the officer can record complaints made, document steps taken to obtain code compliance and eventually document the steps taken for enforcement which if a situation reaches this level will provide clear and concise information necessary for legal action. This module also will allow the city to better track rental housing and inspections, zoning permits issued and provide up to date accurate reporting for the council. This module can also be used in conjunction with our existing assessing module and integrate information exported from the County regarding building permits issued within the city The Human Resources module will use both web and desktop technology to improve our human resources performance including

tracking employee data such as hire date, position history, payroll rate history and benefit plans. The module also provides information related to position budgeting using historical data to assist in the forecasting of what-if scenarios related to changes in employee positions and the creation of new positions. Finally, the module provides employees with the ability to manage their benefits through an on-line web-based system, reducing clerical input, input discrepancies and allows the employees to make benefit decisions from their home in cooperation with their families to coordinate coverage and leverage their benefits to both their and the City's best advantage. Ms. Ladner believes that she can get the cost down to \$10,000.00+ for both vs. the \$15,145.00 quote.

- The Mayor asked if it was needed this year, Ms. Ladner said that it would be very beneficial for the new code enforcement officer, which the City is accepting applications for at this time.
- Ms. Ladner will work with BS&A to reduce the cost of these modules and will present to the Council once those figures are known and confirmed. She will also ask for pricing options for now and for the next year.
- The budget would be amended to allow for these purchases. Funds for the Community Development module would come from the general fund, contractual services, and the Human Resources module would come from all department funds.

CITY MANAGER REPORT:

- ▶ 4-Month Budget Report:
 - The City is on track with income and expenses.
 - Ms. Ladner proposed community stakeholders meeting to discuss a 5 – 10-year strategic plan for the City, which would include the County, HHS, and all boards and commissioners, business owners and residents. This meeting would be held after the first of the New Year in conjunction with the 2019/2020 budget planning. This would help the City to achieve a rolling priority-based budgeting and a multi-year rolling budget, year one set in stone and the second year would already be projected. Different options would be looked at for a facilitator for this project, the MML, or perhaps a college class could be brought in. Ms. Ladner will pursue this and present more information at another meeting.
 - Ms. Ladner advised the Council that per the City Charter, Ms. Martin, who is on the Hart Main Street and TIFA boards, can be on the Council as well as long as the Council approves. Mr. Hegedus made a motion to approve Ms. Martin being on the two other boards, Mr. Frontiera supported the motion, six ayes, and one abstained, motion carried.

CITY ATTORNEY REPORT:

- ▶ None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- ▶ Mayor LaPorte addressed which committees Ms. Martin and Ms. Platt would be on. **Ms. Martin will be on Police, Zoning Board of Appeals and Neglected Properties and Ms. Platt will be on Police, Library and Water/BioPure, Steve Hegedus will be on Finance/Personnel, Cemetery and Neglected Properties.**
- ▶ Ms. Martin announced that she would not be at the next meeting due to a previously scheduled vacation.

There being no further business to come before the Council, the meeting adjourned at 8:34 p.m., upon motion by Mr. Hegedus and supported by Mr. La Fever. The next regular meeting is November 27, 2018, at 7:30 p.m.

Respectfully Submitted

Cheri Eisenhardt

Deputy City Clerk