



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
JUNE 26, 2018, 7:30 P.M.**

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

ABSENT: Rob Splane and Jason La Fever

OTHERS PRESENT: City Manager – Stan Rickard, City Attorney – Julie Springstead, BioPure Superintendent – Paul Cutter, Hydro Superintendent – Mike Schiller, DPW Superintendent – Brad Whitney, Police Chief – Juan Salazar, new City Manager – Lynne Ladner and Deputy Clerk - Cheri Eisenlohr. See attached list for others in attendance.

Mayor LaPorte dedicated this meeting in the memory of Sue Krajewski and her devotion to serving the City.

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. Hegedus to approve the agenda and supported by Mr. Wittman. The minutes from June 12, 2018, regular meeting, were approved as printed, motioned by Mr. Wittman and supported by Mr. Frontiera. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Grand Opening/Ribbon Cutting – Smoothie/Coffee/Juice Bar, Lakeside Family Fitness, July 28th, 2-4pm
- 'Hart Sparks' Fireworks – July 2nd
- Planning Commission – July 5th meeting moved to July 12th
- City Manager Employment Agreement: Mayor LaPorte signed the contract. A copy was given to the new City Manager, Lynne Ladner.

DEPARTMENT REPORTS:

- BioPure Superintendent, Paul Cutter:
 - Phase II of the irrigation project is ready to go to the bidding process. Bids will be opened on July 28th.
 - Removal of bio solids began last Thursday.
 - Prein&Newhof are working on the new blower project.
 - 127 million gallons were dispersed at the irrigation site this year to date.
 - Frank Lloyd was injured on the job June 19th and is currently off work until further notice.
- Police Chief, Juan Salazar:
 - Part-time officer Austin Buckingham, joined the force in April. He is currently completing his FTO with Office Brian Hintz and is progressing well.
 - Chief Salazar asked that he be allowed to order the new SUV as the sedan has had more mechanical issues and the new unit is already in the budget. The estimated cost for the vehicle is \$38,514.82. No issues were brought up for this request.
- DPW Superintendent, Brad Whitney:
 - Normal daily activities.
 - City-wide weed control.
 - Cold patching streets
 - Re-hanging the Hart Pirate Banners on poles.
 - Curb painting,
 - Signs were installed for the walking loop requested by the Council on Aging.
 - Tub grinder rental (City unit is non-functional)

- Dirt roads have been graded and brined.
- Logistics meeting has taken place for the Hart Sparks event on 7/2.
- 2017 Water Quality Study has been posted on the City website.
- Hydro Superintendent – Mike Schiller:
 - Tree removal is still taking place throughout the City.
 - Stump grinding was halted due to machine breakdown.
 - New poles have been placed at E Main street and John Gurney Park.
 - GRP has been working with the Sub Station creating a maintenance plan.
 - A stairway was created at the disc golf course on a steep incline using rail road ties.
 - Concrete was removed at the new facility to make room for a pit and wash bay.
- Mainstreet Manager, Julie Kreilick: Absent

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

None

BILLS, CLAIMS, PAYROLL:

Mr. Rickard discussed the following invoices in detail:

- \$75,773.00 BHS
- \$42,678.49 Gracon
- \$9,888.00 Merit

Bills totaled: \$288,877.40

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

Ayes: 5 Nay: 0 Absent: 2

ACTION ITEMS:

City Manager, Stan Rickard presented the following:

CITY OF HART
ORDINANCE NO. 2018-04

AMENDMENTS TO CODIFIED ORDINANCES OF HART MICHIGAN
PART TWELVE – PLANNING AND ZONING
TITLE FOUR-Zoning
CHAPTER 1244
Zoning Districts and Zoning Map

Approved on First Reading	June 12, 2018
Approved on Second & Final Reading	June 26, 2018
Publish Date	July 5, 2018
Effective Date	10 days after publishing

