

PUBLIC NOTICE OF ELECTRONIC MEETING OF THE CITY OF HART CITY COUNCIL

**PLEASE NOTE: THIS NOTICE IS GIVEN AND PUBLISHED PURSUANT TO
MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES
EMERGENCY ORDER UNDER MCL 333.2253 – GATHERING PROHIBITION AND MASK ORDER AND PA 228 OF 2020
AMENDMENT TO SECTION 3 OF PA 267 OF 1976**

The City of Hart Council is providing virtual electronic meeting access as a result of the COVID-19 virus and to protect the health, safety and welfare of the citizens of Hart, Michigan of such virus.

Indoor social gatherings and events among persons not part of a single household are permitted, attendance of up to but may not exceeding 20 people per 1,000 sq. ft. of occupied room. As such until further notice City Meetings will be available to the public via the Zoom Virtual meeting platform in addition to the limited access permitted based upon room size.

**When: Oct 27, 2020 07:30 PM Eastern Time (US and Canada)
Topic: City of Hart City Council**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86051201076?pwd=SVF1dWpMYlkcWFMOGVLSlhrQ2JFdz09>

Passcode: 100586

Or iPhone one-tap :

US: +13017158592,,86051201076#,,,,,0#,,100586# or +13126266799,,86051201076#,,,,,0#,,100586#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

Webinar ID: 860 5120 1076

Passcode: 100586

International numbers available: <https://us02web.zoom.us/j/86051201076?pwd=SVF1dWpMYlkcWFMOGVLSlhrQ2JFdz09>

Access is provided through the Michigan Relay Service for individuals with speech or hearing impairments <https://hamiltonrelay.com/michigan/index.html>

Dated: October 23, 2020

Lynne Ladner, MPA
City Manager

City of Hart, Michigan
CITY COUNCIL AGENDA
October 27, 2020, 7:30 PM
Community Center, 409 State Street, Hart, Michigan

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are being monitored, and violations of statutes will be prosecuted.

1. Call to Order
2. Roll Call – LaPorte, Burillo, Frontiera, Hegedus, La Fever, Platt, Splane
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes from October 13, 2020.
6. Public Comments – **Public comment on any matter that is not included on the agenda for a public hearing by the Council. We ask that you please limit your comments to 3 minutes**
7. Correspondence, Events, Presentations
8. Department Reports (* written report will be provided)
 - a. Police b. BioPure c. Public Works d. Energy e. HEART
9. Reports of Boards, Commissions, and Committees (***) Minutes in the packet)

1. Cemetery	9. Power	16. Tax Abatement
2. DPW	10. Recreation	17. Water/BioPure
3. Housing Board of Review	11. Parks	18. Neglected/Dangerous Properties
4. Finance/Personnel	12. Library	20. H.E.A.R.T
5. Fire Board***	13. Planning	21. Hart Lake Board
6. Historic	14. TIFA	22. Election Commission
7. Police	15. ZBA	23. Starting Block Kitchen Incubator
24. Compensation Com.		
10. Bills, Claims, Payroll
11. Action Items
 - a. Resolution 2020-60 Accept bids for JGP Management and authorize Park Committee to negotiate contract agreement for Council approval
 - b. Resolution 2020-61 Waive bidding requirements for Underwater Bridge Inspection and Accept Bid from Great Lakes Engineering Group
 - c. Resolution 2020 – 62 Adopt second amendment and estopple agreement with Hart Solar
 - d. Resolution 2020 – 63 Accept recommendation from Finance Committee and Authorize City Manager to complete negotiations for sale of Hart Industrial Park parcel number 020-390-012-00.
 - e. Resolution 2020 – 64 Accept Prein Newhof proposal for EDA project funding applications
 - f. Resolution 2020 – 65 Adopt Policies and Procedures for Remote and Hybrid Public Meetings per PA 228 of 2020
12. Discussion Items
13. City Manager Report
14. Communications from the Mayor and Council
15. Adjournment –

[Access is provided through the Michigan Relay Service for individuals with speech or hearing impairments.](https://hamiltonrelay.com/michigan/index.html)
<https://hamiltonrelay.com/michigan/index.html>



CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
OCTOBER 13, 2020, 7:30 pm
MINUTES - DRAFT

PRESENT IN PERSON OR VIA ZOOM: Mayor Ron LaPorte, Councilors: Vicki Platt, Rob Splane, Joe Frontiera, and Steve Hegedus

ABSENT: Jason La Fever and Catalina Burillo

OTHERS PRESENT City Manager – Lynne Ladner, Deputy City Clerk – Cheri Eisenlohr
 Mayor LaPorte called the meeting to order at 7:30 pm; following the roll call; the Mayor lead the Council in the pledge of allegiance.

AGENDA:

- Mr. Frontiera motioned to approve the agenda, supported by Ms. Platt, all ayes, the motion carried.
 - Ayes: 5 Nays: 0 Absent: 2

MINUTES:

- Mr. Hegedus motioned to approve the minutes of the September 22, 2020 meeting, supported by Ms. Platt, all ayes, the motion carried.
 - Ayes: 5 Nays: 0 Absent: 2

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Mr. Steve Freed, current JGP manager, took issue with the RFP for new Park management.
 - He feels that Freed Management was terminated without cause.
 - He inquired as to why no Park Committee meetings had taken place if there were concerns regarding the management of the Park.
 - Mayor LaPorte advised him that there wasn't a quorum the last time a Park meeting was to take place.
 - Ms. Ladner explained that it was not termination and that they could submit a new proposal to continue as managers of the Park.
 - At this time, Mr. Sadler made a point of order comment to remind the Council that no questions were to be asked during Public Comment.
- Mr. Sadler pointed out that the work on the Pocket Park was progressing slowly and that out of 72 days, the contractors had only been there for 44 days and that the construction crews were blocking 14 parking spots.
 - Ms. Ladner advised that the project is being properly supervised and that issues with the project are being addressed as they occur, such as unknown footings. The City is anticipating a completion date at the end of November.
 - Ms. Marczak of Prein and Newhof did state that the progress was moving slower than anticipated.
- Ms. Platt took an opportunity to report the retirement of Kay Williams as the Hart Area Public Library Director and that Kathleen Rash will take over the position.

DEPARTMENT REPORTS:

- *Police Chief, Juan Salazar:*
 - A written report was provided.
- *Energy Dept. Superintendent, Mike Schiller:*
 - A written report was provided.
- *BioPure Superintendent, Paul Cutter:*
 - A written report was provided.
- *DPW Superintendent, Brad Whitney:*
 - A written report was provided.
- *HEART Director, Nichole Steel:*
 - A written report was provided.

BILLS, CLAIMS, & PAYROLL:

- o Bills: \$414,064.99 Payroll: \$57,883.12 Grand Total: \$471,948.11
- o Mr. Hegedus motioned to approve, supported by Mr. Frontiera, the motion carried.
 - Ayes: 5 Nays: 0 Absent: 2

ACTION ITEMS:

Ms. Ladner addressed the following Action Items:

Memo
 To: Mayor and Council
 From: Lynne Ladner
 Date: 10/9/20
 Re: Selection of an engineering firm

Ladies and Gentlemen,

At the Sept. 22nd Council meeting, you were given the opportunity to hear presentations from three engineering firms that are interested in providing the City of Hart with engineering services for projects that the City is seeking federal funding through the USDA-RD and US EDA loan/grant programs.

In order to move forward with submitting applications for these projects, a selection based upon qualifications needs to be made. It is also important to note that it is not necessary to only select a single firm for all of the projects if the Council believes that based upon the qualifications of the different firms, that a selection based upon project scope (Parks, Utilities, Streets, etc.) or the totality of the number of projects it is in the best interest of the City more than one firm may be selected. Also, of note is a past history of the City to work with more than one firm on projects while retaining our current engineer of record, Prein Newhof.

I have had conversations with team members from all three of the engineering firms that have submitted their Statement of Qualifications and believe that they are all very capable of completing the work that the City needs on these projects.

It is my recommendation that the Council adopt Resolution 2020-53 and designate one or more firms that they believe can successfully assist the City with their engineering and funding application needs for projects seeking federal funding assistance.
Lynne

**RESOLUTION 2020-53
 Hart City Council
 City of Hart, Michigan**

***Select Engineering firm to assist City with project design engineering and applications for USDA-RD
 Community Facilities, US EDA, and SRF/DWRF funding assistance.***

- WHEREAS, the City has projects that need to be completed in order to maintain the reliability and safety of our utilities, streets, parks, and other City Operations; and
- WHEREAS, the completion of these projects will require that the City seek funding assistance for the many projects, including through the US Economic Development Administration (EDA) and the USDA-Rural Development (RD); and
- WHEREAS, the applications for these funding programs require that the engineer selected to provide engineering design and construction assistance be selected through a qualifications-based process, even if the applicant has an established relationship with an Engineer of Record. and
- WHEREAS, the City has projects that need to be completed in order to maintain the reliability and safety of our utilities, streets, parks, and other City Operations; and
- WHEREAS, the City published the RFQ and solicited direct proposals for which three Statements of Qualifications were received, reviewed by the Personnel and Finance Committee and recommended for presentation to the full Council; and
- WHEREAS, the firms have had the opportunity to present to the Council and answer questions;
- NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Designates all three firms as the engineer(s) which they will negotiate with per requirements for the funding partners to complete engineering services and assist with the application processes for US EDA, USDA-RD, SRF and DWRP funding assistance applications

Moved by Mr. Frontiera, supported by Mr. Spiane and thereafter adopted by the Hart City Council at a regular council meeting held on September 22, 2020.

Ayes: 4 Nays: 1 (LaPorte) 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.



Cheri Eisenlohr, Dep. City Clerk

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/9/20
Re: Field Tiling drainage system at Irrigation Site #2

Ladies and Gentlemen,

In a report from BioPure Superintendent Paul Cutter from May of this year, a request was submitted to the Council to authorize the installation of a drain tile system on the City's Irrigation Site #2. At that time, as only one bid had been received for the project, Mr. Cutter was directed to solicit additional bids from other potential contractors. Multiple attempts have been made to solicit a bid from Tyler Young (Ravena) and Beldyga (Chesaning) without response or refusal to bid due to scheduling constraints. In the nearly 5 months since this was initially presented to the Council, the need for these improvements has not changed. Continued delay may result in an increase in cost due to changes in labor and material costs.

It is my recommendation that the Council adopts Resolution 2020-57 Authorizing the placement of field drainage tiling system at Irrigation Site #2.

Lynne

**RESOLUTION 2020-57
Hart City Council
City of Hart, Michigan**

***Authorize the placement of drain tiles in the City of Hart
Irrigation Site #2***

WHEREAS; the City of Hart maintains and operates two sites for the dispersal of clean water from the BioPure Plant through irrigation; and,

WHEREAS; the due to drainage issues in a large area of Site #2, which causes ponding we are limited in the amount of water that can be dispersed to this location; and

WHEREAS; the BioPure Superintendent brought the project to the Council in May with a cost estimate from Near Farm Tiling and it was directed to attempt to gain bids from other interested parties; and,

WHEREAS; over the course of several months attempts have been made to solicit bids from other businesses that do this type of work with Beldyga from Saginaw County declining to bid on the project as he does not have the time to complete the project and T. Young from Ravenna failing to show up for his site inspection appointment and has declined to respond to additional attempts to procure his bid; and

WHEREAS; the permitting the work to be completed would enable the City to dispose of the full amount of water necessary as well as improve the usable portion of the property allowing the City to entertain proposals for farming the site as previously no bids/proposals were submitted when it was published; and,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Acknowledges the inability to obtain multiple bidders for the project and waives the requirement for more than one bid and awards the project to Near Farm Tilling for a not to exceed amount of \$10,000

Moved by Mr. Frontiera, supported by Mr. Splane and thereafter adopted by the Hart City Council at a regular council meeting held on September 22, 2020.

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.



Cheri Eisenlohr, Dep. City Clerk

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/9/20
Re: Roof Replacement – Sackrider Church

Greetings,

The Historic District has solicited three bids for the replacement of the roof on the Sackrider Church. Funds have been budgeted for this expense in FY 2021 and maintaining the historic structures in our district provide a benefit to the community.

It is my recommendation that the Council adopt Resolution 2020-58 Accepting the bids for the replacement of the roof on the Sackrider Church and award the contract to the lowest bidder for a shingle roofing system to Sam Near Roofing LLC (Shelby, MI) in the amount of \$17,235 and authorizes the City Manager to sign all necessary documents

Lynne

**RESOLUTION 2020-58
Hart City Council
City of Hart, Michigan**

Accept the bids for replacement of the roof on the Sackrider Church in the Historic District.

WHEREAS; the City of Hart owns and maintains the Hart Historic District for the benefit of current and future generations; and,

WHEREAS; the Sackrider Church is a popular historic building in the district that is in need of ongoing maintenance which includes at this time replacement of the roof and the City has budgeted in FY 21 adequate funding for this project; and

WHEREAS; the bids have been solicited and received for the roof replacement project from Sam Near Roofing LLC (Shelby, MI) in the amount of \$17,235 for a shingle roof and 16,735 for a metal roof, from XYZ Roofing (Ludington, MI) in the amount of \$18,400 for a shingle roof and Janet’s Roofing (Shelby, MI) in the amount of \$19,800 and,

WHEREAS; due to the historic nature and design of the Sackrider Church a shingle roof replacement would be in keeping with the historic construction of the building; and

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Accepts the bids for the replacement of the roof on the Sackrider Church, accepts the recommendation to use shingle roofing materials for the replacement and awards the project to Sam Near Roofing LLC (Shelby, MI) in the amount of \$17,235 and authorizes the City Manager to sign all necessary documents

Moved by Mayor LaPorte, supported by Ms. Platt and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 13, 2020.

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.



Cheri Eisenlohr, Dep. City Clerk

Memo
To: Mayor and Council
From: Lynne Ladner
Date: 10/9/20
Re: City Clerk/Treasurer Retirement and appointment

Greetings,

I have received notice from City Clerk/Treasurer Cheryl Rabe of her intent to retire from the City of Hart after over 21 years of service, effective December 31, 2020, at 11:59 pm. The Council's role is to fill appointive positions, which include the Clerk/Treasurer position.

