



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
JULY 9, 2019, 7:30 P.M.
MINUTES - APPROVED**

PRESENT: Mayor Ron LaPorte, Councilors: Patrice Martin, Vicki Platt, Rob Splane, and Steve Hegedus.

ABSENT: Joe Frontiera and Jason La Fever

OTHERS PRESENT: City Manager – Lynne Ladner, Main Street Manager – Julie Kreilick, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, City Attorney – Mark VanAllsburg, and Deputy City Clerk - Cheri Eisenlohr. See attached list for others in attendance.

Mayor LaPorte called the meeting to order at 7:30 p.m., following the roll call, the Mayor lead the Council in the pledge of allegiance.

A motion was made by Mr. Hegedus to approve the 1st amended agenda and supported by Ms. Martin. The minutes from June 25, 2019, regular meeting, were approved motioned by Mr. Hegedus and supported by Ms. Martin. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- None

DEPARTMENT REPORTS:

- ▶ BioPure Superintendent, Paul Cutter: No report
- ▶ Police Chief, Juan Salazar: Absent
- ▶ DPW Superintendent, Brad Whitney: No report
- ▶ Energy Superintendent, Mike Schiller: Absent
- ▶ Mainstreet Manager, Julie Kreilick: No report

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

- None

BILLS, CLAIMS, PAYROLL:

Bills totaled: \$229,344.30 Payroll totaled: \$68,359.23 Grand Total: \$301,297.32

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

Ayes: 5 Nay: 0 Absent: 2

ACTION ITEMS:

City Manager, Lynne Ladner presented the following:

**RESOLUTION 19-40
City Council
City of Hart, Michigan
Oceana County**

Supply and Delivery of Propane

WHEREAS, the City of Hart owns, and operates the Energy Department building located at 3907 Oceana Dr.; and

WHEREAS, the building utilizes propane gas to fuel the heating systems; and

WHEREAS, Energy Department staff requested that a request for bids take place to ensure that they remain good stewards of the utility resources by initiating the competitive bidding process for services provided consistently to the city; and

WHEREAS, the RFP was delivered to five local propane gas suppliers and advertised publicly, and

WHEREAS, the City received bids from two companies for propane Blarney Castle at \$1.219 per gallon, and Fischer LP Gas at \$1.189 per gallon or pre-purchase price of \$1.09/ gallon with all prices set for one contract year

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Approves, authorizes and accepts the bid from Fischer LP Gas for the supply and delivery of propane for the Energy Department Building and any other City locations at a price of \$1.189/gallon with the option to pre-purchase at a price of \$1.09 per gallon

Approves, authorizes and directs the City Manager to sign the one-year contract for propane services with Fischer LP Gas

Moved by Ms. Martin, supported by Ms. Platt, and thereafter adopted at the regular City of Hart City Council meeting on July 9, 2019.

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, Deputy City Clerk

**RESOLUTION 19-41
City Council
City of Hart, Michigan
Oceana County**

Sale of Surplus Equipment – Tree Truck

WHEREAS, the City of Hart owns, and operates a 1999 GMC C5700 Bucket Truck used by the Energy Department; and

WHEREAS, the Energy Department has limited use for this vehicle in their current operations; and

WHEREAS, retention of the vehicle for such limited use incurs annual costs of insurance, maintenance and certification; and

WHEREAS, the vehicle has been deemed Surplus Property and invitations to bid were solicited from three local agencies that may have a use for the vehicle, and the invitation was posted publicly with a reserved minimum bid amount

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Approves, authorizes and accepts the bid Dubois Tree Service, Mike Dubois in the amount of \$20, 226; and

Approves, authorizes and directs the City Manager and City Clerk/Treasurer to complete the necessary paperwork to transfer ownership.

Moved by Ms. Martin, supported by Ms. Platt, and thereafter adopted at the regular City of Hart City Council meeting on July 9, 2019.

Ayes: 5 Nays: 0 Absent: 2

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Cheri Eisenlohr, Deputy City Clerk

Discussion: It was agreed that Mr. DuBois pay a 10% deposit on the truck upfront and then have 60% of future work payments placed toward the truck and only receive 40% payable to his company. Ms. Martin stated that he could take immediate possession of the vehicle.

