



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
JULY 10, 2018, 7:30 P.M.**

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

ABSENT: None

OTHERS PRESENT: City Manager – Stan Rickard, City Attorney – Julie Springstead, BioPure Superintendent – Paul Cutter, Hydro Superintendent – Mike Schiller, Police Chief – Juan Salazar, Mainstreet Manager – Julie Kreilick 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 agenda and supported by Mr. Hegedus. The minutes from June 26, 2018, regular meeting, were approved as printed, motioned by Mr. Wittman and supported by Ms. Thomson. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Distribution of Annual FY2019 Budget Documents
- Mr. Jim Evans asked if the bidding option had been addressed in the Hallack bid for the Booster Station, Mr. Rickard advised him that Hallack will not adjust their bid in regards to the exploratory work.
- Mr. George Sadler asked what had happened to the City stop light. Mr. Schiller told him that it had been damaged in the recent storm and that a replacement part had been ordered and was due in soon.

DEPARTMENT REPORTS:

- BioPure Superintendent, Paul Cutter:
 - The hauling away of the bio solids is complete.
 - Prein & Newhof are still working on the new blower proposal.
 - Kennedy Industries is proving SCADA updates.
 - Frank Lloyd is off work (workman's compensation) until further notice due to a shoulder injury that will require surgery to repair.
- Police Chief, Juan Salazar:
 - Officers' Hintz and Ingalls recently attended training on handling domestic violence issues.
 - Chief Salazar and Sgt. Skipski attended a class on "Crisis Management."
 - The Hart Sparks event went well, there were a few missing children, but all were found and returned to their parents. The police were assisted by EMS, Hart Fire Department and the Marine Patrol during the event.
- DPW Superintendent, Brad Whitney: Absent
- Hydro Superintendent – Mike Schiller:
 - Stump removal continues across the City.
 - The crew has been working on the lights in the new shop.
 - The stoplight is currently not working due to a storm; a part has been ordered for it.
 - Blackmer's poured cement at the new shop.
 - The Power's substation is down currently due to metering issues from the recent storm.
- Mainstreet Manager, Julie Kreilick:
 - \$20,000.00 has been brought in from fundraising activities.
 - There are 11 fulltime vendors at the Farmer's Markets. The Theme of the July 19th market is "Foodie Crawl."

- The recent charrette to discuss the pocket park was a success with many young families attending.
- Hart Sparks fireworks were a big success. It was a record-breaking night for local vendors.
- The “Whatever Floats Your Boat” regatta is getting an overhaul and being paired with a paddlefest event this year.
- The summer newsletter has been printed and distributed.
- The weather has been good for the Music on the Commons concerts.
- La Probadita was written up in the Grand Rapids Press as a “hidden gem.”

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

None

BILLS, CLAIMS, PAYROLL:

Mr. Rickard discussed the following invoices in detail:

- \$6,071.84 – Hart Cemetery
- \$7,972.75 – Hart Area Fire Board
- \$102,063.62 - MPPA

Bills totaled: \$309,680.23

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

Ayes: 7 Nay: 0 Absent: 0

ACTION ITEMS:

City Manager, Stan Rickard presented the following:

RESOLUTION 18-57
City Council
City of Hart, Michigan
Oceana County

LAMBRIX INDUSTRIAL ELECTRIC SUBSTATION
Preventive Maintenance Services

WHEREAS, the Lambrix Industrial, Powers West Hart, and 88th Avenue substations were upgraded in 2008, 2015 and 2017 respectively; and

WHEREAS, electrical engineering consultant GRP Engineering (Petoskey) recommends a substation preventive maintenance program to improve system reliability and performance; and they prepared maintenance specifications and schedules for three substations; and they recommended that the Lambrix Industrial Substation be scheduled for services in 2018 with other substations to follow in 2019 & 2020, respectively; and

WHEREAS, Hart Electric staff selected three well-qualified maintenance contractors and requested proposals for the 2018 preventive maintenance program and received 3 proposals as follows:

BIDDER	BID AMOUNT
Premier Power Maintenance (Brighton)	\$20,135
Utilities Instrumentation Services (Dexter)	\$22,279
Energis High Voltage Resources (Belmont)	\$25,309

WHEREAS, GRP Engineering reviewed the proposals and Hart Electric staff recommends contract award to the low bidder Premier Power Maintenance; 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 HART CITY COUNCIL:

Accepts the low bid of \$20,135 from Premier Power Maintenance (Brighton) for the Lambrich Industrial Substation preventive maintenance program.

Authorizes and directs the City Manager to sign the program documents and implement the preventive maintenance plan in accordance with the specifications on behalf of the City of Hart.

Moved by Ms. Thomson and supported by Mr. Splane, and thereafter adopted by the City of Hart City Council at a regularly scheduled meeting held on Tuesday, July 10, 2018.