As my role in providing information and recommendations to the Council as stated in an email regarding succession planning in September, I have provided input to the full Council and the Personnel and Finance Committee as it relates to my recommendation to fill this position and ensure the smooth transition on January 1, 2021.

Current Deputy City Clerk/Treasurer Karla Swihart has been employed with the City for nearly two years, and during that time, she has performed at a high level in her role while also taking the initiative to cross-train with Ms. Rabe on the job duties of the Clerk/Treasurer. She is very interested in the opportunity to grow and continue her service with the City of Hart. I recommend that the Council fills the Clerk/Treasurer appointed position with Ms. Swihart effective January 1, 2021.

If the Council chooses to act upon my recommendation and make this appointment at this time, it will also allow for posting internally and externally the Deputy Clerk/Treasurer – Utility Billing and expedite the hiring process to allow for Ms. Swihart to work with the individual that would be filling her current position to permit a smooth transition for that role as well.

Lynne

**RESOLUTION 2020-59
Hart City Council
City of Hart, Michigan**

Accept retirement notice of City Clerk/Treasurer and appoint new city clerk effective January 1, 2021

WHEREAS; the City Clerk/Treasurer Cheryl Rabe has submitted notice that she will be retiring from the City of Hart effective December 31, 2020, at 11:59 pm; and,

WHEREAS; in the interest of providing for a smooth transition for the newly appointed clerk and under the jurisdiction of the City Charter Chapter VIII it is the role of the City Council to appoint an individual to the City Clerk/Treasurer position ; and

WHEREAS; the interest in the position from a current City employee has been expressed to the City as well as said employee having received several months of ongoing cross-training in the duties and roles of the Clerk Treasurer,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Accepts the retirement notice of City Clerk/Treasurer Cheryl Rabe effective December 31, 2020 at 11:59 pm and thanks her for over twenty-one (21) years service to the City; and

*Appoints Karla Swihart as **Interim** City Clerk/Treasurer effective January 1, 2021 with pay and benefits commensurate to the position and her current years of service to the City of Hart.*

Moved by Ms. Platt, supported by Mr. Hegedus and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 13, 2020.

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.



Cheri Eisenlohr, Dep. City Clerk

SPECIAL EVENTS PERMIT:

- Home for the Holidays Lighted Parade and Christmas Tree Lighting:
 - Mr. Splane moved to approve the permit application, supported by Ms. Platt, all ayes, the motion carried.

DISCUSSION ITEMS:

Memo

To: Mayor and Council
 From: Lynne Ladner
 Date: 10/9/20
 Re: Special Event permits remainder of 2020

Greetings,

As some restrictions on gathering are reducing, the City needs to determine if they will consider authorizing special event permits for any events for the remainder of 2020. If the decision is to authorize permits on a case by case basis as has been past practice, it is important to identify criteria that will be used to determine the approval due to the current MDHHS Emergency Order and any other pandemic related health and safety concerns.

Events that could be impacted include but are not limited to the Veteran’s Day parade, the Home for the Holidays Lighted parade and tree lighting, and possible New Year’s Eve event applications.

Lynne

- Outcome:
 - The Council agreed not to stop events at this time, but to stress to the sponsors that they are responsible for the adherence to COVID-19 restrictions, and prevention guidelines

Memo

To: Mayor and Council
 From: Lynne Ladner
 Date: 10/9/20
 Re: Solicitation of bids for spring 2021 sidewalk replacement projects

Greetings,

Each year the City, through the local and major streets, funds budget funds for sidewalk replacement. Additionally, the TIFA board budgets funds to pay for the owner’s portion of sidewalk replacement in the district.

I am seeking authorization to solicit bids for a large scale sidewalk replacement plan (areas identified by the DPW as the most critical within the TIFA district) with the intent to seek applications for sidewalk replacement in the TIFA district and the greater community area with a deadline of March 15, 2021, so that using economies of scale to be able to develop a large scale sidewalk replacement project which would be constructed in late March/early April.

Lynne

- Outcome:

- o The Council advised Ms. Ladner to seek out bids.

Memo

To: Mayor and Council
 From: Lynne Ladner
 Date: 10/9/20
 Re: Stump removal and tree trimming and removal bidding

Greetings,

The Energy Department has identified several locations through the City with stumps designated for removal. Additional areas have also been identified for ongoing trimming or removal of trees related to the current or future impact on our electric distribution system.

I am seeking authorization to solicit bids for both stump removal and tree trimming and removal using funds allocated within the Energy Department budget.

Lynne

- Outcome:
 - o The Council gave Ms. Ladner permission to seek out pricing.

Memo

To: Mayor and Council
 From: Lynne Ladner
 Date: 10/9/20
 Re: Irrigation land improvements and crop contracts

Greetings,

As the Council may be aware, when the contracts for farming the City's irrigation land were most recently out to bid, we only received two bids for Site #1 and no bids for Site #2. The City has been approached by different farms that are interested in the sites, but they are seeking opportunities from the City to make improvements to the property for better production. The improvements that are being suggested each farmer is willing to invest in themselves but are seeking contract concessions to ensure that the operation is at least break even.

For Site #1, the current contracted farm seeks a five-year extension of the current contract (2019-2021) to end in 2026 in return for investing in the land. The City would continue to receive its current contracted price of \$6,300/yr for the extended length of the contract.

For Site #2, in return for making improvements to the site, the interested party would consider an option to farm the land without payment to the City for a specified duration (2-3 years) based upon the costs of improvements.

Lynne

- Outcome:
 - o Council approved the option for Site #1; in regards to Site #2, they would like the wording changed to read that the cost would be the same for the first two years and then be allowed to become an escalating fee for the next five years.

Memo

To: Mayor and Council
 From: Lynne Ladner

Date: 10/9/20
Re: FEMA CARES ACT grants and utility fees review

Greetings,

I have been approached by AZAVAR with proposals for two separate assistance projects. The first is a proposal to help identify specific FEMA CARES ACT grants that the City is eligible for, assistance with the application process, and if successful in managing the grant process and closeout.

The second proposal is to complete an audit of our franchise utility fee revenue and if discrepancies are discovered between received and owed fees, assist the City with collection and update of records.

Lynne

- Outcome:

- Permission to pursue only the FEMA Cares Act grants portion was given to Ms. Ladner.

CITY MANAGER'S REPORT:

- Ms. Ladner reported that the rate study findings might need to change due to a large fee that will need to be paid on the Belle Island Plant decommissioning. The fee cost is approximately 4% of the current Energy Fund.
- Ms. Ladner and Energy Department Superintendent Mike Schiller will be traveling to Boyne City to see more of their city-wide broadband service.

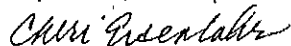
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mr. Splane would have liked the City to have more Park Committee meetings so that the Freed's could have been informed of camper's issues.

ADJOURN:

There being no further business to come before the Council, the meeting adjourned at 8:52 pm upon a motion by Mr. Hegedus and supported by Mr. Frontiera. The next regularly scheduled meeting will be on October 20, 2020, at 7:30 pm, in the Hart Community Center.

Respectfully Submitted



Cheri Eisenlohr
Deputy City Clerk



City of Hart Police Department

407 State Street

Ph. (231)873-2488 Fax (231)873-0100

Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: October 27th, 2020

RECENT EVENTS

From Tuesday, October 8th, 2020, through Wednesday, October 21st, 2020, the Hart Police Department received 100 complaints ranging from Found Property, Larcenies, Assault & Batteries, Civil Disputes, Vehicle Violations, Disturbances, 911 Hang Up's, Medical Assists, Property Damage Crashes, Suspicious Situations, Motorist Assists, Mental Health Complaints, Animal Complaints, Fraud Complaints, Domestic Assaults, Traffic Hazards, Assist to Other Agencies and Well-Being Checks.

On Saturday, October 10th, 2020, the Hart Police Department was dispatched to a medical assist on Polk Road near State Street, referencing a 36-year-old Hart man slumped over in a vehicle. After investigation, the man was later arrested and lodged at the Oceana County Jail for Operating While Intoxicated (Drugs).

On Wednesday, October 14th, 2020, the Hart Police Department was dispatched to the 50 block of State Street regarding a Domestic Assault. A 34-year-old Hart woman and 35-year-old Hart man claim to have assaulted by shoving one another. It should be noted; the woman was intoxicated at the time of contact. The man and woman were separated for the remainder of the day, and a report will be submitted to the Oceana County Prosecutor's Office for his review.


On Wednesday, October 14th, 2020, the Hart Police Department was dispatched to the 400 block of Church Street about a Domestic Assault. A 41-year-old Hart woman claims to have been assaulted by a 60-year-old Ludington man, with the man grabbing the woman by her arm and dragging her across a room. Officers attempted to locate the man, but the man was unable to be located. A report will be submitted to the Oceana County Prosecutor's Office for his review.

On Thursday, October 15th, 2020, the Hart Police Department was dispatched to the 500 block of Courtland Street, referencing an attempted overdose. A 14-year-old juvenile attempted to overdose by taking multiple pills of Tylenol. LIFE EMS also responded to the scene to evaluate the juvenile. The juvenile was later transported by LIFE EMS to Mercy Health Hackley Hospital for a mental health evaluation.

On Monday, October 19th, 2020, the Hart Police Department was dispatched to the 200 block of West Main Street regarding a Domestic Assault. A 39-year-old Hart man claims to have been assaulted by a 32-year-old Hart woman, with the man being shoved. It should be noted, the man and woman are in the process of separating. A report will be submitted to the Oceana County Prosecutor's Office for his review.

On Tuesday, October 20th, 2020, the Hart Police Department was dispatched to the 600 block of Water Street about a Domestic Assault. A 38-year-old Hart woman claims to have been assaulted by an 18-year-old Hart woman, the 38-year-old Hart woman being shoved to the ground and struck multiple times with a laundry basket. The 18-year-old Hart woman was arrested and lodged at the Oceana County Jail.

Respectfully,

A large, stylized handwritten signature in black ink, appearing to be 'J. Salazar', written over the word 'Respectfully,'.

J. Salazar,
Chief of Police



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
FINANCE & PERSONNEL COMMITTEE
OCTOBER 13, 2020 6:30 P.M.
MINUTES – DRAFT**

PRESENT IN PERSON OR VIA ZOOM: Mayor Ron LaPorte, Steve Hegedus, and Rob Splane

ABSENT: None

OTHERS PRESENT: City Manager – Lynne Ladner, HEART Director - Nichole Steel, and Deputy City Clerk – Cheri Eisenlohr.

- Mr. James Gaylord – Regal Electronics

APPROVAL OF AGENDA AND MINUTES:

- Mr. Hegedus moved to approve the agenda (no minutes were provided for the 9/22/2020 meeting), supported by Mayor LaPorte, all ayes, the motion carried.

COUNCIL AGENDA ITEMS:

- Recommendation to Appoint Karla Swihart City Clerk/Treasurer effective January 1, 2021:
 - Mr. Hegedus moved to appoint Ms. Swihart as interim City Clerk effective 1/1/21 with a formal appointment at the first Council meeting in January 2021, supported by Mr. Splane, all ayes, the motion carried.

OTHER BUSINESS:

- Industrial Park – Interest in available lots:
 - Mr. Gaylord of Regal Electronics would like to purchase the two remaining lots available in the Industrial Park to open a LED manufacturing plant.
 - One employee would be needed in the beginning with the hopes of employing up to 10 additional people as needed.
 - The committee favors the purchase and will work out further incentives/costs with the purchase agreement's writing.
 - Mr. Splane moved to approve the purchase and make the formal recommendation to the City Council, supported by Mr. Hegedus, all ayes, the motion carried.

ADJOURN:

- Mr. Hegedus moved to adjourn the meeting at 6:59 pm, supported by Mr. Splane. All ayes, the meeting was adjourned.

Respectfully Submitted,

Cheri Eisenlohr
Deputy City Clerk

HART AREA FIRE DEPARTMENT
ADMINISTRATIVE BOARD

Meeting Minutes September 24, 2020

The Hart Area Fire Department Administrative Board Meeting was called to order by Vice Chairman Jay McGhan at 7PM. Members present were Bruce Mull, Clancy Aerts, Mike Powers, Dale Stevenson, Mike Potter, Jerry Schaner, Jake Whelpley and Chief White. Absent: Gary Beggs and Dan Leimback.

Chief White took the minutes in place of Mr. Leimback.

There were no other guests at the meeting.

Motion made by Bruce Mull and supported by Dale Stevenson to approve the minutes of the August 27, 2020. Motion carried on a voice vote.

Chief White presented the treasurer's report and the bills for approval.

Motion was made by Mike Powers to accept the treasurer's report as presented and to pay the bills presented. Motion was supported by Clancy Aerts. Roll call vote, all ayes Motion carried.

Chief White presented his report, with 12 runs since the last meeting and a total of 139 for the year to date. Mr. Aerts asked about how many hours were involved with the fire academy. That number is about 260 +/- . Several comments to the extent of it being a difficult job to get and then get trained new members.

There was no old business to address and no new business was presented.

Jerry Schaner made a motion to adjourn the meeting, with Mike Potter supporting. Motion carried on a voice vote.

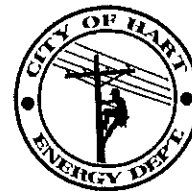
Meeting adjourned at 7:35 PM.

Respectfully Submitted,

Jack White (Acting Clerk)



CITY OF HART – ENERGY DEPARTMENT
 POWER BOARD @ CITY HALL
 407 STATE STREET, HART, MICHIGAN
 MONDAY, OCTOBER 5, 2020
 8:30 AM – MINUTES - DRAFT



Present or via ZOOM: Chair, Mike Powers, Members: Gayle Forner (8:45 am), Nick Wadel, Steve Bruch, and Joe Frontiera

Absent: Jason La Fever

Others present: City Manager – Lynne Ladner, Energy Superintendent – Mike Schiller, and Deputy Clerk - Cheri Eisenlohr

Call to Order: Chair Powers called the meeting to order at 8:30 am.

Agenda/Minutes:

- Mr. Wadel made a motion to accept the agenda and the minutes from the April 6, 2020 meeting, supported by Mr. Frontiera, all ayes, the motion carried.

