



**CITY OF HART**  
**407 S. STATE ST.**  
**HART, MI 49420**  
**COUNCIL PROCEEDINGS - AMENDED**  
**AUG. 14, 2018, 7:30 P.M.**

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

**ABSENT:** Steve Hegedus

**OTHERS PRESENT:** City Manager – Lynne Ladner, City Attorney – Julie Springstead, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, DPW Superintendent – Brad Whitney, Mainstreet Manager – Julie Kreilick, Police Chief – Juan Salazar 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. Frontiera. The minutes from **July 24**, 2018, regular meeting, were approved as printed, motioned by Mr. Frontiera and supported by Mr. La Fever. All ayes, both motions were carried.

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

- Mr. George Sadler asked whether or not the City was considering adding more parking in the downtown area. Mayor LaPorte stated that he did not know where more could be added. Mr. Sadler reminded the Council that at one time it was suggested purchasing the old Walker’s Restaurant. Mr. Gene Moorman, the owner, stated that he would prefer to see another business installed in the building rather than tearing it down. Mr. Rob Splane suggested taking the issue to the Planning Commission for a parking review to be done.
- Mr. Sadler also asked for clarification on the recent sign issue. Ms. Ladner stated that signs could not go into the medians that are owned by the City but can be placed in people’s yards with their permission.

**DEPARTMENT REPORTS:**

- BioPure Superintendent, Paul Cutter: Absent
- Police Chief, Juan Salazar:
  - Chief Salazar stated that part-time officer, Austin Buckingham had finished his FTO and would be able to patrol without supervision.
  - The TEAM golf outing will be on September 16 at Benona Shores Golf Course in Shelby.
- DPW Superintendent, Brad Whitney: Absent
- Energy Superintendent – Mike Schiller:
  - Tree removal/trimming is complete near Union and Hart Streets. The section near the Rail Trail will be next.
  - Need to spray brushy right of way areas to reduce the foliage.
  - City Hall and the Library have been put onto the Hendrix circuit.
  - There are AED’s in every department now.
  - Working on Miss Dig requests.
  - Officially moved into 3907 Oceana Drive.
  - Power poles are now stored at the new location.
  - Attended a meeting regarding how to deal with customers.
  - UIS installed new controls, sensors and a new computer screen at the dam.
    - Mr. Splane asked about the invoice for wire and where it would be used – Mr. Schiller advised that it was for the lake undergrounding project that was worked on in the spring.

- Mainstreet Manager, Julie Kreilick: Absent

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

None

**BILLS, CLAIMS, PAYROLL:**

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

\$4,968.14 – Gracon

\$35,164.66 – Power Line Supply

\$13,950.08 – UIS SCADA

Bills totaled: \$502,686.22

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

**ACTION ITEMS:**

City Manager, Lynne Ladner presented the following:

Mayor LaPorte opened at Public Hearing at 7:46 pm to discuss Resolution 18-68, no discussion ensued, the hearing was closed at 7:47 pm.

**RESOLUTION 18-68**  
**City Council**  
*City of Hart, Michigan*  
*County of Oceana*

**AUTHORIZATION TO**  
**SELL CITY-OWNED PROPERTY**  
***DESCRIBED AS Lots 11 and 12 and the West ½ of Outlot "B" of Supervisors Plat No. 1***

WHEREAS, the City of Hart owns parcels designated as Lots 11 and 12 and the West ½ of Outlot "B" of Supervisors Plat No 1, according to the recorded plat thereof, Oceana County Records, Hart City, Oceana County Michigan, and

WHEREAS, the City Charter Section 4.10 (k) grants the City Council authority to sell the property after a required public hearing, and

WHEREAS, the City Council published a notice for a public hearing on August 8, 2018, and conducted a public hearing on August 14, 2018, at their regular meeting, and

WHEREAS, the property is not suitable for the City's needs and is surplus, and

WHEREAS, Gray and Company has made a bona fide offer for the property in writing via email dated May 22, 2018

WHEREAS, having received public comment regarding the sale of City-owned property the City Council declares that it is in the best interest of the City of Hart to sell the property described as Lots 11 and 12 and the West ½ of Outlot "B" of Supervisors Plat No 1, according to the recorded plat thereof, Oceana County Records, Hart City, Oceana County Michigan and

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

1. *Declares Lots 11 and 12 and the West ½ of Outlot "B" of Supervisors Plat No 1, according to the recorded plat thereof, Oceana County Records, Hart City, Oceana County Michigan. property unsuitable for City needs and surplus.*
2. *Accepts the Gray and Company May 22, 2018 cash offer for the City-owned property at Lots 11 and 12 and the West ½ of Outlot "B" of Supervisors Plat No 1, according to the recorded plat thereof, Oceana County Records, Hart City, Oceana County Michigan in the amount of \$20,000 and other considerations enumerated in Exhibit A attached hereto.*
3. *Authorizes the sale of the property located at Lots 11 and 12 and the West ½ of Outlot "B" of Supervisors Plat No 1, according to the recorded plat thereof, Oceana County Records, Hart City, Oceana County Michigan.*
4. *Authorizes and directs the City Attorney and City Manager to establish a closing date and sign all closing documents for the transaction.*

Moved by Mr. Frontiera, supported by Mr. Splane, and thereafter adopted by the Hart City Council at a regular council meeting held on August 14, 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 18-69**  
**City Council**  
**City of Hart, Michigan**  
**County of Oceana**

**AWARD CONTRACT FOR MATERIAL AND INSTALLATION OF INSULATION IN THE HYDRO ENERGY BUILDING**

WHEREAS, the City of Hart seeks to improve the energy efficiency of the building purchased and being used to house the Hydro Energy Department, and

WHEREAS, the sought bids for the application and installation of insulation in the ceiling, East and South walls and the ceiling area of the building and received bids from only two of the companies that were solicited, and

WHEREAS, the City received 2 bids for the material and installation of the insulation: Penz (Hart, MI) \$8,679 and Foam Works (Ludington, MI) \$14,4498;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Approves and accepts the bid from Penz for the material and installation of insulation at the Hydro Energy Building in the amount of \$8,679*

*Authorizes and directs the City Manager to sign all contract documents on behalf of the City of Hart.*

Moved by Ms. Thomson, supported by Mr. La Fever, and thereafter adopted by the Hart City Council at a regular council meeting held on August 14, 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.

