



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
MARCH 28, 2017, 7:30 P.M.**

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

ABSENT: Rob Splane

OTHERS PRESENT: City Manager – Stan Rickard, City Attorney - Julie Springstead-Waltz, Chief of Police – Juan Salazar, Hart Main Street Manager – Julie Kreilick, Superintendent of BioPure Treatment Facility – Paul Cutter, Superintendent of DPW – Brad Whitney and Deputy Clerk - Cheri Eisenlohr. See attached attendance list for others present.

Mayor LaPorte called the meeting to order at 7:30 p.m. and following roll call, he then opened with the Pledge of Allegiance.

A motion was made by Mr. Rybarz to approve the first amended agenda and supported by Mr. La Fever. The minutes from the March 14, 2017, regular meeting were approved as printed, motioned by Mr. Wittman, supported by Ms. Thomson. All ayes, motions carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

Mr. Rickard spoke on the following:

- 3/20/17 letter from Mike Powers and William Wells: Mr. Powers and Mr. Wells would like to have the City Assessor's wages increased to \$45,000.00 from the low \$30,000.00's. Mr. Pease is a level 3 assessor and they feel that the increase is warranted. Mayor LaPorte stated that this would be addressed in the next Finance/Personnel meeting.
- 3/15/17 letter from West Shore Educational Service District – The building is for sale via a bidding process.
- Public Meeting – Capital Improvement Plan – April 4, 2017, 7:30 pm, City Hall – a special meeting will need to be held to approve this plan. Looking for a quorum.
- 3/27/17 MEDC Letter – Redevelopment Ready Communities (RRC) – The City has been accepted into the program.
- 3/27/17 MDEQ Letter – Water Quality Improvements Feasibility Study – a response was received in regards to the long-term temperature reduction plan. This still needs to be discussed with the City Engineer and attorney, Matt Zimmerman. Mr. Rickard will discuss with the Power Board next Monday and should have further details to present to Council at the next meeting.
- George Sadler spoke in regards to the fund raising efforts that are being done for the local VFW Post. Their goal is to raise \$25,000.00 by July 5th, 2017. Community businesses are assisting in this endeavor.

DEPARTMENT REPORTS:

- Police Chief, Juan Salazar, advised that Officer Hintz attended a week long course on defensive tactics.
- Paul Cutter, BioPure Superintendent, spoke of Michigan Freeze Pack running carrots this week. They also started moving water so that they start irrigating.
- Brad Whitney, DPW Superintendent, spoke of getting two of the wells back in service. All wells are now up and running. Next week will start the annual brush pickup on the first Monday of every month as well as picking up the yard waste bags. Every street has been swept at least once.
- Julie Kreilick, Main Street Manager, is happy with the attendance at this meeting of local merchants. She is pleased that the City was accepted into the RRC. Main Street is busy working with the community to raise funds. Yearly events will soon be held as per scheduled. She is looking forward to a busy summer and thanked the board for its guidance in current issues taking place.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES:

Mr. Wittman asked about the 25 out of 50 rating that was received via the minutes from the Fire Board ISO report. No one has an explanation as to what this is for.

BILLS, CLAIMS, PAYROLL:

Mr. Rickard brought the following bills to the attention of the Council:

State of Michigan: \$3,650.00 – (Ground Water Annual Permit)

Prein&Newhof: \$45,613.45 - (SAW Grant Expenses)

Bills totaled: **\$139,177.55**

A motion was made by Mr. Rybarz and supported by Ms. Thomson to approve the payables and payroll in the amount stated.

Ayes 6 Nay 0 Absent 1

Discussion: None

ACTION ITEMS:

City Manager, Stan Rickard presented the following:

**RESOLUTION 17-21
City Council
City of Hart, Michigan
Oceana County**

**MICHIGAN DEPARTMENT OF TRANSPORTATION
ACT 51 PERFORMANCE AUDIT REQUIREMENTS**

WHEREAS, Public Act 298 of 2012 the authorizes the Michigan Department of Transportation (MDOT) to request performance audits from local agencies collecting Act 51 motor fuel taxes; and

WHEREAS, the MDOT has exercised its authority and has requested an audit from the City of Hart; and

WHEREAS, City auditors Abraham & Gaffney are well-qualified to perform this work and submitted a March 14, 2017 proposal to complete the MDOT Act 51 performance audit at a cost not-to-exceed \$3000; 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:

Authorizes and accepts the March 14, 2017 Abraham & Gaffney proposal to perform the Act 51 performance audit concurrently with the City's annual audit of financial statements.