Public Comment:

- None

Superintendents Report:

- The Tyler Road project is complete.
- New overhead lines were installed between Harrison Road and Lever Road.
- UIS installed a new SCADA System at the Dam.
- Upgrades are being done along Water St., eliminating old lines and poles.
- Tree crews have been working in the City clearing lines.
- Installation of new poles in the City is also taking place as needed.
- Interruption of service was minimal due to recent storms, and service was quickly restored.
- The outage at the Dam was quickly addressed.
- Issues with the wastegates are being worked on at this time.

City Manager Report:

- Review of Assembly Solar Tour:
 - Ms. Ladner and Mr. Forner attended the tour and were impressed with the facility.
- Review of a presentation by UFS related to Electric Utility Rates
 - Ms. Ladner gave an overview of the UFS rate study results.
 - The last rate study was in 2008.

Comments from the Power Board:

- Mr. Powers asked about the MPPA utility forecast. Ms. Ladner will supply the numbers at the next meeting.
- Mr. Powers asked about the progress of the EDF solar project. Ms. Ladner stated that EDF wanted the easements changed again; therefore, the contract was being negotiated again.
 - Mr. Forner did note that the name on the lease with the township has changed; Ms. Ladner said that she would investigate the matter.

Adjournment:

- The meeting adjourned at 9:19 am.

Next Meeting: November 4, 2020, at 8:30 am.

Respectfully Submitted,

Cheri Eisenlohr

Cheri Eisenlohr
 Deputy City Clerk



CITY OF HART

407 S. STATE ST.
HART, MI 49420

TAX INCREMENT FINANCE AUTHORITY (TIFA)

September 8, 2020, at 1:00 pm
MINUTES – DRAFT

Members Present via Zoom or in-person: Steve Bruch, Gale Goldberg, Bill Hegg, Tracey Lipps, and Lynne Ladner

Members absent: Scott Hegg

Others present: HEART Director – Nichole Steel, City Clerk – Cheri Eisenlohr, DPW Superintendent – Brad Whitney

Call to Order: Mr. Bruch called the meeting to order at 1:05 pm. Voice rollcall was then taken.

Agenda/Minutes Approval:

- Ms. Goldberg motioned to approve the amended agenda (amended to include minutes and Pocket Park Action Item), and the minutes from the August 13, 2020 meeting supported by Ms. Lipps. Voice vote, the motion carried.

Public Comments: Public attended via Zoom - None

Action Items:

- Façade Improvement Grant – proposal to add the following language to guidelines, “Applications started or completed prior to application submission date will not be considered”:
 - Ms. Ladner motioned to accept the new verbiage, supported by Ms. Goldberg, voice vote, all ayes, the motion carried.
- Façade Improvement Grant Request – Hegg’s Furniture:
 - There is currently \$40,000.00 available for granting purposes.
 - The business applicant would be approved for up to \$15,000.00 with the opportunity to secure funds up to the limit if the project runs more than anticipated but still within the scope of what was approved.
 - Invoices have to be presented for the funds to be dispersed.
 - A formal agreement will be drawn up.
 - After discussing the pros and cons of Hegg’s request, Mr. Bruch motioned for the application’s approval with agreed-up stipulations of the contract, supported by Ms. Ladner, voice vote, all ayes, the motion carried to award the grant.

Discussion Items:

- Financials Statement Review:
 - Current financials were not available, but Ms. Ladner stated there were only minor differences between the old and current statements.
- Sidewalk Improvement Projects:
 - Discussions covered the cost and priority of replacements. The City would be responsible for 40%, individuals/businesses are responsible for the other 60%. TIFA would have to decide how much of the 60% they would be willing to provide.
 - The list Mr. Whitney had provided needs to be prioritized and made into projects.
 - A motion was made by Mr. Bruch to have Ms. Ladner look into pricing options and quotes as well as notifying the City Council, supported by Mr. B. Hegg, voice vote, all ayes, the motion carried.

- Second TIFA Annual Meeting:
 - Before the next regularly scheduled meeting on November 10, 2020, this meeting will occur at 1:00 pm, with the regular meeting following afterward.
- 2021 Project Discussion
 - Ms. Steel gave an overview of tentative projects for 2021 –
 - She is working on grants to upgrade/change the landscape (Trees) downtown.
 - Suggestions were made to remove the mulch around the trees and replace it with a hardscape of some kind, i.e., bricks or a metal drain system.
 - A road diet – to reduce the number of lanes on State Street. This project would involve the DOT and the County Road Commission.
- Pocket Park Update:
 - The project is progressing slowly, recently, footings on the gallery side have been discovered and have to be addressed.

Communications From Members:

- None

There being no further business, Ms. Ladner moved, supported by Ms. Lipps, to adjourn the meeting at 2:25 pm. Voice vote, the motion carried.

The Second Annual Meeting and the regularly scheduled meeting will be November 10, 2020, with the Annual Meeting starting at 1:00 pm, followed by the regular meeting.

Respectfully submitted,



Cheri Eisenlohr
Deputy City Clerk

ACCOUNTS PAYABLE

Payables Date: 10/27/2020	Description	Total	General +	DPW	Energy	BPTF	Water
Blue Cross Blue Shield	Medicare Nov. Ins. Prem.	\$ 3,076.44	\$ 1,625.39		\$ 1,271.60	\$ 89.73	\$ 89.72
Ceres Solutions	Roundup	\$ 104.25				\$ 104.25	
Charter	Hart Commons - Internet	\$ 109.99	\$ 109.99				
Crystal Flash	Propane for Historic District	\$ 451.31	\$ 451.31				
Delta Dental	Nov. Ins. Prem.	\$ 1,238.56	\$ 504.38	\$ 89.37	\$ 386.65	\$ 210.92	\$ 47.24
Fastenal	Parts/Supplies	\$ 38.10			\$ 19.30	\$ 18.80	
Freed Mgmt	#14 Mgmt Fee - JGP	\$ 3,570.00	\$ 3,570.00				
Frontier	Dam	\$ 103.68			\$ 103.68		
Hach	Chemicals	\$ 1,123.85				\$ 1,123.85	
Hach	Motor Gear, Automatic sampler	\$ 281.00				\$ 281.00	
Hart Area Fire Board	J-A-S 2020/21 Fire Protection	\$ 12,232.75	\$ 12,232.75				
Hart Cemetery Commission	Qtrly Contribution 10-11-12/2020	\$ 4,250.00		\$ 4,250.00			
Hart Cemetery Commission	2020 Summer Taxes	\$ 608.02	\$ 608.02				
Heritage Preservation Group	Repairs/Maintenance to Historic Dist.	\$ 311.61	\$ 311.61				
ICMA	Membership Dues	\$ 757.29	\$ 757.29				
Idexx	Comparator	\$ 18.23				\$ 18.23	
Lawson-Fisher	MI-2020 Licensing Req.	\$ 11,184.85			\$ 11,184.85		
LEAF	Police Copier Lease fee	\$ 39.99	\$ 39.99				
Louis Gelder	Parts/Supplies - Scag Mower	\$ 259.90		\$ 259.90			
Maner Costerisan	Progress billing for audit	\$ 12,400.00	\$ 3,100.00		\$ 3,100.00	\$ 3,100.00	\$ 3,100.00
Mich. Municipal League	Classified Ad	\$ 53.28	\$ 53.28				
MPPA	Purchased Power	\$ 21,054.05			\$ 21,054.05		
Power Line Supply	Parts/Supplies	\$ 34.00			\$ 34.00		
Power Line Supply	Parts/Supplies	\$ 385.83			\$ 385.83		
Power Line Supply	Parts/Supplies	\$ 35.14			\$ 35.14		
Power Line Supply	Parts/Supplies	\$ 550.45			\$ 550.45		
Power Line Supply	Parts/Supplies	\$ 690.00			\$ 690.00		
Pranger Property Mgmt	City Hall Cleaning Services	\$ 168.00	\$ 168.00				
Prein & Newhof	Various Projects	\$ 11,208.85	\$ 3,300.00		\$ 1,624.60	\$ 3,051.25	\$ 3,233.00
Quill	Duct Tape	\$ 42.98	\$ 42.98				
Quill	Copy Paper/Pens	\$ 125.14	\$ 125.14				
State of Michigan	JGP License	\$ 190.00	\$ 190.00				
Swanson FLO	Service call at Dam	\$ 5,117.94			\$ 5,117.94		
The Elim Group	Training Materials	\$ 200.00	\$ 200.00				
W. Mich. Criminal Justice T.C.	Fall 2020 Distribution MCOLES	\$ 97.95	\$ 97.95				
West Mich Rubber & Supply	Skirtboard Rubber	\$ 55.35			\$ 55.35		
Wilbur-Ellis	BASF	\$ 265.10				\$ 265.10	
		\$ -					
	Subtotal	\$ 92,433.88	\$ 27,488.08	\$ 4,599.27	\$ 45,613.44	\$ 8,263.13	\$ 6,469.96
HAND CHECKS/ACH							
Alerus - ACH	City Share 401 Retirement	\$ 3,032.97	\$ 3,032.97				
US Postmaster	Postage	\$ 133.86			\$ 87.01	\$ 40.16	\$ 6.69
Hart Historic District	Donation for Concerts	\$ 300.00	\$ 300.00				
		\$ -					
		\$ -					
	TOTAL HAND CHECKS	\$ 3,466.83	\$ 3,332.97	\$ -	\$ 87.01	\$ 40.16	\$ 6.69
	Sub-Total Regular Bills/Hand Checks	\$ 95,900.71	\$ 30,821.05	\$ 4,599.27	\$ 45,700.45	\$ 8,303.29	\$ 6,476.65
Gross Payroll							
	496	\$ 59,196.33					
	Sub-Total	\$ 59,196.33					
	GRAND TOTAL	\$ 155,097.04	\$ 30,821.05	\$ 4,599.27	\$ 45,700.45	\$ 8,303.29	\$ 6,476.65

PAYROLL AMOUNTS					
10/29/20					
Pay 496		GROSS PAY	OVERTIME	ETO BUYBACK	BASE PAY
Employee Code	Dept.		PAY		
FULL-TIME					
DCC	Office	\$1,595.21	\$0.00	\$0.00	\$1,595.21
MGR.	Office	\$3,640.80	\$0.00	\$0.00	\$3,640.80
CC	Office	\$2,018.41	\$0.00	\$0.00	\$2,018.41
DCC	Office	\$1,416.01	\$0.00	\$0.00	\$1,416.01
PO	Police	\$2,842.56	-\$745.92	\$0.00	\$2,096.64
PO	Police	\$2,150.40	\$0.00	\$0.00	\$2,150.40
PO	Police	\$2,503.30	-\$395.30	\$0.00	\$2,108.00
PC	Police	\$2,524.80	\$0.00	\$0.00	\$2,524.80
DS	Police	\$2,208.00	\$0.00	\$0.00	\$2,208.00
DPW1	DPW	\$2,017.60	\$0.00	\$0.00	\$2,017.60
DPW2	DPW	\$2,219.36	\$0.00	\$0.00	\$2,219.36
DPW3	DPW	\$2,333.24	\$0.00	\$0.00	\$2,333.24
DPWS	DPW	\$2,436.00	\$0.00	\$0.00	\$2,436.00
BIOS	WW	\$2,886.40	\$0.00	\$0.00	\$2,886.40
BIOS	WW	\$2,219.36	\$0.00	\$0.00	\$2,219.36
BIOS	WW	\$2,410.16	-\$153.84	\$0.00	\$2,256.32
ENERGY1	Energy	\$4,156.22	-\$642.88	\$0.00	\$3,513.34
ENERGY2	Energy	\$3,455.48	-\$120.54	\$0.00	\$3,334.94
ENERGYS	Energy	\$3,860.00	\$0.00	\$0.00	\$3,860.00
ENERGY3	Energy	\$3,207.77	-\$105.76	\$0.00	\$3,102.01
ENERGY4	Energy	\$2,470.85	-\$316.45	\$0.00	\$2,154.40
DIR.	HD	\$1,971.20	\$0.00	\$0.00	\$1,971.20
TOTAL		\$56,543.13	-\$2,480.69	\$0.00	\$54,062.44
COUNCIL					
CC1		\$0.00	\$0.00	\$0.00	\$0.00
CC2		\$0.00	\$0.00	\$0.00	\$0.00
CC3		\$0.00	\$0.00	\$0.00	\$0.00
CC4		\$0.00	\$0.00	\$0.00	\$0.00
CC5		\$0.00	\$0.00	\$0.00	\$0.00
CC6		\$0.00	\$0.00	\$0.00	\$0.00
CC7		\$0.00	\$0.00	\$0.00	\$0.00
TOTAL		\$0.00	\$0.00	\$0.00	\$0.00
PART-TIME					
MGR.	HHD	\$95.70	\$0.00	\$0.00	\$95.70
EW	Office	\$0.00	\$0.00	\$0.00	\$0.00
DPW	DPW-PT	\$202.50	\$0.00	\$0.00	\$202.50
PPO	POL-PT	\$780.00	\$0.00	\$0.00	\$780.00
PPO	POL-PT	\$1,215.00	\$0.00	\$0.00	\$1,215.00
PPO	POL-PT	\$360.00	\$0.00	\$0.00	\$360.00
PPO	POL-PT	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL		\$2,653.20	\$0.00	\$0.00	\$2,653.20
TOTAL PAYROLL		\$59,196.33	-\$2,480.69	\$0.00	\$56,715.64

10/23/2020

Employee Hours and Gross by GL Number Report
 For Payroll ID: 107
 For Selected Pay Code(s): 15X, 2X

Pay Code ID	Distribution	Ot Hours	OT Gross	Check Date
85HPD - ANDERSON, SHAWN T				
15X	101-301.000-702.900	3.50	141.12	10/29/2020
	Employee Totals:	3.50	141.12	
23HYD - BIRKMAN, TERENCE L				
15X	580-537.300-702.900	8.00	482.16	10/29/2020
2X	580-537.300-702.900	2.00	160.72	10/29/2020
	Employee Totals:	10.00	642.88	
30HYD - GOWELL, NATHAN J				
15X	580-537.300-702.900	2.00	120.54	10/29/2020
	Employee Totals:	2.00	120.54	
46DPW - LLOYD, FRANKLIN J				
15X	590-527.100-702.900	2.00	76.92	10/29/2020
2X	590-527.100-702.900	1.50	76.92	10/29/2020
	Employee Totals:	3.50	153.84	
113HPD - MANTYCK, ELIZABETH A				
15X	101-301.000-702.900	10.00	395.30	10/29/2020
	Employee Totals:	10.00	395.30	
16WWP - RIGGS, JASON J				
15X	101-441.000-702.900	2.00	76.92	10/29/2020
	Employee Totals:	2.00	76.92	
21HYD - VAN AGTMAEL, SCOTT A				
15X	580-537.300-702.900	2.00	105.76	10/29/2020
	Employee Totals:	2.00	105.76	
25HYD - VAN ZOEREN, ANDREW				
15X	580-537.300-702.900	2.00	80.80	10/29/2020
15X	590-527.100-702.900	2.50	101.00	10/29/2020
2X	590-527.100-702.900	2.50	134.65	10/29/2020
	Employee Totals:	7.00	316.45	
Distribution Totals:				
	101-301.000-702.900	13.50	536.42	
	101-441.000-702.900	2.00	76.92	
	580-537.300-702.900	16.00	949.98	
	590-527.100-702.900	8.50	389.49	
	Grand Totals:	40.00	1,952.81	

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/23/20
Re: JGP Campground Management

Greetings,

Bids have been solicited and received for the management of the JGP Campground for the 2021-2023 period. The city received on proposal with four fee structure options which have been reviewed by the Park Committee.