Ayes: 7 Nays: 0 Absent: 0

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 18-58
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 Ms. Thomson, supported by Mr. Splane, and thereafter adopted by the Hart City Council at a regularly scheduled council meeting held on Tuesday, July 10, 2018.

Ayes 3 Nays 4 (Wittman, Hegedus, La Fever, Frontiera) Absent 0
Resolution did not pass.

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

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Discussion: Mr. Jim Evans suggested that the City enter into a cost-plus arrangement with this vendor

RESOLUTION 18-59
City Council
City of Hart, Michigan
Oceana County

CREEKS DEVELOPMENT

WHEREAS, in 2017, the City of Hart took possession and ownership of The Creeks Condominiums after many years of negotiating with the involved parties; and

WHEREAS, the City would like to move forward with development activities and after seeking letters of interest from area builders, two well-qualified contractors expressed willingness to partner with the City; and pursuant to R18-42 City Council requested Creeks development proposals from Mike Blackmer Construction and Mark Hammersma Construction; and

WHEREAS, only Mike Blackmer Construction submitted a proposal on the due date July 6, 2018; and

WHEREAS, it is in the City's best interest to move forward with the Creeks Development project with Mike Blackmer Construction; 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 July 6, 2018 proposal from Mike Blackmer Construction for the Creeks Development project.

Authorizes and directs the City Manager and City Attorney to negotiate an agreement with Mike Blackmer Construction and present the agreement to City Council at a future meeting for their review and approval.

Moved by Mr. Frontiera, supported by Mr. Wittman, and thereafter adopted by the City of Hart, Michigan City Council at a regularly scheduled meeting held on Tuesday, July 10, 2018.

Ayes: 5 Nays: 1 (Splane) Absent: 0 Abstain: 1 (Hegedus)

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Cheryl Rabe, City Clerk

RESOLUTION 18-60
Hart City Council
City of Hart, Michigan

HART MAIN STREET BOARD APPOINTMENT

WHEREAS, in 2010 the City of Hart joined the Michigan Main Street Program, established the Hart Main Street Program, and appointed a Board of Directors; and Board member appointments are necessary from time-to-time to replace retiring members; and

WHEREAS, pursuant to Hart Main Street Program by-laws Article 4-Board Members, Section 3-Number, Tenure, Qualifications, Paragraph 2, "One member shall be the acting Mayor of the City of Hart, or his or her appointed alternate if the Mayor elects not to be a Member of the HMSP."; and

WHEREAS, the Mayor appointed the City Manager to the Hart Main Street Board pursuant to the aforementioned procedure; and due to the City Manager's retirement, the Mayor elects to exercise his option to appoint a new Member to the Hart Main Street Board; 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:

Ratifies the Mayoral appointment of Lynne Ladner to the Hart Main Street Board effective July 16, 2018.

Moved by Mr. Frontiera, supported by Mr. Splane, and thereafter adopted by the Hart City Council at a regular council meeting held on July 10, 2018.

Ayes: 7 Nays: 0 Absent: 0

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 18-61
Hart City Council

City of Hart, Michigan

MICHIGAN PUBLIC POWER AGENCY COMMISSIONER APPOINTMENT

WHEREAS, the City of Hart (dba Hart Hydroelectric) is a Charter member of the Michigan Public Power Agency (MPPA, the 'Agency') in Lansing, Michigan that is governed by a Board of Commissioners consisting of one appointee from each member pursuant to MPPA by-laws as follows:

**ARTICLE II
BOARD OF COMMISSIONERS**

Section 2.1. Board of Commissioners and Alternate Commissioners. The Agency shall be governed by a Board of Commissioners appointed by the respective governing bodies of the municipalities which are members of the Agency. The governing body of each member municipality shall by resolution appoint one commissioner. The governing body of each member municipality may by resolution appoint an Alternate Commissioner who shall be entitled to vote only in the absence of the Commissioner. If a 2nd Alternate Commissioner is appointed in the resolution of the governing body of the member municipality, the resolution shall designate who shall be the 1st Alternate Commissioner and the 2nd Alternate Commissioner. In the event more than one Alternate Commissioner attends a meeting of the Agency, including any of its committees, the Alternate Commissioner with the highest designation shall be recognized and entitled to vote in the absence of the Commissioner.

WHEREAS, the City's current appointees are as follows: Commissioner – Stan Rickard; 1st Alternate Commissioner – Mike Powers; and 2nd Alternate Commissioner – Mike Schiller; and

WHEREAS, due to City Manager Stan Rickard's retirement, the City must appoint a Commissioner; 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:

Appoints City Manager designee Lynne Ladner to the Michigan Public Power Agency Board of Commissioners as Commissioner effective date of August 3, 2018.

Moved by Mr. Frontiera, supported by Mr. Splane, and thereafter adopted by the Hart City Council at a regular council meeting held on July 10, 2018.