**RESOLUTION 19-42
City Council
City of Hart, Michigan
Oceana County**

Authorize MOU with County and HMS for Commemorative Plaque

WHEREAS, the residents and business owners in the Downtown area worked diligently to submit an application to have the Downtown District placed on the National Register; and

WHEREAS, the United States Department of the Interior placed the Hart Downtown on the national register of historic places on November 24, 2015; and

WHEREAS, the Hart Main Street program, City of Hart and Oceana County want to recognize this achievement with the placement of a commemorative plaque in the Downtown District; and

WHEREAS, the three organizations have identified and agreed to the location and process for erecting the commemorative plaque;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Approves and authorizes the City Manager to sign the Memorandum of Understanding with Hart Main Street and Oceana County for the placement and on-going maintenance of the commemorative plaque.

Moved by Mr. Splane, supported by Ms. Platt, and thereafter adopted at the regular City of Hart City Council meeting on July 9, 2019.

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, Deputy City Clerk

SPECIAL EVENTS PERMIT:

- Music on the Commons Amendment:
 - One of the music events had to be rescheduled due to an illness of a performer, it was agreed via a motion made by Ms. Martin and supported by Ms. Platt to allow the project manager to reschedule events such as this without having to come back to Council. All ayes, the motion carried.
- Walk to Remember:

- This walk was created to bring about suicide awareness. Ms. Steffes, the sponsor of the event, was advised that she would have to discuss this event with the County as she has requested that it run the full length of State St., from the fairgrounds to the Hart Commons. There was also discussion about whether or not the name of the event is a copyright infringement on the Alzheimer's organization. This will be looked into. A motion was made by Mayor LaPorte and supported by Ms. Platt to give tentative approval for the permit. All ayes, the motion carried.

DISCUSSION ITEMS:

- FERC Recreation Improvements and compliance schedule:
 - Ms. Ladner discussed the road improvements for John Gurney Park and that the City will not require an engineer to comply with this mandate.
 - The grant for the Veteran's park will be applied for in the spring of 2020; this will provide the extended boardwalk that was in the FERC requirements.
 - Drawings for Point Park need to be completed by the end of the year.
- Proposed Annual Performance Evaluation forms for Annual City Manager Evaluation:
 - Ms. Ladner's one year anniversary will be on July 16th. Evaluation forms were given to Council as well as superintendents and office staff. All documents are due back by July 18th.

CITY MANAGER REPORT:

- Ms. Ladner reported that Gray and Co. would be paying for the cost of the new transformer that was installed at their facility. She suggested that a procedure be put in place for major equipment purchases that do not in generated revenue for the City to specify who is to responsible for buying the equipment.
- A webinar regarding Marijuana will be presented in the Community Center next Tuesday; the Council is invited to attend.
- Ms. Ladner will be attending a luncheon next Wednesday in Muskegon with Barbara Marczak, of Prein & Newhof, the guest speaker will be the Governor.

CITY ATTORNEY'S REPORT:

- None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- None

1st Closed Session: MCL 15.268 Sec. 8 (h) TO consider material exempt from discussion or disclosure by state or federal statute discussion regarding the city attorney's written legal opinion concerning Solar Project Easements.

- Entered into at 8:22 pm, via motion made by Mr. Splane and supported by Ms. Martin – all ayes, motion carried.
- Returned to open session at 8:30 pm, via motion made by Ms. Martin and supported by Mr. Splane, all ayes, motion carried.

2nd Closed Session: MCL 15.268 Sec. 8 (d) to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

- Entered into at 8:30 pm via motion made by Mr. Splane, supported by Mr. Hegedus, all ayes, motion carried.
 - Ms. Martin made a motion to give the City Manager the authority to act on behalf of the City as previously discussed in closed session, supported by Mr. Splane, all ayes, the motion carried.
- Returned to open session at 9:17 pm via a motion made by Ms. Martin and supported by Mr. Hegedus, all ayes, motion carried.

3rd Closed Session: MCL 15.268 Sec. 8 (h) To consider material exempt from discussion or disclosure by state or federal statute discussion regarding the city attorney's written legal opinion concerning Creeks Condominium.

- Entered into at 9:18 pm via a motion made by Mr. Splane, supported by Mr. Hegedus, all ayes, motion carried.
- Returned to open session at 9:41 pm via a motion made by Ms. Martin and supported by Mr. Splane, all ayes, motion carried.

There being no further business to come before the Council, the meeting adjourned at 9:41 p.m., upon motion by Ms. Martin and supported by Mr. Splane. The next regular meeting is July 23, 2019, at 7:30 p.m.

Respectfully Submitted



Deputy City Clerk