The Park Committee is recommending that the Council accept the proposal from Freed Management and requests that the Council authorize the committee to enter into contract negotiations with Freed Management to finalize the agreement for approval by the Council at the November 10, 2020 meeting

It is my recommendation that the Council adopt Resolution 2020-60 Accepting the bids for JGP Management and authorize Park Committee to negotiate contract agreement for Council approval

Lynne

RESOLUTION 2020-60
Hart City Council
City of Hart, Michigan

Accept Accept bids for JGP Management and authorize Park Committee to negotiate contract agreement for Council approval

WHEREAS; the contract for management of the JGP Campground expires on November 14, 2020; and,

WHEREAS; the City has requested bid proposals for 2021-2023 and published the RFP both locally and on the MML website ; and

WHEREAS; the City received one response from Freed Management to the request that provides four fee structure options which have been reviewed by the Park Committee; and

WHEREAS: the Park Committee is making the recommendation to accept the proposals and for the Park Committee to negotiate with Freed Management the terms of the contract for presentation and approval by the Council at the November 10, 2020 meeting,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Accepts the bid response from Freed Management for the management of the JGP Campground for 2021 – 2023 and authorizes the Park Committee to negotiate the terms of the agreement for final approval by the Council at the regularly scheduled meeting on November 10, 2020

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 27, 2020.

Ayes: Nays: Absent:

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

Freed Management Company Incorporated

Steven & Jennifer Freed

10/15/2020

Contact

4149 North 88th Avenue
Hart, Michigan 49420
(231) 578-2354
jen.highland@yahoo.com

Lynne Ladner
City Manager
City of Hart
407 South State Street
Hart, Michigan 49420

Ron LaPorte
Mayor
City of Hart
407 South State Street
Hart, Michigan 49420

Committee Members
Park Committee
City of Hart
407 South State Street
Hart, Michigan 49420

Dear Ms. Ladner, Mr. LaPorte, and members of the Park Committee,

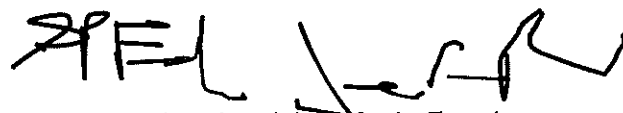
We have had the pleasure of managing John Gurney Park since our company's inception in 2012. Since that time, we have drastically increased the campground occupancy, revenue, online presence, and reputation. We know that our company has the knowledge and skills needed to continue our partnership with you to ensure that John Gurney Park reaches its full potential. It would be our honor to continue to be the onsite campground management for the 2021-2023 seasons and beyond. Listed below are some of the key strengths that make us exceptional campground managers.

- Trained formally at the National School of RV Park and Campground Management
- Possess a strong record of seeking out and attending industry specific conferences, webinars, and trainings to keep apprised of issues and trends affecting the RV park and campground industry
- 12 years of hands-on experience in RV park and campground management including;
 - 2 years as Shift Manager at Silver Creek Luxury RV Resort in the Silver Lake area of Mears, MI
 - 2 years as General Manager at Vacation Station RV Resort in Ludington, MI
 - 8 years as Park Managers at John Gurney Park in Hart, MI
- Maintain strong ties to the community with a record of involvement and project coordination of numerous community-enriching projects and events
- Excellent customer service skills suited for the outdoor hospitality industry
- Trained formally in leadership throughout 26 years of military service

This is just a short list of qualities and qualifications that make us an excellent choice for onsite campground managers for the 2021-2023 seasons at John Gurney Park.

Thank you in advance for taking the time to review our attached proposals. If you have any questions for us or would like to discuss this further, please feel free to contact us any time to set up a meeting

Sincerely,



Steven P. Freed and Jennifer L. Freed

Freed Management Company Incorporated
4149 N 88th Avenue
Hart, Michigan 49420
Phone: (231) 578-2354
Email: jen.highland@yahoo.com

**In response to the request for proposals published on September 17th, 2020.
Proposal for Onsite Contract Campground Manager for the 2021-2023 Seasons at John Gurney
Park.**

Professional References:

Detective/Sergeant Kevin Skipski
Hart Police Department
407 South State Street
Hart, Michigan 49420

Pam Jennings
Former Co-Worker
510 North Lakeshore Drive
Ludington, Michigan 49431

David Pinckney
Current Seasonal Camper
2475 East 100th Street
Grant, Michigan 49327

We also have a list of over 30 current seasonal campers that have volunteered to provide references pertaining to our management abilities, their contact information is available upon request.

Freed Management Company Incorporated
4149 N 88th Avenue
Hart, Michigan 49420
Phone: (231) 578-2354
Email: jen.highland@yahoo.com

**In response to the City of Hart's Request for Proposals published on September 17th, 2020.
Proposal for Onsite Contract Campground Manager for the 2021-2023 Seasons at John Gurney Park.**

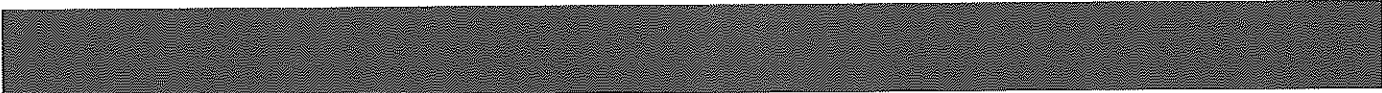
Our vision for John Gurney Park has been, and will continue to be, to provide a safe, relaxing, fun and family-friendly environment. We strive to provide an enjoyable atmosphere not only for transient vacationers in our area for short periods of time, but also for longer term occupants and visitors from the community. Since being awarded our first management contract for John Gurney Park in 2012, Freed Management Company Incorporated, working in conjunction with the City of Hart, has been able to make numerous upgrades to the park grounds. These improvements have certainly increased the desirability of John Gurney Park and the City of Hart as standalone destinations. The addition of the pickleball courts, playground, and most recently the paved roads have all been very well received. We have also added an enclosed pet run, community garden, vending machines, laundry facilities, camp store, indoor and outdoor recreation equipment, boat rentals, bike rentals, a yearly fireworks display, as well as other planned events and activities. In addition, we have made structural improvements to the inside and outside areas surrounding the pavilion and added a grease trap outside of the kitchen to decrease the chances of future sewer issues. Inside of the pavilion, in the kitchen, we have installed an industrial stove and oven as well as an industrial refrigerator, ice machine, and replaced the floor.

During our first season, we drastically increased the park's online presence and have maintained a 4.5 out of 5-star average rating across the most widely used rating platforms. We also began accepting credit cards, implemented an online reservation system, and developed a professional campground map that is updated yearly containing a local map and local advertisers.

We have very strong ties to the Hart community and want nothing more than to see this area flourish. In the past we have collaborated with community partners to host, lead, and participate in numerous community focused events such as, Independence Day fireworks, Lakefest, National Night Out, Hart Public School field trips, Small Business Saturday events, Hispanic Heritage Festival fireworks, and have been able to implement a fund raising effort for the local boy scout troop whose cabin is located on the John Gurney Park property.

This year has assuredly been one of the most unprecedented in any of our lifetimes. The impact of the COVID-19 pandemic will undoubtedly be felt for many years to come, all around the world, and in all aspects of life. For this reason, we feel that we should propose a series of payment and revenue sharing options for you to consider. We wholeheartedly want to reach a mutually beneficial agreement and continue to manage John Gurney Park for many years to come. We have worked well together in the past to agree on mutually acceptable terms and can certainly continue to do the same.

We propose a mostly identical management agreement as the one that we are currently operating within with modification to the Compensation to the Company portion. We would however request that an auto renewal clause be added or at the very least, that we be given a 90-day notice prior to a new request for proposals being published. We would also ask for regularly scheduled Park Committee meetings.



Freed Management Company Incorporated
4149 N 88th Avenue
Hart, Michigan 49420
Phone: (231) 578-2354
Email: jen.highland@yahoo.com

In response to the City of Hart's Request for Proposals published on September 17th, 2020.
Proposal for Onsite Contract Campground Manager for the 2021-2023 Seasons at John Gurney Park.

Proposal # 1

Year 1 - \$75,000 + 25% of all revenue exceeding \$115,000
Year 2 - \$77,500 + 25% of all revenue exceeding \$120,000

Proposal # 2

Year 1 - \$70,000 + 10% of total revenue
Year 2 - \$70,000 + 10% of total revenue

Proposal # 3

Year 1 - \$75,000 + 7% of total revenue
Year 2 - \$80,000 + 25% of all revenue exceeding Year 1 total

Proposal # 4

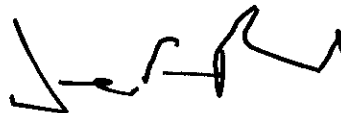
Year 1 - \$80,000 with \$0 revenue share
Year 2 - \$80,000 with 25% of all revenue exceeding Year 1 total

Thank you for taking the time to review our proposals and please feel free to contact us with any questions, comments, or concerns. We look forward to hearing from you.

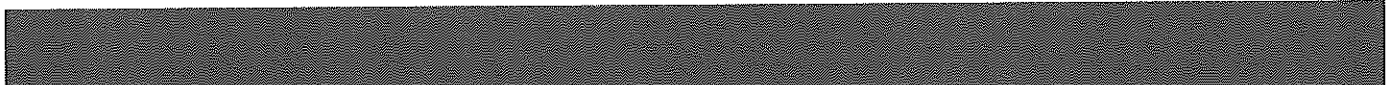
Sincerely,



Steven Freed 10/15/2020
(231) 769-6627



Jennifer Freed 10/15/2020
(231) 578-2354



Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/23/20
Re: Underwater Bridge Inspection

Greetings,

At the end of September I received notification from MDOT that the City was required to have an underwater bridge inspection on the State St. Bridge completed by December 31, 2020. Proposals were solicited from all four MDOT pre-qualified bidders for the project of which two declined to bid and one proposal from Great Lakes Engineering LLC was received in the amount of \$6,049.

As the inspection is a requirement of MDOT and failure to do the inspection will jeopardize our Act 51 road funding and all pre-qualified bidders were provided the opportunity to bid it is my recommendation the the Council adopt Resolution 2020-61 Waiving the bidding requirements for Underwater Bridge Inspection and Accept Bid from Great Lakes Engineering Group

Lynne

RESOLUTION 2020-61
Hart City Council
City of Hart, Michigan

***Waive bidding requirements for Underwater Bridge Inspection and
Accept Bid from Great Lakes Engineering Group***

WHEREAS; the City was notified the end of September that an underwater bridge inspection was required to be completed prior to December 31, 2020 per MDOT standards and requirements; and

WHEREAS; the State of Michigan provided a list of four pre-qualified companies to complete the inspection who were all provided a copy of the request for bids ; and

WHEREAS; the City received two responses declining to bid and one response to complete the project in the allotted time frame from Great Lakes Engineering Group LLC in the amount of \$6,049;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Waives the bidding requirement and accepts the bid response from Great Lakes Engineering Group LLC in the amount of \$6,049 to complete the required undewater bridge inspection of the State St. Bridge.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 27, 2020.

Ayes: Nays: Absent:

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

ATTACHMENT A

SIGNATURE AND AUTHORITY AFFIDAVIT FORM

BIDDING COMPANY NAME: Great Lakes Engineering Group, LLC

FEIN (Federal Employer ID Number) 38-3526743 OR Social Security # (if Sole Proprietorship)

Address: 934 Clark Street

City Lansing State MI Zip + 4 48906

Number of years in Business 20

Name the person to contact for questions concerning this bid.

Name Amy Trahey, P.E. Title President

Phone (517) 363-4400 Toll Free Phone () n/a

Fax () n/a Email Address amy@glengineering.com

In signing this bid, we also certify that we have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free competition; that no attempt has been made to induce any other person or firm to submit or not to submit a bid; that this bid has been independently arrived at without collusion with any other bidder, competitor or potential competitor; that this bid has not been knowingly disclosed prior to the opening of bids to any other bidder or competitor; that the above statement is accurate under penalty of perjury.

The undersigned, having familiarized themselves with the conditions affecting the cost of the work, having read completely the specifications, hereby proposes to perform everything required and to provide and furnish labor, materials, equipment, tools and all other services and supplies necessary to produce in a complete and workmanlike manner all of the materials or products described in the specifications relating to this Bid.

I further certify that I have carefully examined the bid documents and all terms herein, and site where the work is to be done and have no agreements to prevent the completion of said work.

Signature Amy L. Trahey

President Title

Name (type or print) Amy L. Trahey, P.E.

10/19/2020 Date

This firm hereby acknowledges receipt / review of the following addendum(s) (If any)

Addendum # Addendum # Addendum # Addendum #

ATTACHMENT B

REFERENCES

Vendor: Great Lakes Engineering Group

Provide company name, address, contact person, telephone number, and appropriate information on the product(s) and/or service(s) provided to customers similar to those requested in this solicitation document. Potential subcontractors cannot be references. Any subcontractor arrangement for the completion of this work shall be listed on a separate page.