THE CITY OF HART ORDAINS AMENDMENTS TO CODIFIED ORDINANCES OF HART, MICHIGAN, PART TWELVE-PLANNING AND ZONING, TITLE FOUR-ZONING, CHAPTER 1244 ZONING DISRICTS AND ZONING MAP AS FOLLOWS AND REPEALS ALL REGULATIONS IN CONFLICT WITH THIS ORDINANCE:

**CHAPTER 1244
Zoning Districts and Zoning Map**

Rezoning block 113 from A-2, Apartment Zoning District to C-2, Limited Commercial

I, the undersigned, the duly qualified and acting City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the foregoing Ordinance amendments and additions were adopted by City of Hart at a regular City Council meeting properly held on the 26th day of June, 2018; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended. I hereby certify that I published the Ordinance amendments and additions in the Oceana Herald Journal on the 5th day of July, 2018.

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, Dep. City Clerk

Moved by Ms. Thomson, supported by Mr. Frontiera, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, June 26, 2018.

Ayes 4 Nays 0 Absent 2 Abstain 1 (Hegedus)

			Resolution 18-52 <u>3rd</u> <u>AMENDED</u>				ITEM 10, b
			City of Hart - City Council - Hart, Michigan				
			<i>BUDGET AMENDMENT</i>				
WHEREAS, the City Council may amend the annual budget to reflect changes in purchasing patterns or revised objectives; 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:							
EXPENDITURES							
	<u>FUND</u>	<u>DEPARTM ENT</u>	<u>LINE ITEM</u>	<u>ADOPT ED BUDGE T</u>	<u>AMEND ED BUDGE T</u>	<u>INCRE ASE DECRE ASE</u>	<u>JUSTIFICATION</u>
1	General	Administrative	Administrative	\$232,120	\$245,000	Increase	Publishing, ETO buy back, office equip, repairs

2	General	Elections	Elections	\$6,400	\$3,900	Decrease	May election moved to November
3	General	Public Works	Capital Outlay	\$12,000	\$0	Decrease	Deferred
				\$250,520	\$248,900		
4	Hydro Electric	Administrative	Administrative	\$626,930	\$646,930	Increase	Professional services, utilities, training
5	Hydro Electric	Dam	Contractual Services	\$310,800	\$270,800	Decrease	Deferred
6	Hydro Electric	Purchased Power	Purchased Power	\$3,101,000	\$3,145,000	Increase	Modest year-end sales increase
7	Hydro Electric	Diesel Plant	Diesel Plant	\$86,730	\$56,730	Decrease	Diesel fuel, contractual services
8	Hydro Electric	Accounting	Accounting	\$248,380	\$258,380	Increase	Postage, meter reading, wages
9	Hydro Electric	Distribution	Distribution	\$667,080	\$687,080	Increase	Operating supplies, contractual services
				\$5,040,920	\$5,064,920		
10	BioPur e	Treatment	Treatment	\$1,067,520	\$1,035,520	Decrease	Bio solids removal
11	BioPur e	Lift Stations	Contractual Services	\$50,370	\$74,370	Increase	Repairs, contractual services, electricity
12	BioPur e	Administrative	Administrative	\$303,490	\$323,490	Increase	Property taxes, postage, office supplies
13	BioPur e	Collection	Contractual Services	\$600,000	\$550,000	Decrease	SAW Grant activity
				\$2,021,380	\$1,983,380		
14	Water	Production	Production	\$66,960	\$76,960	Increase	Operating supplies, electricity
15	Water	Distribution	Distribution	\$65,990	\$85,990	Increase	Operating supplies, contractual services
16	Water	Administrative	Administrative	\$122,830	\$127,830	Increase	Professional services, memberships, dues
				\$255,780	\$290,780		
				\$7,568	\$7,587	0.3%	

				,600	,980		
Moved by Mr. Frontiera and supported by Ms. Thomson and thereafter approved by Hart City Council at a regular meeting on June 26, 2018.							
Ayes: 5 Nays: 0 Absent: 2							
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:							

