



**CITY OF HART**  
**407 S. STATE ST.**  
**HART, MI 49420**  
**COUNCIL PROCEEDINGS**  
**MARCH 27, 2018, 7:30 P.M.**

**PRESENT:** Mayor Ron LaPorte, Councilors: Rob Splane, Joe Frontiera, Karen Thomson, Steve Hegedus, and Jack Wittman.

**ABSENT:** Jason La Fever

**OTHERS PRESENT:** City Manager – Stan Rickard, City Attorney – Julie Springstead, DPW Superintendent – Brad Whitney, BioPure Superintendent – Paul Cutter 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 roll call, he then opened with the Pledge of Allegiance.

A motion was made by Mr. Wittman to approve the first amended agenda and supported by Mr. Splane. The minutes from March 13, 2018, regular meeting were approved as printed, motioned by Mr. Hegedus and supported by Mr. Wittman. Mr. Frontiera asked that the minutes from the March 13<sup>th</sup> meeting be amended to include “kayaks/canoes” in the discussion area regarding the timeline of the Veterans Memorial Park improvements. All ayes, both motions were carried.

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

- Holly Hughes, Republican, spoke regarding the veteran’s job fair in Muskegon, June 15. She also advised that there will be an 18.1% of road funding increase = \$244,252.00 will be given to the City.
- George Sadler had two questions for the Council
  - What is the official policy for changing the agenda late in the day of the meeting? He was advised by Mr. Rickard that if items become available to be discussed, they will be added to the agenda. Mr. Frontiera advised Mr. Sadler that the Council will also receive late items before a meeting.
  - Mr. Sadler is questioning why two addresses were listed on Resolution 18-24. He stated that the DEQ did not like that two addresses were indicated in the document. He was advised by Mr. Rickard that there had been two different addresses (tax bill vs. utility bill) used for the parcel in question (107 E. Main Street and 17 N. State Street.) Mr. Sadler did not recognize the 107 E. Main Street address.
    - In regards to the property listed in Resolution 18-24, Mr. Sadler filed for the 10-day notice from the DEQ; the property should be cleaned up by April 3 or 4<sup>th</sup>.
- Pentwater Hart Trail letter of support: Mr. Rickard wrote this letter to the Chairperson of the bike trail project offering the support of the City. The trail would connect Hart to Pentwater. This project has been in the works for a while now. It would not be affiliated with the William Field Memorial Bike Trail.

#### **The Veteran’s Memorial Park Improvement Project:**

Mr. Rickard stated that organizations would be included that support people with disabilities in the planning of the park. Therefore, he invited the Disabilities Network from Muskegon to partake in the hearing.

- Mr. Rickard gave a brief update on the project; cost estimate is \$920,000.00. There has been a tremendous amount of community support for the improvements.
- One change has been made to the conceptual design; stone steps were added leading to the water’s edge. The remote control sailboat club would have an easier time to launch their boats.
- Timeline schedule is still the same.
- The second Public Hearing was opened at 7:47 pm by Mayor LaPorte for the Veteran’s Memorial Park Improvements:

- Diane Fleser, executive director of the Disabilities Network of Muskegon, spoke regarding the project. She has seen the design and would be willing to give her input to help make the park more accessible to disabled persons. It is difficult for her at this time to offer more in-depth insight on a paper drawing, but she would be able to offer more insight as the project progresses.
- Mr. Rickard stated that the project would be reopened in September after the DNR has inspected the sites, to discuss more ways to improve the scoring for the grant, this would be the time to accept comments from the Disability Network to incorporate into the plan. The City has received numerous support letters from various entities within the City.
- Mr. Steve Bruck has mentioned integrating the "Dark Sky Initiative." into the plan. This lighting feature can be accomplished by shades that point the light down rather than out.
- The Mayor mentioned Lloyd Jones' comment at the previous public hearing in regards to the wall that he built; he is reinforcing the need for a barrier to keep cars off the area. The Mayor stated that it is important that the Disabilities Network do provide advice on this park.
- Mr. Frontiera – in regards to the Grant – is it a matching fund and are we going to be locked into the plan.
  - Mr. Rickard – the City is not locked in at this time as items will need to be adjusted as needed and that the City would be providing matching funds. The City can still look into other funding opportunities as well.
    - Ms. Fleser stated that most accessible barrier-free launches are dedicated to kayaks only, an additional launch would be needed for canoes.
- The Public Hearing was closed by Mayor LaPorte at 7:57 pm.