Company Name: Michigan Department of Transportation
Address (include Zip + 4) 425 W. Ottawa St., Lansing, MI 48909
Contact Person: Andrew Bouvy, P.E. **Phone No.** 517-242-1164
E-Mail Address: BouvyA@michigan.gov
Product(s) Used and/or Service(s) Provided: Underwater Bridge Inspections - MDOT Statewide Moveable & Big Bridges 2020/2021 Inspections

Company Name: MDOT - Grand Region Office
Address (include Zip + 4) 1420 Front Ave. NW
Contact Person: Chad Roberts, P.E. **Phone No.** 616-450-8078
E-Mail Address: RobertsC2@michigan.gov
Product(s) Used and/or Service(s) Provided: 2020 Underwater Bridge Inspections for 44 Bridges in Grand Region

Company Name: MDOT - Bay Region Office
Address (include Zip + 4) 5859 Sherman Road, Saginaw, MI 48604
Contact Person: Paul ShieferP1@michigan.gov **Phone No.** 517-242-5784
E-Mail Address: SchieferP1@michigan.gov
Product(s) Used and/or Service(s) Provided: Underwater Bridge Inspections for 41 Bridges in Bay Region - 2020

Company Name: City of Ferrysburg
Address (include Zip + 4) 17290 Roosevelt Road, Ferrysburg, MI 494409
Contact Person: Craig Bessinger **Phone No.** 616-842-5803
E-Mail Address: cbessinger@ferrysburg.org
Product(s) Used and/or Service(s) Provided: Underwater Bridge Inspection of West Spring Lake Road over Smith's Bayou 2020, 2017, 2012

ATTACHMENT C

BID OFFER FORM

Vendor: Great Lakes Engineering Group, LLC

Line #	Bridge ID	Maintainer	Road	Feature Under	Price
1	644302000020B01	City of Hart	State St.	Hart Lake	\$6,049
Total Price for Bridge					\$6,049

Can complete dives, inspections, and initial input to the Michigan Highway Structure Information System by 12/15/2020? Yes X No

If no, please state lead time:

Can complete final inspection reports in the Michigan Highway Structure Information System and all other deliverables by 12/31/2020? Yes X No

An original and one copy of all required forms are included in the submittal? Yes X No

The City of Hart is exempt Federal Excise and Michigan Sales Taxes



Proposal for Engineering Services
Underwater Bridge Inspection

Prepared for:

City of Hart

October 20, 2020



Great Lakes Engineering Group, LLC (GLEG) understands that City of Hart is in need of underwater bridge inspection for the State Street over Hart Lake-Pentwater River. The inspection is to be in accordance with the National Bridge Inspection Standards (NBIS 23 CFR 650) that specifies underwater inspections be conducted once within every 60 months by a Qualified Bridge Inspection Team Leader and a Qualified Bridge Inspection Diver. GLEG not only meets your required qualifications, but **exceeds these criteria by having additional FHWA/NHI training.**

1. Bridge File Review:

This phase involves analysis of the bridge file, the most recent Bridge Safety Inspection Report (BSIR) and Underwater Inspection Report, stream cross section, photographs, as-built plans, and maintenance records, if applicable. A major component of the file review involves becoming familiar with the bridge and its structure type; particularly, the foundation type. We will determine if the foundations are on piles; if stay-in-place sheet piling is in place; and whether or not there was riprap set up on the bridge plans as a scour countermeasure.

As part of the bridge file review phase, we will familiarize ourselves with the bridge site. We will identify boat launch availability and assess whether the waterway has commercial and/or recreational boat traffic.

As part of the *GLEG Dive Operations Safe Practices Manual*, the bridge file review phase is when the Dive Team Leader fills out the bridge-specific "Dive Operations Plan". Please reference the **Safety Program** section of this proposal for more detail.

GLEG is very familiar with the MiBridge and is registered to complete the MDOT Bridge Diving Inspection Report (SIA # 92-B) based upon our certified qualifications.

2. Site Inspection:

During the Site Inspection, GLEG will conduct a Level I inspection and assess the condition of the submerged substructure units as well as the condition directly above the water surface. All findings observed by the diver are discussed and recorded via wireless communications from the diver underwater to the Dive Team Leader on the boat. The notes are taken during the inspection, and then reviewed and confirmed by the diver, post-dive. Sketches are drawn on pre-drafted substructure templates, and photographs are taken to support findings.

Deficiencies such as spalls to exposed steel, scaling, cracking, loss of section, debris, and scour are noted. Timber dolphin and fender systems near the bridge will also be inspected if applica-



ble. Topographical examination of the stream bed, in and around the substructure, will be completed along with upstream and downstream cross sections. The cross sections will be performed according to MDOT Hydraulics Unit's "Stream Cross Section Report" forms.

The following Structure Inventory & Appraisal (SI&A) items will be evaluated, and rating/coding recommendations will be given during the Report phase:

- SIA Item #60: Substructure
- SIA Item #61: Channel and Channel Protection
- SIA Item #71: Waterway Adequacy
- SIA Item #111: Navigation Protection Systems
- SIA Item #113: Scour Criticality

Any critical items discovered will be immediately communicated to the City prior to leaving the bridge site and followed up with a Request for Action (RFA).

3. Reports:

The final report will contain a written description of the substructure's condition, along with any deficiencies found at the bridge site, just above and below the water. The written description will be supported by photographs and CAD drawings. The report will contain all the information requested in the scope of service in addition to the data required by the MiBridge "Bridge Diving Inspection Report" (SIA # 92-B).

The format of the report will be as follows:

1. Executive Summary
2. General Site Procedures
3. Field Site Review Findings & Recommendations
4. Substructure Elevation Drawings and Soundings
5. Stream Cross Sections
6. Photo Log
7. MDOT Bridge Diving Inspection Report (SI&A Item #92B)

Safety Program

There are several inherent risks associated with performing underwater bridge inspections. To mitigate these risks, and assure safety, GLEG has developed, and utilizes, the GLEG Dive Operations Safe Practic-



es Manual. The manual contains chapters that specifically identify Pre-Dive, During-Dive, and Post-Dive activities. This manual is on-site during all dive operations and referenced for every dive. GLEG has developed checklists for each of these activities to ensure that each dive is a safe dive.

Chapters of the Safe Practices Manual are as follows:

- Dive Operations Plan. This pre-dive plan is filled out by the Dive Team Leader, and reviewed with the entire dive team prior to the dive. It identifies job specific equipment; anticipated conditions; dive plan and procedures (points of contact, scope of work, governing regulations, special site conditions, and site-specific hazard analysis); risk assessment; and emergency information (nearest hospital location, phone number, nearest decompression chamber location, local emergency notification numbers, and nearest rescue center).
- Certifications/Credentials. This contains all NHI / FHWA certificates of training: SCUBA certification cards for divers; current GLEG Medical Certifications for divers; current First Aid and CPR cards for all dive team members.
- Dive and Equipment Checklists and Dive Logs.
- Dive Standards and References: OSHA 29CFR Part 1910, subpart T-Commercial Diving; MIOSHA Part 31, Diving Operations; ANSI/ACDE-01-1998 Commercial Diver Training-Minimum Standard; USCG 46CFR197.200-197.488, Marine Occupational Safety and Health Standards.

Amy L. Trahey, P.E. will serve as the Dive Team Leader and Dive Inspector. She is a registered professional engineer in Michigan and has successfully completed NHI course #130055, "Safety Inspection of In-Service Bridges"; NHI course #130053, "Bridge Inspection Refresher Training"; and FHWA & NHI course #130091, "Underwater Bridge Inspection". Amy also completed NHI Course #135085, "Plan of Action for Scour Critical Bridges". Certified by the Professional Association of Diving Instructors (PADI), Ms. Trahey is extremely familiar with the equipment used for the dive inspection. Amy is in excellent physical fitness and maintains current CPR/First Aid certifications. She is familiar with the AASHTO Manual for Bridge Evaluation, the Michigan Structure Inventory & Appraisal Coding Guide, the MDOT Bridge Analysis Guide, AASHTO's Movable Bridge Inspection, Evaluation, and Maintenance Manual, the NBIS, and CFR 650. Amy has experience in conducting scour evaluations as well as providing emergency response and structural evaluations of foundation units submerged in water. Trained in "Stream Stability and Scour at Highway Bridges" NHI Course #13047, she has a solid understanding of bridge scour and countermeasures. She is responsible for ensuring overall use and conformity to the GLEG Bridge Inspection Quality Assurance and Quality Control Policy, and the GLEG Dive Operations Safe Practices Manual. Ms. Trahey meets the requirements for Program Manager; Team Leader; and Underwater Dive Inspector per 23 CFR 650.309 Qualification of Personnel, and has over 26 years of structural inspection experience. She recently served as Dive Team Leader/Dive Inspector for the MDOT Grand Region (44 Bridges) and University Region (22 Bridges) Underwater Bridge Inspection Projects in 2010, 2015, and 2020. Amy also served as



Dive Team Leader/Dive Inspector for the Mackinac Bridge and the City of South Haven in 2012 and 2017 .

Casey Collings, PE will serve as Dive Inspector, and Tender as needed. He is a QTL and has served as dive inspector on similar projects within MDOT's Southwest, University and Metro Regions. He has also performed emergency underwater bridge scour repairs for MDOT's Maintenance Division. Certified by the Professional Association of Diving Instructors (PADI), Casey is extremely knowledgeable about the equipment utilized for the dive inspection. He has successfully completed FHWA & NHI course #130091, "Underwater Bridge Inspection" and the two week NHI course #130055 "Safety Inspection of In-Service Bridges" and meets the requirements for underwater bridge inspection diver per NBIS Part 650.309. Casey is in excellent physical fitness and has up-to-date CPR as well as First Aid training and certification. Casey is very familiar with AASHTO and MDOT standards and procedures as well as MIOSHA and OSHA standards, specifically 29 CFR Part 1910, Subpart T – Commercial Diving Operations. He is a well-versed tender and has received his training and certification for proper boat operation from the United States Power Squadron. He has assisted in the development and updating of several of GLEG's Pre-Dive, During-Dive, and Post-Dive checklists, and is responsible for ensuring all dive equipment is serviced annually, maintained, and in safe working condition. He actively partakes in risk assessment for each dive operation. He recently served as Dive Inspector for the Underwater Inspection in MDOT Grand Region Underwater Inspections in 2020, MDOT Statewide Underwater Inspection project in 2015 and 2020, and as Dive Inspector for MDOT Metro Underwater Inspections in 2020.

Matt Davis will serve as Dive Tender. He have served as Dive Tender for underwater bridge inspections, scour investigations, and emergency scour repair projects. He has gained extensive boating and tending knowledge over the past 10 years and is extremely familiar with the equipment used in performing dives and dive inspections. Matt has 10 years of experience in assisting diving operations and his experience has been actual performance of the work and not supervision. This experience includes anchoring in various conditions and line tethering of divers. They are familiar with MIOSHA and OSHA standards for Commercial Diving Operations, USCG regulations, and maintain current CPR and First Aid training.



U.S. Department
Of Transportation
Federal Highway
Administration

National Highway Institute

Certificate of Training

Amy Trahey

has participated in

FHWA - NHI - 130091

UNDERWATER BRIDGE INSPECTION

hosted by

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

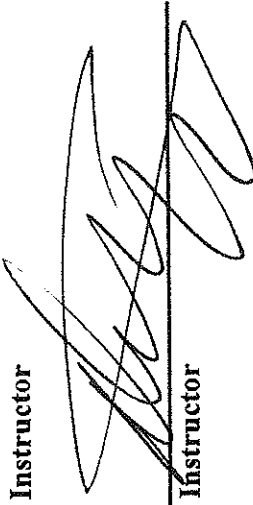
Date: August 14-16, 2007

Location: Charleston, WV

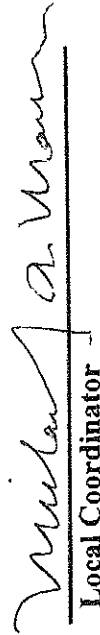
Hours of Instruction: 18 hours



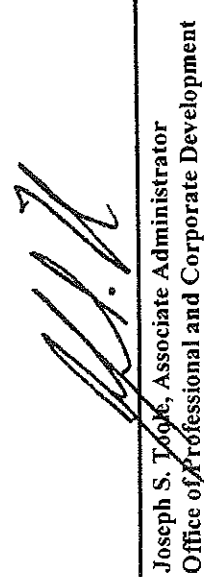
Instructor



Instructor



Local Coordinator



Joseph S. Toggé, Associate Administrator
Office of Professional and Corporate Development



NATIONAL HIGHWAY INSTITUTE
Training Solutions for Transportation Excellence



U.S. Department
of Transportation
**Federal Highway
Administration**

National Highway Institute *Certificate of Training*

Amy Trahey

has satisfactorily completed training in
Safety Inspection of In-Service Bridges

conducted by

Michael Baker Jr. Inc.