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Cheryl Rabe, City Clerk

**RESOLUTION 18-70**  
**City Council**  
***City of Hart, Michigan***  
***County of Oceana***

***AWARD CONTRACT FOR PURCHASE OF BUCKET TRUCK FOR HYDRO ENERGY DEPARTMENT***

WHEREAS, the City of Hart has determined a need to purchase a new bucket truck for the Hydro Energy Department, and

WHEREAS, they solicited bids from manufactures and received bids from two companies; and

WHEREAS, the City received two bids for the manufacture and delivery of a bucket truck from Terex (service center Kalamazoo, MI) in the amount of \$152,358 and Altec (service tech in Reed City, MI) in the amount of \$157,540, and

WHEREAS, Altec has provided a demonstration vehicle for the Department to checkout, review, and test, and has offered an additional discount on the pricing if the city were to agree to two invoices for the purchase with the first after Altec takes delivery of the cab/chassis reducing the price to \$156,250

WHEREAS, After considerable attempts by city staff to obtain an opportunity for a demonstration, review, and test of the Terex vehicle to ensure that the configuration meets the City’s needs,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Approves and accepts the bid from Altec in the amount of \$156,250 with initial payment invoicing to be submitted when Altec takes delivery of the cab/chassis from the manufacturer, and*

*Authorizes and directs the City Manager to sign all contract documents on behalf of the City of Hart.*

Moved by Mr. Splane, supported by Mr. Wittman, and thereafter adopted by the Hart City Council at a regular council meeting held on August 14, 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.

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Cheryl Rabe, City Clerk

**SPECIAL EVENTS PERMIT:**

- Hart Rec Buccaneer Festival – August 18 from 9:00 am to 12:00 pm:
  - A motion made by Mr. Splane and supported by Mr. Frontiera to approve the permit. All ayes, the motion carried.
- FBC Fest – September 9 from 10:30 am to 3:00 pm:
  - A motion was made by Mr. Frontiera and supported by Mr. La Fever to approve the permit. All Ayes, the motion carried.
- Hispanic Heritage Celebration – September 15 from 4:00 pm to 10:00 pm:
  - A motion was made by Mr. Splane and supported by Mr. Wittman to approve the permit. All ayes, the motion carried.
- Third Annual Hart Block Party – September 7 from 4:00 pm to 11:00 pm:
  - A motion was made by Ms. Thomson and supported by Mr. Wittman to approve the permit. All ayes, the motion carried.
- Hart Hills Gravel Bike Race – October 6 from 10:00 am to 2:00 pm:
  - A motion was made by Ms. Thomson and supported by Mr. Wittman to approve the permit. All ayes, the motion carried.

**DISCUSSION ITEMS:**

- RHFV Corrective Action Plan:
  - The City had previously passed a resolution (18-32) that has to do with the City's OPEB liability. The State requires that the Corrective Action Plan be used. A resolution will be presented at the next Council meeting; it will accomplish the same thing as the previous resolution whereas the City will meeting the required 2024 funding amount of \$100,000.00 annually.
- Hart Solar Pole Attachment Agreement:
  - The City is working with EDM (Hart Solar) on an agreement for them to attach to our utility poles. Mike Schiller and Julie Springstead are working on the verbiage of the agreement as to who gets the top part of the poles, costs of poles and who will be paying for what. This will hopefully be presented at the next meeting for approval. Mr. Frontiera wants to make sure that the agreement fully benefits that City now and in the future.

**CITY MANAGER REPORT:**

- 1-Month Budget Report:
  - Everything is on track and looking good. Some of the revenues have not been included as of this time as they will be coming in later this year.
  - Several residents have been in recently requesting land splits or conjoining properties within the City, these requests are being reviewed this week.

- Ms. Ladner has requested a meeting with the County to discuss outsourcing our assessment needs to them as Mr. Pease will be retiring on September 4. The State requires communities to have a level 4 assessor on staff, and Mr. Pease is a level 3 and does not want to pursue the higher level. Finding assessors within the State is very difficult at this time.
- There will be an inspection of the dam on Thursday by FERC, no issues are anticipated.

**CITY ATTORNEY REPORT:**

- None

**COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

- Mr. Frontiera suggested that all support the football team and purchased a vendor card that they are selling for fundraising purposes.
- Mr. La Fever stated that he had been asked about having the meetings recorded and airing them live or posting on the City website or Facebook account. Ms. Ladner explained that the minutes are the "official" documents of the meeting, not video or recordings. The Mayor also stated that this had been considered in the past and was never adopted.

There being no further business to come before the Council, the meeting adjourned at 8:23 p.m., upon motion by Mr. Frontiera and supported by Mr. Wittman. The next regular meeting is August 28, 2018, at 7:30 p.m.