**RESOLUTION 18-53
City Council
City of Hart, Michigan**

NON-UNION WAGES

WHEREAS, the City recently approved 4-year collective bargaining agreements with the Police Officers Labor Council (POLC) and Utility Workers Union of America (UWUA) that stipulated union wage adjustments; and the City should establish wage rates for non-union employees; and

WHEREAS, 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:

Authorizes and approves non-union hourly wage rates effective July 1, 2018 as follows:

<i>Assessor</i>	<i>\$22.18</i>
<i>Clerk-Treasurer</i>	<i>\$24.11</i>
<i>Deputy Clerk-Treasurer (2)</i>	<i>\$18.98</i>
<i>Police Chief</i>	<i>\$30.07</i>
<i>BioPure Superintendent</i>	<i>\$34.34</i>
<i>Public Works Superintendent</i>	<i>\$29.35</i>
<i>Electric Superintendent</i>	<i>\$45.92</i>
<i>Main Street Manager</i>	<i>\$19.70</i>

Moved by Ms. Thomson, supported by Mr. Frontiera, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, June 26, 2018.

Ayes 5 Nays 0 Absent 2

I hereby certify this to be a true and correct copy of the document on file with the office of the

Cheryl Rabe, City Clerk

**RESOLUTION 18-54
City Council
City of Hart, Michigan**

OLD BOOSTER STATION ISOLATION WATER MAIN

WHEREAS, the City of Hart owns, operates and maintains a municipal water supply and distribution system; and

WHEREAS, the 1890s water booster station on South State Street is no longer needed for water system operations and should be isolated from the water distribution system; and

WHEREAS, City Engineer Prein&Newhof has prepared plans and specifications for bypassing the booster station; and on June 5, 2018 City Council authorized the bid and award phase for a booster bypass water main; and the City invited 3 well-qualified area underground construction contractors to submit bids; and

WHEREAS, on June 20, 2018 the City received one (1) bid for the aforementioned project; and City Engineer Prein&Newhof reviewed the bid and recommends project award to Hallack Contracting; and

WHEREAS, 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 and accepts the bid from Hallack Contracting (Hart) in the amount of \$98,987.80.

Authorizes and directs the City Manager to sign all contract documents for the Old Booster Station Isolation Water Main project.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, June 26, 2018.

Ayes Nays Absent

I hereby certify this to be a true and correct copy of the document on file with the office of the

Cheryl Rabe, City Clerk

THIS RESOLUTION WAS TABLED BY A MOTION FROM MR. FRONTIERA AND SUPPORTED BY MR. WITTMAN.

AYES: 5, NAYS: 0, ABSENT: 2

**RESOLUTION 18-55
City Council
City of Hart, Michigan**

SOLAR ENERGY COLLECTION EASEMENTS

WHEREAS, the City of Hart owns irrigation property in Hart Township near the BioPure Treatment Facility; and

WHEREAS, EDF Renewables (Columbia, MD) through "Hart Solar Partners" proposes a solar energy project in Hart Township in close proximity to the City's irrigation properties; and Hart Solar Partners requests options to acquire six (6) easements on City irrigation property for 5 solar energy collection lines and a 1/2 acre utility pad for connection apparatus to nearby electric substations; and

WHEREAS, City staff has reviewed the proposed easement locations and has determined that the solar energy collection lines and connection apparatus will not interfere with irrigation operations or other City uses; and

WHEREAS, Hart Solar Partners requests an 'Option to Purchase Easements' (Option) between the date of Option execution and December 31, 2021; and Hart Solar Partners offers the City \$1000 for each Option whether they choose to exercise the Option or not; and should Hart Solar Partners exercise an Option, Hart Solar Partners will pay City to consummate the purchase at a rate of \$7200 per acre, the approximate value of farmland conversion to commercial use per Michigan State University Department of Agriculture Report No. 650 published September, 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:

Authorizes and approves six (6) solar energy collection and connection 'Easement Purchase Option Agreement' documents with Hart Solar Partners on parcels 64-007-022-200-02, 64-007-022-200-01, 64-007-022-100-06, 64-007-022-100-05, 64-007-015-400-07 & 64-007-015-400-07.