Location: *Lansing, Michigan*

Hours of instruction: 80

Date: *February 22 - March 6, 1999*

Continuing Education Units: 6.0

Instructor

Joseph A. Carab

Joseph A. Carab

Director

Joseph A. Carab

National Highway Institute

Coordinator

Rayanne Peterson

Federal Highway Administrator

Rayanne Peterson



U.S. Department
of Transportation
**Federal Highway
Administration**

National Highway Institute



Certificate of Training

Amy Trahey

has participated in

FHWA-NHI-130053

Bridge Inspection Refresher Training

hosted by

ACEC of Michigan/MDOT

Date: October 23-25, 2018

Hours of Instruction: 18

Location: Lansing, Michigan

Instructor

Local Coordinator

Instructor

**Valerie Briggs, Director
National Highway Institute**



U.S. Department
Of Transportation
Federal Highway
Administration

National Highway Institute

Certificate of Training

Amy L. Trahey

has participated in

FHWA NHI 130053

Bridge Inspection Refresher Training

hosted by
Michigan Department of Transportation


Date:


October 6, 2010


Location:

Lansing, Michigan


Instructor


Instructor


Local Coordinator


Richard Barnaby, Director
National Highway Institute



NATIONAL HIGHWAY INSTITUTE
Training Solutions for Transportation Excellence



U.S. Department
of Transportation
**Federal Highway
Administration**

National Highway Institute



Certificate of Training

Amy Trubey

has participated in

FHWA-NHI-130053

Bridge Inspection Refresher Training

hosted by

ACEC of Michigan/MDOT

Date: October 28-October 30, 2014

Hours of Instruction: CEU: 1.8 units

Location: Lansing, Michigan

Joe Roberts

Instructor

Linger Moore

Local Coordinator

Valerie Briggs

Instructor

Valerie Briggs

Valerie Briggs, Director
National Highway Institute



National Highway Institute



NATIONAL HIGHWAY INSTITUTE
Training Solutions for Transportation Excellence

Certificate of Training

Casey Collings

has participated in

FHWA-NHI-130091 – Underwater Bridge Inspection

hosted by

Ohio Department of Transportation

Date:

Location: July 9 -12, 2013

Akron, Ohio

Timothy M. Brone

Instructor

Casey Collings

Instructor

Hours of Instruction:

24

Tom Wagner

Local Coordinator

Richard Barnaby

Richard Barnaby, Director
National Highway Institute



U.S. Department
of Transportation
**Federal Highway
Administration**

National Highway Institute



Certificate of Training

Casey Collings

has participated in

FHWA-NHI-130053

Bridge Inspection Refresher Training

hosted by

ACEC of Michigan/MDOT

Date: *October 23-25, 2018*

Hours of Instruction: 18

Location: *Lansing, Michigan*

[Signature]

Instructor

[Signature]

Local Coordinator

[Signature]

Instructor

[Signature]

**Valerie Briggs, Director
National Highway Institute**



National Highway Institute



Certificate of Training

Casey J. Collings

has participated in

FHWA-NHI-130055

Safety Inspection of In-Service Bridges

hosted by

Michigan Department of Transportation

Date: November 2, 2007

Location: Lansing, MI


Hours of Instruction: 80



Instructor



Instructor



Local Coordinator

Joseph S. Tooley, Associate Administrator
Office of Professional and Corporate Development



AMY L. TRAHEY
 Diver No. 0708087332
 Birthdate [REDACTED]
 Cert.Date 25 JUL 2007
 Instr.No. OWSI-15987
JEFFREY A. VENN
 538
 DIVERS MAST
 2900 LANSING AVENUE
 JACKSON, MI 49202
 (517) 784-5862

This diver has satisfactorily met the standards for this certification level as set forth by PADI, 30151 Tomas Street, RSM, CA 92688-2125
www.padi.com



BRIAN A. TRAHEY
 Diver No. 0708087331
 Birthdate [REDACTED]
 Cert.Date 25 JUL 2007
 Instr.No. OWSI-15987
JEFFREY A. VENN
 538
 DIVERS MAST
 2900 LANSING AVENUE
 JACKSON, MI 49202
 (517) 784-5862

This diver has satisfactorily met the standards for this certification level as set forth by PADI, 30151 Tomas Street, RSM, CA 92688-2125
www.padi.com

015978190

000375

Amy Trahey
Divers Mast

www.padi.com
Expires:10/09

For inquiries about your PADI Diving Society membership:

Call: 1-888-333-7234 or 1-386-447-2535
 Email: pdsmember@palmcoastd.com
 Write: P.O. Box 420235
 Palm Coast, Florida 32142-0235

DAN 24-Hour Diving Emergency Hotline: 1-919-684-4DAN(4326)

015978208

000376

Brian Trahey
Divers Mast

www.padi.com
Expires:10/09

For inquiries about your PADI Diving Society membership:

Call: 1-888-333-7234 or 1-386-447-2535
 Email: pdsmember@palmcoastd.com
 Write: P.O. Box 420235
 Palm Coast, Florida 32142-0235

DAN 24-Hour Diving Emergency Hotline: 1-919-684-4DAN(4326)

CASEY J. COLLINGS



Diver No. 1906021236
Birth Date [REDACTED]
Cert. Date 31-May-2015
Instr. No. MSDT-89696
KELLY L. KOHN
538
DIVERS MAST
2900 LANSING AVENUE
JACKSON, MI 49202
517 784-6862

This qualification meets ISO 24891-2 Diver Level 2 - Autonomous Diver Standard
This diver has satisfactorily met the standards
for this certification level as set forth by PADI
www.padi.com

EANX DIVER

CASEY JAY COLLINGS

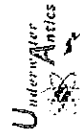
Cert #: coll070677casad

Cert Date: 7/9/2016

TIMOTHY B MIDDLETON 48843



Cardholder met NAUI requirements.



ADV SCUBA DIVER

CASEY JAY COLLINGS

Cert #: coll070677casad

Cert Date: 7/31/2016

TIMOTHY B MIDDLETON 48843

UNDERWATER ANTICS INC.



Cardholder met NAUI requirements.



Lynne Ladner

From: no-reply-MiBridge@michigan.gov
Sent:  Wednesday, September 30, 2020 6:02 AM
To: Lynne Ladner
Cc: schroederb@ayresassociates.com
Subject: MiBRIDGE : Inspections due in the next 3 months@MTAO

BRIDGE OWNER: Lynne Ladner, City of Hart

PREVIOUS INSPECTOR: Brian Schroeder, Ayres Associates;;

The number of NBI bridges in your jurisdiction that are scheduled for inspections within the next THREE months are shown below:

MONTH	R	FC	FS	UW	OS
OCTOBER	0	0	0	0	0
NOVEMBER	0	0	0	0	0
DECEMBER	0	0	0	1	0

LEGEND
R = Routine
FC = Fracture Critical
FS = Fatigue Sensitive
UW = Underwater
OS = Other Special

The list of individual bridges shown above can be viewed from the MiBRIDGE web Application.

You can connect to MiBRIDGE using the link given below:
https://www.michigan.gov/mdot/0,4616,7-151-87728_87844_87847_59528---,00.html

Once you log into MiBRIDGE, click on "Dashboards" and "Report Assignment" at the top of the page.

NOTE: You will not receive this e-mail again unless there are bridges due for inspection in JANUARY

CAUTION: THIS IS AN AUTOMATED MESSAGE AND REPLIES ARE NOT ACCEPTED. For questions regarding this information please contact MDOT at MDOT-MiBridge-Admin@michigan.gov

DISCLAIMER:

This email is intended for the sole use of the intended recipient/s and may contain material that is CONFIDENTIAL INFORMATION.

Any review or reliance by others or copying or distribution or forwarding of any or all of the contents in this message is STRICTLY PROHIBITED. If you are not the intended recipient, please discard this email and delete all copies; your cooperation in this regard is appreciated.

Prequalified Service Vendors By Classification

Design - Bridges: Safety Inspection - Underwater

As of May 21, 2020

Service Prequalification Classification	Vendor	State	Phone	Status	DBE Certified
Design - Bridges: Safety Inspection - Underwater	AYRES ASSOCIATES, INC., OF MICHIGAN	WI	715-834-3161	Approved	No
Design - Bridges: Safety Inspection - Underwater	COLLINS ENGINEERS, INC.	IL	312-236-5117	Approved	No
Design - Bridges: Safety Inspection - Underwater	GPI MICHIGAN, INC.	MI	616-940-3112	Approved	No
Design - Bridges: Safety Inspection - Underwater	GREAT LAKES ENGINEERING GROUP, LLC	MI	517-363-4400	Approved	Yes

Lynne Ladner

From: Eric Thorkildsen <ethorkildsen@gpinet.com>
Sent: Monday, October 12, 2020 9:53 AM
To: Lynne Ladner
Subject: RE: City of Hart Underwater Bridge Inspection RFB

Hi Lynne,

Thank you for sending your request for bids. Unfortunately we will not be submitting a bid for this job. Our firm mobilizes our diving crews from the Buffalo area of NY and if we can string together say a weeks' worth of inspection work it makes sense for us to place a bid. But we are unable to do that with your bridge.

Our firm teaches the federal course on underwater bridge inspections nationwide for the Federal Highway Administration. Please feel free to reach out if you have any questions regarding these types of inspections.

Hopefully we can help you in the future!

Thanks again, Eric.

GPI Eric Thorkildsen, P.E.
d +1 (518) 898-9550 | c +1 (518) 209-4823
An Equal Opportunity Employer

From: Lynne Ladner <LLadner@cityofhart.org>
Sent: Thursday, October 8, 2020 11:13 AM
To: Eric Thorkildsen <ethorkildsen@gpinet.com>
Subject: City of Hart Underwater Bridge Inspection RFB

The City of Hart is seeking bids for the completion of our 2020 underwater bridge inspection as required by the Michigan Department of Transportation. The RFB document is attached to this email. Please contact me if you have any questions. Thank you.

Lynne Ladner MPA (she/her)
City Manager
City of Hart, MI
231-873-2488
www.cityofhart.org



[LinkedIn](#) | [Twitter](#) | [Facebook](#)

Per Title VI of the Civil Rights Act of 1964 and other Nondiscrimination statutes, Greenman-Pedersen, Inc. and its related companies will not discriminate on the grounds of race, color or national origin in the selection and retention of subconsultants, including procurement of materials and leases of equipment. Greenman-Pedersen, Inc. and its related companies will ensure that minorities will be afforded full opportunity to submit proposals and will not be discriminated against in consideration for an award.

Lynne Ladner

From: Kinderman, Wendy <kindermanw@AyresAssociates.com>
Sent: Thursday, October 8, 2020 1:20 PM
To: Lynne Ladner
Subject: RE: Request for Bid - Underwater Bridge Inspection

Thank you for contacting Ayres for your underwater inspection project. We believe we have the capabilities to meet your project needs, but we will not be able to respond with a proposal at this time because of time constraints and current staff availability.

We encourage you to continue to contact Ayres for your future inspection, engineering, architectural, and planning needs.

Wendy Kinderman, CPSM

Marketing Supervisor

Ayres Associates Inc

Direct: 715.831.7693

KindermanW@AyresAssociates.com

www.AyresAssociates.com

From: Lynne Ladner <LLadner@cityofhart.org>
Sent: Thursday, October 8, 2020 9:17 AM
To: Lynne Ladner <LLadner@cityofhart.org>
Subject: Request for Bid - Underwater Bridge Inspection

The City of Hart is seeking bids for the completion of our 2020 underwater bridge inspection as required by the Michigan Department of Transportation. The RFB document is attached to this email. Please contact me if you have any questions. Thank you.

Lynne Ladner MPA (she/her)

City Manager

City of Hart, MI

231-873-2488

www.cityofhart.org



[LinkedIn](#) | [Twitter](#) | [Facebook](#)

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/23/20
Re: Second Amendment and Estopple agreement – Hart Solar

Greetings,

As the City continues to work with Hart Solar on a clean energy project which will have collector lines and other equipment placed in easements along City property a second amendment to the agreement has been requested and drafted with the intent of mitigating disturbance to wetland areas.

The intent of the project is to provide energy resources that have minimal impact on the environment, by moving forward with this amendment it is in keeping with that goal of minimal impact on the environment.

It is my recommendation that the Council adopt Resolution 2020-62 Adopting the second amendment and estopple agreement with Hart Solar

Lynne

RESOLUTION 2020-62

**Hart City Council
City of Hart, Michigan**

Adopt second amendment and estopple agreement with Hart Solar

WHEREAS; the City has been working with Hart Solar on a large scale clean energy project for construction in Oceana County; and

WHEREAS; the previous agreements have been drafted and approved regarding the size, placement and details related to necessary easements for the collector system and equipment ; and

WHEREAS; due to efforts to mitigate wetlands disturbances during the construction and ongoing operation of the solar project a second amendment and estopple agreement has been drafted;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Adops the second amendment and estopple agreement with Hart Solar and authorizes the City Manager to sign the necessary documents.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 27, 2020.

Ayes: Nays: Absent:

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

SECOND ESTOPPEL AND AMENDMENT AGREEMENT

THIS SECOND ESTOPPEL AND AMENDMENT AGREEMENT (this "**Agreement**") is entered into as of _____, 2020, by and between the **City of Hart**, a municipal corporation located in the Township of Hart, County of Oceana, State of Michigan ("**Optionor**", or "**Owner**" as defined in the form of Easement attached as **Exhibit A**), and **Hart Solar Partners, LLC**, a limited liability company organized and existing under the laws of the State of Delaware, and its successors and assigns (variously referred to as "**Project Company**", "**Option Holder**" or "**Grantee**", in connection with a certain **Option Agreement** (as defined below) between Owner and Project Company, under which Owner has granted to Project Company an option to purchase an easement over, under and across certain land situated in the Township of Hart, County of Oceana, and State of Michigan, more particularly described in the Option Agreement ("**Easement Premises**"). Capitalized terms used but not defined in this Agreement have the meanings assigned to them in the Option Agreement.

1. The parties hereby amend that certain Amended and Restated Easement Purchase Option Agreement, dated August 14, 2019, as amended by the Estoppel and Amendment Agreement, dated May 28, 2020 (together with this Agreement, the "**Option Agreement**"), as follows:
 - a. **Form of Easement:** Attached to this Agreement as **Exhibit A** is a form of Easement agreed to by Owner and Project Company. To the extent the Option is exercised under the Option Agreement, Owner and Project Company will execute one or more copies of this form of Easement, covering the applicable tax parcels requested by Project Company, with such updates as are necessary to reflect the area, metes and bounds and related details about the Easement Premises consistent with the corresponding Option Agreement, and the name and address of Owner (as owner/grantor) and Project Company (as grantee).
 - b. **Consideration:** By executing and delivering this Agreement, all signatories to this Agreement acknowledge and agree that the mutual covenants set forth in this Agreement are sufficient consideration for the amendment of the Option Agreement.
 - c. **No Other Changes:** The parties acknowledge and agree that this Agreement shall be treated for all purposes as an amendment to the Option Agreement. Except as provided in this Agreement, the Option Agreement remains unchanged, and the Option Agreement, as amended by this Agreement, remains in full force and effect, and is binding upon Owner and Project Company.
2. Intending to be legally bound, Owner and Project Company, each to the best of its respective knowledge, represent and warrant as of the date hereof:
 - a. A true and complete copy of the Option Agreement (excluding this Agreement) are attached to this Agreement as **Exhibit B**. The Option Agreement is the entire agreement between Owner and Project Company concerning the

Easement Premises. The Option Agreement remains in full force and effect and has not been further amended or modified in any way.