#### **DEPARTMENT REPORTS:**

- BioPure Superintendent, Paul Cutter:
  - MFP is done processing potatoes. January and February produced an 80% loading and flow over this same time last year.
  - Matt's Undergrounding will begin April 15 and expect to finish by May 31 on the force main project.
  - Prein&Newhof is almost complete with their electrical engineering of the pump for the wet well area.
  - Springbrook has located the center of the property for the center pivot.
  - Earth Day is April 21; the BioPure facility will have an open house from 10:00 am to 2:00 pm. The national main topic is the use of PLASTICS. The Oceana County Road Commission will have their open house the same day. Last year's event drew 26 people, hope to have more this year.
- Police Chief, Juan Salazar: Absent
- DPW Superintendent, Brad Whitney:
  - Replaced a water service at Lincoln and Hart Streets, Gustafson's did the work in a short amount of time; it was a very cost effective method.
  - Water leak at Gray & Co.
  - Sanitary sewer brick cover on Johnson Street was replaced.
  - The street sweeper's air exchange unit was serviced and will be put to use shortly.
  - Working with Indian Summer on their force main replacement project.
  - Jetted the sewer main behind Kristi's Pour House and La Fiesta. The City will be doing more investigating in this area and asking the business owners to check their grease traps frequently.
  - Multiple repairs water boxes.
  - Disc Golf course is being played. More trash cans will be placed on the site for a total of five. There is still some brush that needs to be removed. Basket direction arrows are being placed on the course.
  - Concrete has been poured for the new flagpole at City Hall. It needs to cure for two weeks, Mr. Whitney may have it go longer to make sure that it is stable as it will be supporting a 38.5' pole.

- Work on Jefferson/Courtland and Water Streets is progressing. The water main is in between Jefferson and Wood. Most of the sewer main has been installed.
- Elite Services has been doing jetting/televising of the main lines around town as per the SAW grant work.
- Brush pickup commences the first Monday in April.
- Lawn bags will also be picked up at this time.
- Hydro Superintendent - Absent
- Mainstreet Manager, Julie Kreilick: Absent

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

- Mr. Rickard discussed the Starting Block’s minutes as he is part of the board. They request one of the producers to come to the board and explain what they are working on currently. Sue Ellen Bendeglow was the most recent person to attend. She is very pleased with what the Starting Block is doing. Mr. Wittman asked how many producers are in the building. Mr. Rickard stated that it varies, but on average twelve could be working there. Mr. Wittman would like to see a table at the Farmer’s Market with products from the producers at the Starting Block.

**BILLS, CLAIMS, PAYROLL:**

Mr. Rickard discussed the following invoices in detail:

- \$418.00 – Bell Equipment
- \$659.61 – Mears Service Center
- \$1,020.00 – Steve’s Auto & Truck

Bills totaled: \$120,142.17

A motion was made by Mr. Splane and supported by Ms. Thomson to approve bills, claims and payroll in the amount stated.

Ayes: 6          Nay: 0          Absent: 1

Discussion: Mayor LaPorte asked where the fuel tank was going. Mr. Whitney advised it is going to the BioPure Facility. Mr. Wittman asked if the jetting bill from Swihart’s would be passed onto the business owners, Mr. Whitney said not at this time.

**ACTION ITEMS:**

City Manager, Stan Rickard presented the following:

**RESOLUTION 18-25**  
**City Council**  
***City of Hart, Michigan***  
***Oceana County***

***HART CEMETERY MILLAGE RENEWAL***

WHEREAS, the City of Hart (City) and Hart Township (Township) jointly own, operate and maintain the Hart Cemetery; and

WHEREAS, the City and Township contribute funds to sustain the Hart Cemetery including proceeds from property taxes levied for that purpose; and

WHEREAS, the City’s 15 year 0.4998 Cemetery millage expired in 2017; 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:

*Approves the following proposal language to renew a fifteen (15) year millage in the amount of 0.4998 mills for operating and maintaining the Hart Cemetery:*

**MILLAGE RENEWAL  
15 YEAR CEMETERY MILLAGE**

***"Shall the City of Hart's Cemetery Millage, a previously authorized millage that expired in December 2017, be renewed and levied for fifteen (15) years beginning with the 2018 tax levy year and running through the 2032 tax levy year (inclusive) to levy an amount of 0.4998 mills (\$.4998 per \$1000.00 taxable value) for the sole purpose of operating and maintaining the Hart Cemetery?***

***It is estimated that a levy of 0.4998 mill would provide estimated revenue of \$26,000 in the first year the millage is authorized and levied."***

*Authorizes and directs the City Manager and City Clerk to implement proposal publishing for the August 7, 2018 election.*

Moved by Ms. Thomson, supported by Mr. Frontiera, and thereafter adopted by the Hart City Council at a regular council meeting held on Tuesday, March 27, 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.

\_\_\_\_\_  
Cheryl Rabe, City Clerk

**RESOLUTION 18-26  
City Council  
City of Hart, Michigan  
Oceana County**

***MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION  
Veterans Memorial Park***

WHEREAS, the Michigan Natural Resources Trust Fund (MNRTF) offers grant assistance to qualified communities in Michigan; and the City of Hart has met the qualification standards including the preparation of a 5-Year Park and Recreation Master Plan (Master Plan) approved on January 24, 2017 by the Michigan Department of Natural Resources; and

WHEREAS, the City has selected Master Plan Project 5.2 Veterans Memorial Park for a 2018 MNRTF grant application; and

WHEREAS, City Engineer Prein&Newhof has prepared site development and cost estimate documents dated March 20, 2018 for the Veterans Memorial Park project; and

WHEREAS, the City Council desires to secure the benefits of efficient self-government and to promote and protect our common interests and welfare;

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:

*Approves and accepts the March 20, 2018 Veterans Memorial Park site development plan and cost estimate in the amount of \$920,000.*

*Approves and authorizes a \$300,000 Michigan Natural Resources Trust Fund grant application.*

*Approves and authorizes project match funds in the amount of \$620,000 or 67% of total project costs from funds available in the General Fund, Hydro Fund, Water Fund and Sewer Fund.*

*Authorizes and directs the City Manager to prepare, sign and submit the MNRTF application on behalf of the City of Hart.*

Moved by Ms. Thomson and supported by Mr. Wittman and thereafter adopted by the City of Hart, Michigan City Council at a regularly scheduled meeting held on Tuesday, March 27, 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.