Ayes: 7 Nays: 0 Absent: 0

Michigan Department
of Transportation
2012 (03/13)

RESOLUTION FOR DESIGNATION OF STREET ADMINISTRATOR

This information is required by Act 51, P.A. 1951 as amended. Failure to supply this information will result in funds being withheld.

MAIL TO: Michigan Department of Transportation, Financial Operations
Division, P.O. Box 30050, Lansing, MI 48909.
or Fax to: 517-373-6266

NOTE: Indicate, if possible, where Street Administrator can usually be reached during normal working hours, if different than City or Village Office. List any other office held by the Administrator.

Councilperson or Commissioner Thompson

offered the following resolution and moved its adoption:

Whereas, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

Therefore, be it resolved, that this Honorable Body designate Lynne Ladner

_____ as the single Street Administrator for the City or Village of

Hart in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Supported by the Councilperson or Commissioner Frontiera

Yeas 7

Nays 0

I hereby certify that the foregoing is a true and correct copy of a resolution made and adopted at a regular meeting of the governing body of this municipality on the 10th day of

July, 2018

CITY OR VILLAGE CLERK (SIGNATURE) <u>Cheryl Kade</u>	EMAIL ADDRESS <u>crabe@cityofhart.org</u>	DATE <u>7-11-18</u>
STREET ADMINISTRATOR (SIGNATURE) <u>Lynne Ladner</u>	EMAIL ADDRESS <u>lladner@cityofhart.org</u>	DATE <u>7-16-18</u>
ADDRESS OF CITY OR VILLAGE OFFICE <u>407 S. State St.</u>		P.O. BOX
CITY OR VILLAGE <u>Hart, MI</u>	ZIP CODE <u>49420</u>	PHONE NUMBER <u>517-373-2488</u>

SPECIAL EVENTS PERMIT:

- “Whatever Floats Your Boat Regatta/Hart Lake Paddlefest.”: August 18 from 9:00 am to 1:00 pm.
- Rich Tomkins Memorial Race – September 3 from 6:00 am to 10:00 am.

DISCUSSION ITEMS:

- Vehicle GPS Report:
 - Sample reports were given to the Council. There are some members who feel that this program is not needed and affects the employees moral. The Council will discuss this further with the new City Manager, Lynne Ladner and see how she feels about it.
- Administrative Consent Order (ACO) – MDEQ meeting July 9th, Lansing:
 - Prein & Newhof attended this meeting with City reps as well as LimnoTech. Two key DEQ officials were not in attendance at the meeting, and no lawyers from either side were present. The meeting went well and was cordial. The fines from 2017 were waived due to the steps that the City is taking to try to resolve the water temperature issue.
- Property Sale – Vacant Lots – Gray & Co.,
 - They would still like to purchase the City-owned property near their facility for \$20,000.00. By selling the property to Gray & Co., more money will come to the City in for the form of property taxes. Julie will research to make sure that there is no personal liability for the Council members and provide the information at the next meeting.
- Harrison Road Parking Improvements:
 - Hart Township is responsible for Harrison Rd where it ends at the Dam. There is no traffic control at this location and fishermen park all over private property. Prein & Newhof is looking into making parking improvements in the small parking lot that is there. The City will pursue this issue.
- Hart Lake Board – July 30th @ 4:00 pm: Special Assessment Renewal:
 - The current assessment ended two years ago with enough funds to keep a new assessment at bay. The funds are currently running out, and a new assessment will need to be instituted. There will be a Lake Board meeting on July 30 at 4:00 pm to discuss the assessment.
- Bucket Truck Bids, Wireless meter reading, irrigation pump station:
 - Mike Schiller has received bids on a new bucket truck from Altec but none from Terex at this time.
 - The bid process on the wireless meter reading and the irrigation project have been pushed further out at this time.
 - The Pentwater – Hart bike trail extension was awarded a 1.4 million grant from the State to use toward the anticipated 5 million dollar cost of the extension. There will be a meeting next week to discuss what route(s) can be used out of the City toward Pentwater.

CITY MANAGER REPORT: None**CITY ATTORNEY REPORT:**

Closed session entered into at 8:49 pm by a motion from Mr. Wittman, supported by Mr. Splane. All Ayes, motion carried. Returned to open session at 8:58 pm by a motion made by Mr. Wittman and supported by Mr. Frontiera, all ayes, the motion carried.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Appointment to the Power Board and Cemetery Board.
 - Mr. Wittman made a motion to approve Steve Bruch to the Power Board, supported by Mr. La Fever, all ayes, the motion carried. Mayor La Porte asked to be appointed to the Cemetery Board, Mr. Wittman made the necessary motion, and Mr. Frontiera supported, all ayes, the motion carried.

There being no further business to come before the Council, the meeting adjourned at 9:02 p.m., upon motion by Mr. Frontiera and supported by Mr. La Fever. The next regular meeting is July 24, 2018, at 7:30 p.m.