- b. There are no current disputes between Owner and Project Company concerning any provision of the Option Agreement.
- c. Owner is not currently in default under the provisions of the Option Agreement and no circumstances exist under which Owner may be deemed to be in default upon the service of notice, passage of time, or both. Owner has not received any notice of default from Project Company.
- d. Project Company is not currently in default under the provisions of the Option Agreement and no circumstances exist under which Project Company may be deemed to be in default upon the service of notice, passage of time, or both.
- e. There have been no previous disputes between Owner and Project Company concerning any provision of the Option Agreement. Neither Owner nor Project Company has previously been in default under the provisions of the Option Agreement.
- f. Project Company has paid to Owner all Option Payments and all other amounts due and owing prior to and through the date of this Agreement, including amounts due and owing under the Option Agreement and amounts due and owing pursuant to any other agreement or arrangement between Project Company and Owner. Project Company has not yet exercised the Option or paid the Purchase Price as described in the Option Agreement. The Option remains effective and enforceable in accordance with the terms of the Option Agreement.
- g. The Solar Plant's commercial operation date has not occurred as of the date of this Agreement.
- h. A true, correct, and complete description and depiction of the Easement Premises are included on **Exhibit C** attached to this Agreement.
- i. There have been no notices of (a) any violation of any ordinance, rule, regulation, or lawful order of a governmental authority relating to the use and operation of the Easement Premises or any portion of the land and buildings of which the Easement Premises are a part or (b) any existing or threatened condemnation or eminent domain proceeding with respect to the Easement Premises or any portion of the land and buildings of which the Easement Premises are a part.
- j. The execution and delivery of this Agreement by Owner and Project Company are the free act and deed of Owner and Project Company and do not violate any

contract, arrangement, order, mandate, or agreement by which Owner and Project Company or the Easement Premises is bound.

- k. The parties acknowledge that each party will be relying on the representations and warranties in this Agreement.
- l. The representations and warranties made in this Agreement are binding upon Owner, and on Owner's heirs, legal representatives, successors, and assigns, and shall inure to the benefit of Project Company and its respective successors and assigns.

[The remainder of this page is intentionally left blank]

IN WITNESS WHEREOF, the undersigned have duly executed this Agreement or caused this Agreement to be duly executed on the date first written above.

Optionor:

City of Hart

Signature: _____

Printed Name: Lynne Ladner

Title: City Manager

STATE OF _____

COUNTY OF _____, SS.

On this ___ day of _____, 2020, personally appeared _____, known to me, or satisfactorily proven to be the person who is the signatory to the foregoing, and made oath that the foregoing instrument, subscribed by her is true.

Before me,

Notary Public

My commission expires: _____

Signature: _____

STATE OF _____

COUNTY OF _____, SS.

Option Holder:

Hart Solar Partners, LLC

Signature: _____

Printed Name: ~~MaryLiz A. Geffert~~Richard R. Mukhtar

Title: ~~Senior Vice President of EDF Renewables Distributed Solutions, Inc., its Manager and CEO~~

STATE OF _____

COUNTY OF _____, SS.

On this ___ day of _____, 2020, personally appeared ~~MaryLiz A Geffert~~Richard R. Mukhtar, the ~~Senior Vice President of EDF Renewables Distributed Solutions, Inc., Manager and CEO~~ of Hart Solar Partners, LLC, known to me, or satisfactorily proven to be the person who is the signatory to the foregoing, and made oath that the foregoing instrument, subscribed by ~~her~~him is true.

Before me,

Notary Public

My commission expires: _____

Signature: _____

STATE OF _____

COUNTY OF _____, SS.

EXHIBIT A

Form of Easement

Master Tract#
SAP#
Design#
Agreement# MI000000

(hereinafter "Owner")

for \$1.00 and other good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*] grants and warrants to

HART SOLAR PARTNERS, LLC, a Delaware limited liability company, _____
(hereinafter "Grantee")

a *non-exclusive*, perpetual, general purpose access and utility easement ("Collection Line Easement") over, under and across a portion of Owner's land (hereinafter "Owner's Land") located in the [Township of Hart], County of Oceana, and State of Michigan as more particularly described in the attached Exhibit A (hereinafter "Collection Line Easement Premises"), which Collection Line Easement shall consist of a 30 foot wide strip of land, the centerline of which is depicted on Exhibit B; and an *exclusive* permanent easement ("Utility Pad Easement") over, under and across Owner's real property identified as tax parcel 007-015-400-07 (hereinafter "Utility Pad Easement Premises"), which Utility Pad Easement Premises shall be located within the two approximately one-half (1/2) acre parcels depicted on Exhibit C. The Collection Line Easement and Utility Pad Easement are hereafter referred to collectively as the "Easement" and the Collection Line Easement Premises and Utility Pad Easement Premises are hereafter referred to as the "Easement Premises".

Owner grants to Grantee such Easement for (a) vehicular and pedestrian ingress, egress, and access upon and over the Easement Premises, to and from Grantee's solar, photovoltaic electricity generation facility, including related interconnection facilities (the "Solar Plant") to be located adjacent to the Easement Premises, and, if described, or depicted on Exhibits B or C, to or from a public right of way; (b) the right to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove Grantee's electric transmission and distribution utilities consisting of one-line of three-phase towers, pole structures, poles, or any combination of the same, with wires, cables, conduits, cross-arms, braces, guys, anchors and transformers and other fixtures and appurtenances and electronic control circuits and devices, and similar (collectively, "Utilities") above, below, on, or within the Easement Premises; (c) interconnection of any such Utilities to the Solar Plant; (d) right to trim, remove, or otherwise control all trees, brush, and vegetative growth on the Easement Premises that would interfere with safe and efficient functioning of the Utilities as reasonably determined by Grantee; and (e) the right to construct, operate, maintain, repair, inspect, replace and improve concrete pads, gravel pads, small enclosed structures, and fencing in

compliance with applicable zoning ordinances and other regulations (items (a) through (e) collectively, the “Easement Purposes”).

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Grantee, during initial construction only, the right to temporarily use (i) existing access roads on, over and through Owner’s Land, and (ii) 20 feet of additional work space to construct said lines. Said 20 feet of additional temporary work space shall abut the Collection Line Easement Premises, on only one side, as required by construction, and the grant of the right to use existing access roads and such additional work space shall automatically expire on the first anniversary of the date of this Easement.

Access: In the event of emergency conditions or circumstances, as reasonably determined by Grantee, Grantee shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner’s Land for any and all purposes necessary, convenient, or incidental to address such emergency conditions or circumstances. Grantee shall immediately attempt to inform Owner of such emergency, shall at all times seek to minimize entry onto Owner’s Land and shall fully and promptly reimburse Owner for all damages and costs incurred by Owner as a result of Grantee’s operations on Owner’s Land, including all attorneys fees and restoration costs.

Restrictions: Owner agrees not to, and will not permit any other person to, construct improvements on the Easement Premises, or use the Easement Premises in a manner that would conflict with or interfere with the rights in and to the Easement and the Easement Premises; provided, however, that Owner reserves to itself the right to conduct effluent spraying operations from its existing effluent spraying system, as described on Exhibit D hereto, in compliance with the requirements of the Michigan Department of Environment, Great Lakes, and Energy.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Grantee allowing said alteration.

Exercise of Easement: Grantee’s nonuse or limited use of this Easement shall not preclude Grantee’s later use of this Easement to its full extent.

Owner’s Title: Owner believes that it is the sole owner of the property represented by the parcel IDs set forth on Exhibit A (the “Owner’s Land”), in fee simple, free and clear of liens, encumbrances, and restrictions, except for liens, encumbrances, and restrictions of record. Owner has all requisite power and authority to execute and deliver this Easement, to perform its obligations hereunder and to consummate the transactions contemplated hereby.

Successors: This Easement shall bind and benefit Owner’s and Grantee’s respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner:

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,
on _____ by

Date

Notary Public

County, Michigan
Acting in _____ County
My Commission expires: _____

**PROPERTY OWNERS
MAIL
SIGNED EASEMENT TO:**

**REGISTER OF DEEDS
OFFICE USE ONLY**

Agent's Name
Company Name
Street Address
City, State Zip

Prepared By:
Agent's Name
Street Address
City, State Zip

Return recorded instrument to:
Agent's Name
Street Address
City, State Zip

EXHIBIT A

Owner's Land

Land situated in the Township of , County of Oceana, State of Michigan:

Also known as:

Parcel IDs: 007-022-100-05, 007-022-100-06, 007-022-200-01, 007-022-200-02, and 007-015-400-07.

EXHIBIT B

Easement Area

A 30 foot-wide strip of land, being 15 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.

The centerline of the aforesaid description is intended to coincide with the actual centerline of Grantee's facilities as now located and installed upon and across the Owner's Land and to the extent that the aforesaid centerline description conflicts with or is of variance with said actual centerline up to a distance of not more than five (5) feet, then the actual centerline of Grantee's facilities shall be deemed controlling for all purposes of this instrument and Grantee shall have the right but not the obligation to record an amendment hereto amending the description of the Easement Area to align the centerline of the Easement Area with the centerline of Grantee's facilities while maintaining the original width of the Easement Area.

EXHIBIT C

Utility Pad Easement Premises

Land situated in the Township of [REDACTED], County of Oceana, State of Michigan:

Also known as:

Parcel ID: 007-015-400-07.

EXHIBIT D

Spray Infrastructure

EXHIBIT B

Option Agreement and Amendments

Attached

EXHIBIT C

Easement Premises

EXHIBIT A

Subject Property and Easement Premises

Approximate location of the Collection Line Easement Premises are shown by the dark blue lines.

Approximate location of the Utility Pad Easement Premises are shown by the yellow rectangles.



Initials:
Hart Solar Partners Optionor
026073603

6

Subject

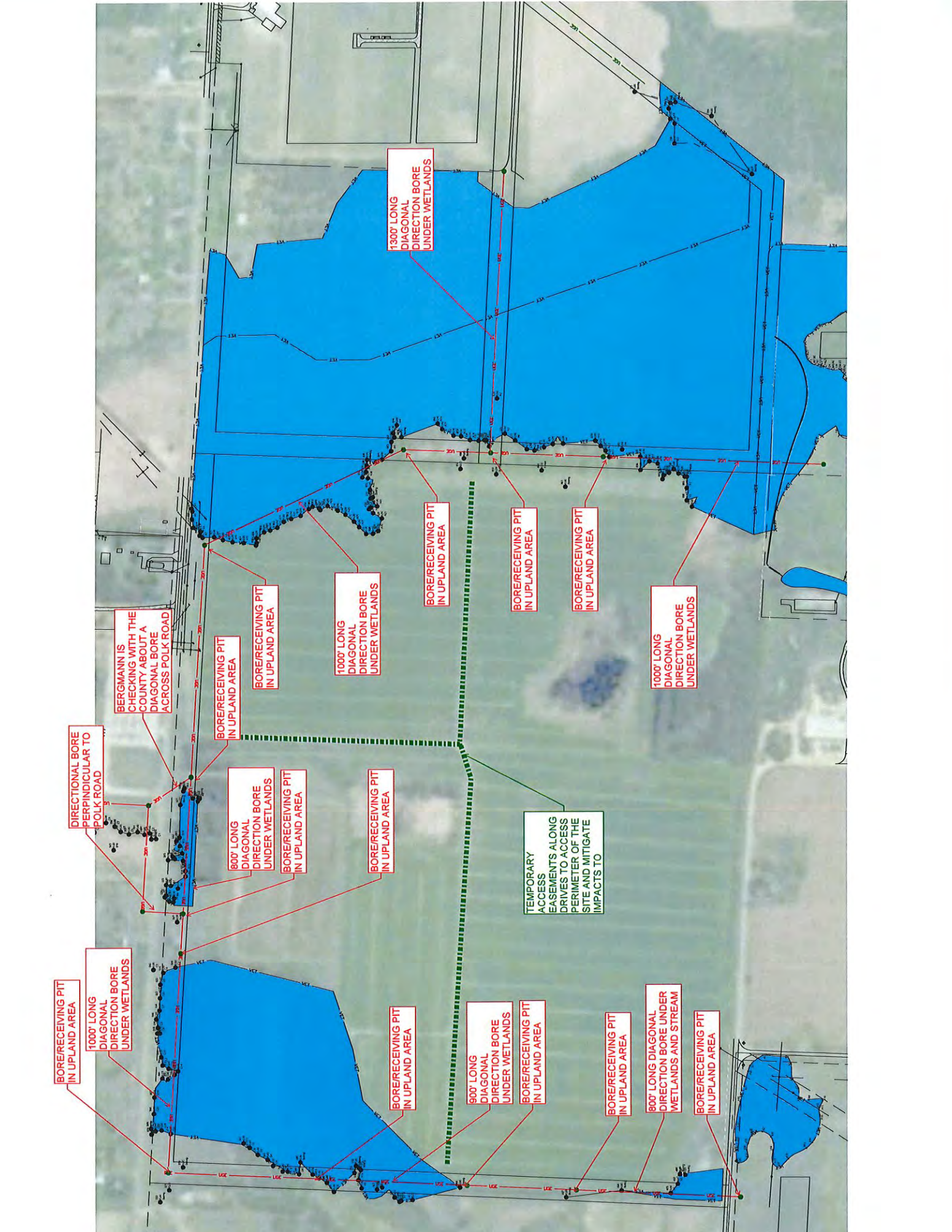
Property and Easement Premises

Approximate location of the Collector Line Easement Premises is shown by the blue lines.

Approximate location of the Utility Pad Easement Premises is shown by the yellow rectangles.

Approximate location of existing access roads to be utilized temporarily during construction is shown by the orange dashed line.