Authorizes and directs the City Manager to sign the 'Easement Purchase Option Agreement' documents on behalf of the City of Hart.

Moved by Ms. Thomson, supported by Mayor LaPorte, and thereafter adopted at a City of Hart City Council meeting on June 26, 2018.

Ayes: 5 Nays: 0 Absent: 2

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Cheryl Rabe, City Clerk

RESOLUTION 18-56
City Council
City of Hart, Michigan

MULTI-FUNCTION COPY, SCAN, PRINT & FAX MACHINE

WHEREAS, the City of Hart owns a used copy machine that should be upgraded to include faster printing, improved technology and less frequent maintenance; and

WHEREAS, the City has investigated comparable multi-function copy-scan-print-fax machines and secured pricing for 60 month FMV (fair market value) lease financing; and

WHEREAS, the Ricoh (\$206.58 monthly) and Xerox (\$215.00 monthly) machines are the prominent units in use in the Hart area; and the Ricoh pricing for excess copies per month is about 40%-50% less than Xerox; 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:

Authorizes and approves the Ricoh MP C4504ex multi-function copy-scan-print-fax machine purchase through a 60 month FMV lease.

Authorizes and directs the City Manager to sign the Ricoh purchase and lease documents on behalf of the City of Hart.

Moved by Mr. Frontiera, supported by Ms. Thomson, and thereafter adopted at a City of Hart City Council meeting on June 26, 2018.

Ayes: 5 Nays: 0 Absent: 2

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Cheryl Rabe, City Clerk

SPECIAL EVENTS PERMIT:

- "Krieger Kares," sponsored by the Hart Public Schools, July 23rd, Hart Commons
 - Mr. Hegedus made a motion to approve the special event permit, supported by Mr. Wittman, all ayes, the motion carried.
- "Keeping Families Together Vigil," sponsored by the Oceana Hispanic Center, June 30th, Hart Commons
 - Mr. Hegedus made a motion to approve the special event permit, supported by Mr. Frontiera. All ayes, the motion carried.

DISCUSSION ITEMS:

- Hart Hydro Electric Credit Report Card – Michigan Public Power Agency
 - This report is for informational purposes only. Hart scored 87 points out of a possible 84.
- Creeks Development – Request for Proposals
 - Blackmer and Hammersma will be submitting proposals
- Lincoln Street Improvements – Revised estimate with a parking lane
 - The estimated cost of the project is \$482,000.00.
- Administrative Consent Order (ACO) – MDEQ meeting July 9th, Lansing

- Discussions on the ACO/UAA
- Property Sale
 - Vacant lots adjacent to Gray & Co.
 - Gray & Co., has offered \$20,000.00 for the lots. More discussion shortly.
- Harrison Road parking improvements
 - Mr. Bruch presented pictures of the parking issues located near the dam on Harrison road. A meeting will be taking place with Hart Township and the County Road Commission.
- 603 Courtland nuisance-dangerous property
 - A decision needs to be made in regards to this property. Owner wants to donate it to the City. The house violates code as it is too close to the steep bank behind it. The owner can demolish then donate or the City accept the donation and pay to demo it. More to follow in a future meeting.

CITY MANAGER REPORT: 11-Month Budget Report

CITY ATTORNEY REPORT: Nothing

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mr. Wittman asked the City Manager if he had the report ready on the GPS units in City vehicles. Mr. Rickard stated that he did not have the information available for this meeting.
- Jim Evans stated the 603 Courtland house could be used for fire department training with a controlled burn. The Mayor said that he didn't think that the Hart Fire Department staged those any longer.

There being no further business to come before the Council, the meeting adjourned at 8:45 p.m., upon motion by Mr. Hegedus and supported by Mr. Wittman. The next regular meeting is July 10, 2018, at 7:30 p.m.