Authorizes and directs the City Manager to implement the aforementioned audit on behalf of the City of Hart.

Moved by Ms. Thomson, supported by Mr. La Fever, and thereafter adopted by the City of Hart, Michigan City Council at a regularly scheduled meeting held on Tuesday, March 28, 2017.

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 Abson, City Clerk

Discussion: None

**RESOLUTION 17-22
City Council
City of Hart, Michigan**

JOHN GURNEY PARK PLAYGROUND

WHEREAS, in 2003 the Federal Energy Regulatory Commission (FERC) issued an Order granting the City of Hart a 40-year license to operate the Hart hydroelectric dam; and

WHEREAS, the Order contained numerous stipulations including a mandate to develop and maintain recreational opportunities in the dam project area; and

WHEREAS, in 2016 the Park Committee recommended and City Council agreed to develop a playground in John Gurney Park to enhance recreational venues for the Hart community and campground; and

WHEREAS, the City requested and received three (3) proposals from qualified vendors that manufacture and distribute playground equipment in Michigan; and

WHEREAS, the Park Committee reviewed the proposals on March 13 and March 27, 2017; and interviewed two companies to ascertain detailed information about their operations, equipment and proposals; 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:

Authorizes and accepts the March 7, 2017 proposal from Playworld Midstates (New Albany, OH) in the amount of \$80,000.

Authorizes and directs the City Manager to implement the John Gurney Park playground project on behalf of the City of Hart.

Moved by Mr. Frontiera, supported by Ms. Thomson, and thereafter adopted by the City of Hart, Michigan City Council at a regularly scheduled meeting held on Tuesday, March 28, 2017.

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 Abson, City Clerk

Discussion: None

Resolution 17-23 was removed from the agenda due to last minute information. It will be added to a future agenda.

SPECIAL EVENTS PERMIT:

- Hispanic Heritage – Motion by Ms. Thomson to approve, supported by Mr. Frontiera – all ayes, motion carried.
- Downtown Free Concert – Motion by Mr. Rybarz to table, supported by Mr. Wittman – all ayes, motion carried. Mr. Sadler did elect to remove the permit request from the agenda.
- Float Your Boat Regatta – Motion by Mr. Rybarz to approve, supported by Mr. Frontiera – all ayes, motion carried.

A question was asked about who carried the liability insurance for this event, Mr. Rickard advised that the City's policy covers the event.

- Rich Tompkins 5k Memorial Run/Walk – Motion by Ms. Thomson to approve, supported by Mr. Rybarz – all ayes, motion carried.

DISCUSSION ITEMS:

Mr. Rickard reported on:

- Six-Year Capital Improvement Plan (FY2018-FY2023) – 'Draft' – A chart that shows the various goals/projects for the City to achieve in a 6 year timeframe for the different departments within the City. Mr. Rickard went over some of the projects for each of the 6 years of the plan. The total of the 6 year plan comes to \$12, 073,000.00.

CITY MANAGER REPORT:

- None

ATTORNEY REPORT:

Ms. Springstead-Waltz will be working with the Deputy City Clerk on the Rental Inspection process. She has received some communication in regards to the Creeks projects – it will be at least another 28 days before it is resolved. She has been contacted by Suburban Propane, they would like to have the City vacate the "right of way" as there are some utilities in the way. The City Council has to decide if they want to do this or not, this will be discussed more at a future meeting.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mr. Frontiera would like the City to still actively pursue purchasing more land for the use of the BioPure Treatment Facility in the future. Mr. Rickard stated that he would show Mr. Frontiera a listing of the various property that the City already owns.
- Mr. Rybarz said that he was approached about "alley rights" as to who owns it. Mr. Richard stated that if it had been vacated then it would still be City right of way. A title search would have to be done to verify. Alley's that have not been used by the City tend to accumulate private property.

ADJOURNMENT:

There being no further business to come before the council, the meeting was adjourned at 9:15 p.m., upon motion by Mr. Rybarz and supported by Ms. Thomson. The next meeting will be held on April 11th, 2017, 7:30 p.m.