BORE/RECEIVING PIT IN UPLAND AREA

1000' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS

BERGMANN IS CHECKING WITH THE COUNTY ABOUT A DIAGONAL BORE ACROSS POLK ROAD

BORE/RECEIVING PIT IN UPLAND AREA

800' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS

BORE/RECEIVING PIT IN UPLAND AREA

BORE/RECEIVING PIT IN UPLAND AREA

1000' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS

BORE/RECEIVING PIT IN UPLAND AREA

TEMPORARY ACCESS EASEMENTS ALONG DRIVEWAYS TO ACCESS PERIMETER OF THE SITE AND MITIGATE IMPACTS TO

1300' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS

BORE/RECEIVING PIT IN UPLAND AREA

900' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS

BORE/RECEIVING PIT IN UPLAND AREA

BORE/RECEIVING PIT IN UPLAND AREA

800' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS AND STREAM

BORE/RECEIVING PIT IN UPLAND AREA

BORE/RECEIVING PIT IN UPLAND AREA

BORE/RECEIVING PIT IN UPLAND AREA

1000' LONG DIAGONAL DIRECTION BORE UNDER WETLANDS

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/23/20
Re: Industrial Park Development

Greetings,

The City has been approached by an electronics manufacturing company interested in purchasing the remaining two lots in the Hart Industrial Park. The project has been reviewed by the Finance and Personnel committee and the committee is recommending proceeding with drafting a development agreement for the project with proposed incentives which include waiving water and sewer tap fees, waiving site development costs incurred by the City and the purchase and installation of the necessary Energy department infrastructure to service the project in return for compensation similar as has been provided before by parties purchasing in the park of \$2,500 per lot for a total of \$5,000. A final development agreement will be drafted and presented to the Council for approval

It is my recommendation that the Council adopt Resolution 2020-63 Accepting the recommendation from Finance Committee and Authorize City Manager to complete negotiations for sale of Hart Industrial Park parcel number 020-390-012-00 and present the final agreement for approval of the City Council

Lynne

RESOLUTION 2020-63

Hart City Council
City of Hart, Michigan

Accept recommendation from Finance Committee and Authorize City Manager to complete negotiations for sale of Hart Industrial Park parcel number 020-390-012-00

WHEREAS; the City has been approached by an electronics manufacturing company interested in purchasing the remaining two lots in the Hart Industrial Park; and

WHEREAS; the project has been reviewed by the Finance and Personnel committee and the committee is recommending proceeding with drafting a development agreement for the project with proposed incentives which include waiving water and sewer tap fees, waiving site development costs incurred by the City and the purchase and installation of the necessary Energy department infrastructure to service the project in return for compensation similar as has been provided before by parties purchasing in the park of \$2,500 per lot for a total of \$5,000; and

WHEREAS; a final development agreement will be drafted and presented to the Council for approval;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Accept recommendation from Finance Committee and Authorize City Manager to complete negotiations for sale of Hart Industrial Park parcel number 020-390-012-00 and present the final agreement for approval of the City Council

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 27, 2020.

Ayes: Nays: Absent:

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

CITY OF HART SITE DEVELOPMENT PROPOSAL

October __, 2020

OVERVIEW

Subject to Agreement of Purchase and Sale

Between City of Hart and ~~James Gaylord Nagel Electronics (pending LLC)~~
For Lots 12 & 13
Spencer Farm Dr
City of Hart Industrial Park
Hart, Michigan

1. The Scope

Client is interested in purchasing land to construct a 2,000 – 2,500 SF manufacturing and office use facility for the purpose of designing LED lighting, PCB design and small-run manufacturing. Client would like to purchase land in 2020. City will stipulate construction timelines in final development agreement.

# of employees	2 to start (potential for up to 10)
Size of building	Approx 2500 SF
Cost of building + land	Max \$85,000 - \$100,000 (pole style)
Cost of equipment	Approx \$50,000 in phases
Anticipated Startup Date	2021

2. The Site

Parcel:	020-390-012-00
Lot No.:	12 & 13
Street Location:	Spencer Farm Dr
Size:	3.7 Acres 161,172SF
Price Per Square Foot:	\$ 64
Total Purchase Price:	\$ 5,000 (\$2,500/lot)

Estimated Taxes upon Completion:

3. Infrastructure

Utility infrastructure in place including water, sewer, electric and gas to the property line as well as paved city streets and curbs.

Water tap	\$ 825
Sewer tap	\$ 1,200 (based on 2,000 SF building)
Up to 2,000 amp transformer	\$25,000 (client anticipates max use 1,000 amp)
Wire underground/boring	\$15,000 (includes labor)

4. Name of Company Purchasing Lot

Company Name [REDACTED] Electronics (pending LLC)
Mailing Address [REDACTED] Basswood Dr
City/Town/Zip [REDACTED] MA 01947
Telephone No. [REDACTED] 916-617-1911
Email [REDACTED] mg@regal-electronics.com

5. Project Requirements

See attached Development Review Guidebook

6. Incentives

- Utility infrastructure in place including water, sewer, electric and gas to the property line as well as paved city streets and curbs.
- Water tap fees waived \$ 825
- Sewer tap fees waived \$ 1,200 (based on 2,000 SF building – based on final square footage)
- Site development fees waived \$ 5,000
- 2,000 amp transformer fee waived \$25,000
- Wire underground/boring/install waived \$25,000
- Industrial facilities tax exemption potential for future consideration

7. Total Incentive Value ~\$60,000

6. Additional Information

Client would like to know who cable carrier is, how connecting, will be identified in final site plan review. Cost for connection?



Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/23/20
Re: PN EDA funding app proposal

Greetings,

The City has approved three engineering companies as qualified to assist the City with funding applications for projects where a request for federal funding assistance is to be completed and specific projects are more time sensitive than others due to the availability of funding associated with the CARES Act. Prein Newhof has assisted the City with the completion of preliminary information for nearly \$9,000,000 in Wastewater improvements tied to economic development and business expansion projects in the community and due to the limited time to apply for these funds which are being offered at up to 80% grant which would be approximately \$7,200,000 in federal grant funding and the historical knowledge of the issues, City infrastructure it is judged to be prudent to contract with Prein Newhof for these Wastewater projects

It is my recommendation that the Council adopt Resolution 2020-64 Accepting the proposal from Prein Newhoff to assist the City with the submission of the application for funding to the US Economic Development Administration (EDA) at a cost of \$7,300 to include preliminary engineering report, environmental report and assistance with the application form.

Lynne

RESOLUTION 2020-64
Hart City Council
City of Hart, Michigan

***Resolution 2020 – 64 Accept Prein Newhof proposal for EDA project
funding applications***

WHEREAS; the City has approved three engineering companies as qualified to assist the City with funding applications for projects where a request for federal funding assistance is to be completed; and

WHEREAS; specific projects are more time sensitive than others due to the availability of funding associated with the CARES Act; and

WHEREAS; Prein Newhof has assisted the City with the completion of preliminary information for nearly \$9,000,000 in Wastewater improvements tied to economic development and business expansion projects in the community; and

WHEREAS; due to the limited time to apply for these funds which are being offered at up to 80% grant which would be approximately \$7,200,000 in federal grant funding and the historical knowledge of the issues, City infrastructure it is judged to be prudent to contract with Prein Newhof for these Wastewater projects;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Accept the proposal from Prein Newhoff to assist the City with the submission of the application for funding to the US Economic Development Administration (EDA) at a cost of \$7,300 to include preliminary engineering report, environmental report and assistance with the application form.

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 27, 2020.

Ayes: Nays: Absent:

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

October 21, 2020

Ms. Lynne Ladner, City Manager
City of Hart
407 State Street
Hart, MI 49420

RE: Professional Engineering Services

Dear Ms. Ladner:

Last week, the City Council decided that the three engineering firms that submitted qualifications were qualified to perform work related to several capital improvement projects that you are seeking funds for. This process started out with our suggestion that the City solicit qualifications because some of the infrastructure funding that you are seeking requires a Qualifications Based Selection (QBS) process, specifically the U.S. Economic Development Agency (EDA) and State Revolving Fund (SRF).

You have had several meetings with EDA and the West Michigan Shoreline Regional Development Commission (WMSRDC), which recommends projects to EDA. Based on these preliminary discussions, EDA and WMSRDC think the City of Hart is eligible and has a good chance to receive funding for some of your wastewater projects. We have identified approximately \$9,000,000 worth of improvements that may be eligible for up to an 80% grant. The City is also in an "Opportunity Zone, which gives it special priority in the ranking process.

Because time is of the essence on some of this funding (first come, first served), we urge you to begin with the EDA application as soon as possible. This is a very important step - dollar-wise it is the least expensive – but it is the most critical in terms of lining up funding for the various projects you are considering. The big costs – construction - come later after you are approved for funding.

Please consider:

History and Value: We have worked with Hart for more than 30 years. Our institutional knowledge of your infrastructure is valuable and will save you time and money in seeking the funding because we already understand what is involved. We helped you in obtaining \$2,000,000 in grant funds spent over the last three years to assess your infrastructure.

Time: You have a limited time to act. The EDA grant is competitive and a first come, first served opportunity. Other communities are chasing this grant, but we are well positioned to help you apply now with our existing knowledge of your projects and the process. No one can do it quicker.

Readiness: We authored your recent SAW Asset Management Plan and Capital Improvement Plan. We understand your issues and priorities and can start immediately on your application. There is no learning curve.

Culture: We serve many communities over long periods of time because we do not just look at individual projects. We look at each project within the context of the “big-picture” and how projects fit into the community’s long-term needs. With our current and historical knowledge of your system, we have the ability to look out for the City’s interests and to put you in the best position for the various funding mechanisms that you are considering.

Leverage: While EDA funding will not cover all your needs, it would be an amazing way to leverage other funding sources that will be needed to complete infrastructure capital improvements. We know the ins and outs of the various agencies and have successfully matched various programs together.

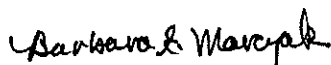
We believe you need someone to help coordinate all of the grants and funding opportunities that are in front of you and we believe we are in the best position to help you with that. We urge you to apply for EDA funding now. Because we have just finished assessing the condition of all your wastewater, stormwater, and water assets, we are in the best position to help you complete the application process. With our historical knowledge of your system, we can complete it in the quickest and least costly manner of any engineering firm.

We offer our services to assist you with the EDA application for a maximum not to exceed \$7,300. This will include the preliminary engineering report, environmental report, and assistance with the application form. This can be considered a not to exceed fee for the initial submittal. If EDA asks for significant revisions after its review, the fee may need to be adjusted. In addition, a State Historic Preservation Office (SHPO) Review will be needed if EDA decides to fund the project. We recommend waiting until after the EDA’s first review for this.

Please contact us to review next steps and with any questions you may have.

Sincerely,

Prein&Newhof



Barbara E. Marczak, P.E.

BEM/bem

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 10/23/20
Re: Policies and Procedures for Remote and Hybrid Meetings

Greetings,

The State of Michigan has enacted PA 228 of 2020 to amend the Open Meetings Act to permit Remote and Hybrid Public Meetings in response to the COVID pandemic and with the adoption of the act it is in the best interest of the City to adopt policies and procedures that align with the act and clearly spell out how public meetings, interactions and attendance will be conducted under the requirements of PA 228 of 2020;

It is my recommendation that the Council adopt Resolution 2020-65 Adopting Policies and Procedures for Remote and Hybrid Public Meetings per PA 228 of 2020

Lynne

RESOLUTION 2020-65
Hart City Council
City of Hart, Michigan

Adopt Policies and Procedures for Remote and Hybrid Public Meetings per PA 228 of 2020

WHEREAS; PA 228 of 2020 has been enacted by the State of Michigan to amend the Open Meetings Act to permit Remote and Hybrid Public Meetings in response to the COVID pandemic; and

WHEREAS; with the adoption of the act it is in the best interest of the City to adopt policies and procedures that aline with the act and clearly spell out how public meetings, interactions and attendance will be conducted under the requirements of PA 228 of 2020;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Adopt Resolution 2020-65 Policies and Procedures for Remote and Hybrid Public Meetings per PA 228 of 2020

Moved by _____, supported by _____ and thereafter adopted by the Hart City Council at a regular council meeting held on Oct. 27, 2020.

Ayes: Nays: Absent:

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

City of Hart Policies and Procedures

Remote and Hybrid meetings

- 1) PA 228 of 2020 amended section 3 (MCL 15.263) of PA 267 of 1976 (amended previously by PA 485 of 2018) and added a section 3a, allowing for the following:
 - a) An allowance for members of the public body to attend a meeting of the public body electronically under certain terms and conditions as set forth in this plan
 - b) A requirement that members of the public and media attend a meeting of the public body electronically under certain terms and conditions as set forth in this plan
- 2) Through December 31, 2020, in accordance with PA 228 of 2020, the City of Hart provides that:
 - a) Any member of an elected or appointed board can choose to attend a meeting of that board electronically for any reason
 - b) All members of elected or appointed boards may be required to attend meetings of those boards electronically by vote of the City Council
 - c) **All members of the media and public wishing to attend a meeting of any of the City's elected or appointed boards, must do so electronically**
- 3) Further, between January 1, 2021 and December 31, 2021, the City of Hart provides that:
 - a) Any member of an elected or appointed board can choose to attend a meeting of that board electronically due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person
 - b) Upon a vote requiring such by the City Council, all members of an elected or appointed board may be required to attend a meeting of that board electronically if a statewide or local state of emergency or state of disaster is declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person

- c) Upon a vote requiring such by the City Council, all members of the media and public wishing to attend a meeting of any of the City's elected or appointed boards must do so electronically if a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person
- 4) A meeting of a public body held electronically must be conducted in a manner that permits 2-way communication so that members of the public body can hear and be heard by other members of the public body, and so that public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period
- 5) If any component of a meeting of a public body is conducted electronically as described in sections 2 and 3, the following must occur at the meeting and be reflected in the meeting minutes:
 - a) Prior to roll call, the person chairing the meeting will explain the electronic components of the meeting and the purpose behind them
 - b) During roll call, a public announcement by a member of the public body attending the meeting electronically that he/she is attending remotely and the county, city, village, or township from which he/she is attending the meeting
- 6) A notice of all meetings that include electronic components as described in sections 2 and 3 of this policy shall be posted on the Public Notices and Public Hearings page of the City's web site not less than 18 hours before the meeting begins. Such notice shall include:
 - a) The agenda for the meeting prior to any amendments that may be made at the meeting
 - b) The reason for the electronic component to the meeting
 - c) How members of the public may participate in the meeting electronically
 - d) How members of the public can contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting
 - e) How persons with disabilities may participate in the meeting
- 7) A public body shall not, as a condition of participating in an electronic meeting of the public body, require a person to register or otherwise provide his or her name or other information to attend the meeting, other than mechanisms established and required by the public body necessary to permit the person to participate in a public comment period of the meeting
- 8) Members of the general public otherwise participating in a meeting with electronic components are to be excluded from participation in a closed session of the public body