\_\_\_\_\_  
Cheryl Rabe, City Clerk

**Resolution 18-27**  
**City of Hart - City Council - Hart, Michigan**  
**BUDGET AMENDMENTS**

WHEREAS, the City Council may amend the annual budget to reflect changes in purchasing patterns or revised objectives; and  
 WHEREAS, City has cash reserves designated for Hart Montague Trail Improvements and desires to initiate trail projects; and other City initiatives require budget amendments to move forward; and  
 WHEREAS, the City Council desires to secure the benefits of efficient self-government and to promote and protect our common interests and welfare;  
 NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL amends the FY2018 Annual Budget as follows:

	<u>FUND</u>	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>ADOPTED BUDGET</u>	<u>AMENDED BUDGET</u>	<u>JUSTIFICATION</u>
1	284 Rail Trail	Revenues	Cash Reserves	\$0	\$10,000	Adopting new budget
2	284 Rail Trail	Expenditures	Operating Supplies	\$0	\$5,000	Adopting new budget
3	284 Rail Trail	Expenditures	Contractual Services	\$0	\$5,000	Adopting new budget

Moved by Splaine and supported by Thompson and thereafter approved by Hart City Council at a regular meeting on March 27, 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:

**SPECIAL EVENTS PERMIT:** None

**DISCUSSION ITEMS:** None

**CITY MANAGER REPORT:**

- Griswold Street 10-Unit residential development: This senior housing development is progressing, the apartments will be called Cottages at Griswold, it is to be PILOT.
- Cost Recovery for Hart Area Fire Department: This item needs to become an ordinance, and there will be a first reading at the April 10<sup>th</sup> meeting.
- Wireless Meter Reading Technology: No new news at this time.
- Voluntary Green Pricing for Renewable Energy: This program is all set to be implemented by April 20.

**CITY ATTORNEY REPORT:**

- Consolidated Tax Increment Authorities – 2018 PA 57 (“Act 57”) signed by Governor 3/15/18:
  - Ms. Springstead gave an overview of the letter from Miller Canfield in regards to TIFA. This law has been re-written as authorities have not been adhering to reporting requirements. All TIFA Acts are now combined into areas of Act PA 57. There will now be penalties and consequences for non-compliance. Authorities will be required to have two informational meetings each year. The City will have to place a section on the City website to cover all the details of TIFA, minutes, meetings, and other essential documents.

**Closed Session:**

- A motion was made by Mr. Frontiera and supported by Mr. Hegedus to enter into closed session at 8:28 pm to discuss collective bargaining. All ayes, motion carried. The Council returned to Open Session at 8:33 pm by motion made by Mr. Splane and supported by Mr. Wittman, all ayes, motion carried.

**COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

- Recommendation to Appoint Steve Bruch to Hart Main Street Board: Mr. Splane made a motion to accept Mr. Bruch to the Mainstreet board, the motion was supported by Mr. Wittman, all ayes, motion carried.
- Mayor LaPorte is concerned about the property values and conditions in the City and does not like giving away tax revenues, i.e., PILOT properties as in item 12a. He would like to see the neighborhoods cleanup and have more pride in their property. Scottville did manage to get their residents to clean up, and Hart needs to do the same.
- Mr. Splane agrees with the Mayor and that the City needs to try to bring in younger people as new residents and that the City should do more Code Enforcement work and hire an officer to enforce the codes. He would like the Council to confirm the May 8<sup>th</sup> clean up day. He wants a Cleanup Day notice to be sent out to residents via utility bills. It is too late to include for this month; the City would try for the late April billing. The City may also put a notice in the paper.
- Mr. Frontiera is concerned that Diane Feser will be telling the City what can and cannot be put into the Veteran’s Park. Mr. Rickard stated that the accessibility requirements are already being factored in by the engineers.
- Ms. Springstead confirmed that according to the County’s Equalization Department, Mr. Sadler’s address is 107 E. Main Street for the demolished building referenced in Res. 18-24. She will advise him of what she was able to find.
- Ms. Springstead also recommended ordering a vinyl banner in regards to the cleanup day and placing it on the fence at the fairgrounds.
- Ms. Tiffany said that Shelby and Hart are very clean compared to Poplar Bluffs, Missouri.
- Mr. Frontiera spoke about how much trash is also in the countryside.

**ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 8:46 p.m., upon motion by Mr. Hegedus and supported by Mr. Wittman. The next meeting is April 10, 2018, at 7:30 p.m.