



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
AUGUST 27, 2019, 7:30 P.M.
MINUTES - APPROVED**

PRESENT: Mayor Ron LaPorte, Councilors: Patrice Martin, Vicki Platt, Rob Splane, Joe Frontiera, Jason La Fever, and Steve Hegedus.

ABSENT: None

OTHERS PRESENT: City Manager – Lynne Ladner, Police Chief – Juan Salazar, DPW Superintendent – Brad Whitney, Energy Department Superintendent – Mike Schiller, Main Street Manager – Julie Kreilick 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. La Fever to approve the amended agenda, supported by Mr. Hegedus. The minutes from August 13, 2019, regular meeting, were approved motioned by Mr. Splane and supported by Ms. Platt. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS: None

DEPARTMENT REPORTS:

- BioPure Superintendent, Paul Cutter:
 - There was a meeting with Jason La Docsa and Ms. Ladner; the plant is looking at a finish date in December.
 - Biosolids hauling has been delayed until September.
 - Seneca is growing more.
 - MFP is running zucchini.
- Police Chief, Juan Salazar:
 - *"On Thursday, June 20th, the Hart Police Dept., completed its spring qualifications at the Oceana County M20 Range in Shelby. The training consisted of the MCOLES mandated firearms course. Officers qualified with primary and secondary weapons. All officers attend ed the training. As a reminder, we are mandated to qualify 2 times a year; which we conduct a spring and fall qualifications. Lynne also attended our spring shoot and participated in our mandated firearms course.*
 - *On July 20th, Officer Elizabeth Mantyck began her two-month Field Training with Officer Hintz, who is the department FT Officer. Officer Mantyck is a recent graduate of West Shore Comm. College and resides in Mason County. She has been doing a great job thus far, and I believe she will be a great addition to the department.*
 - *Officers of the department also have been able to attend ASHER (Active Shooter Hostile Event Response) training at the Hart Public School System and the Pentwater Public School System which were held by the Oceana County Sheriff's Office. The training consists of law enforcement, fire personnel, and medical personnel throughout Oceana County. This training is designed to build inter-*

agency relationships, integrate communications and operations protocols among first responders and increase coordination while responding to a mass casualty event. Further training dates will be set for the upcoming year, which I hope to send future officers to who have yet to receive the training."

- DPW Superintendent, Brad Whitney:
 - A well was hit by lightning during the recent storms and is being repaired; other wells will handle the load.
 - Gravel roads were washed out
 - Businesses were flooded downtown
 - A large amount of rain fell in a very short amount of time; storm drains were not able to handle the flow.
 - Areas of Veteran's Park sustained washouts as well.
 - More AMI meters are being installed.
 - Fairground duties.
 - The crew is also working on SAW Grant items.
 - The Lincoln Street project begins next week, should be completed by Mid-November.
- Energy Superintendent, Mike Schiller:
 - The recent storm caused outages at the Diesel plant – no customers were affected.
 - The drain at the Diesel plant was cleaned out.
 - Power poles are still being moved along the Tyler Road corridor.
 - There was a recent power outage behind West Shore Bank.
 - The recent power outage in the City was caused by a problem with an underground wire along Johnson Street. Power was back up and running within an hour. The burnt wire will be analyzed.
 - Power poles are being moved along the Lincoln Street project.
 - The new small bucket truck is a success with the employees – thank you.
- Mainstreet Manager, Julie Kreilick:
 - Music on the Commons has been a success this summer.
 - Farmer's Markets have also been well received.
 - The Lakefest event was also well attended.
 - The first "Business Round Table" meeting has taken place with the second one scheduled for the 24th of September.
 - Michigan Main Street will be in the Main Street meeting being held on September 12.
 - The Scottville Clown Band will be performing Thursday night at The Commons.

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEES:

- None

BILLS, CLAIMS, PAYROLL:

Bills totaled: \$247,164.06 Payroll totaled: \$58,164.06 Grand Total: \$305,265.81

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

Ayes: 7 Nay: 0 Absent: 0

ACTION ITEMS:

City Manager, Lynne Ladner presented the following:

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Res. 19-52 Street Repair and Improvements Millage

Resolution 19-52 authorizes and adopts the ballot language that will be presented to the voters for the renewal of the current street repair and improvements millage. The ballot proposal will be presented to the voters on the March 2020 primary ballot on March 10, 2020.

It is my recommendation that the Council adopts resolution 19-52 Street Repair and Improvements Millage.

Lynne

RESOLUTION 19-52
City Council
City of Hart, Michigan
Oceana County

STREET REPAIR AND IMPROVEMENTS MILLAGE

WHEREAS, there is a great and continuing need in the City of Hart for street repairs and improvements, and

WHEREAS, a voter-approved five-year millage for street repairs and improvements adopted in 2014 has expired, and

WHEREAS, the Hart City Council declares their intent to seek voter approval in the amount of two mills for street repairs and improvements at the March 10, 2020 primary election, and

WHEREAS, the City Attorney has reviewed and approved the proposed ballot language;

NOW THEREFORE BE IT RESOLVED that the following proposal be placed on March 10, 2020 primary election ballot:

Shall the previously voted increase in the City of Hart's tax rate limitation imposed under Article IX, Sec. 6 of the Michigan Constitution on general ad valorem taxes, currently 2 mills (\$2.00 per \$1,000 of taxable value), be renewed and levied in the years 2020-2024, both inclusive, subject to reduction as provided by law, on taxable property in the City?

The purpose of this levy is to provide for the repair and improvement of City streets. It is estimated that a levy of 2 mills would provide revenue of \$114,331 in the first calendar year. The revenue from this millage levy will be disbursed to the City of Hart [and a portion of the revenue from the millage is subject to capture by the City's Tax Increment Finance Authority pursuant to state law].

Moved by Mr. La Fever, supported by Mr. Frontiera, and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on Tuesday, August 27, 2019.

Ayes: 7 Nays: 0 Absent: 0

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



Cheri Eisenlohr, Deputy City Clerk

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Res. 19-53 Repeal Utility Tax Liens

Resolution 19-53 authorizes the repeal of Resolution 19-31 Delinquent Utility Account Property Tax Liens. It was discovered after Resolution 19-31 was adopted that issues existed regarding the City’s policy for utility account deposits and the application of delinquent utility accounts to the corresponding property taxes as a lien. This is the first step to correct those issues which will also include the adoption of a new Utility Account Deposit Policy and correlating forms.

It is my recommendation that the Council adopts Resolution 19-53 Repeal Utility Tax Liens.
Lynne

RESOLUTION 19-53
City Council
City of Hart, Michigan
Oceana County

REPEAL UTILITY ACCOUNT TAX LIENS

WHEREAS, the City of Hart has discovered discrepancies between the City’s utility account deposit policy, Ordinance 2016-02 and Public Act 94 of 1933 in the proper collection of deposits and application of delinquent accounts to property taxes; and

WHEREAS, the CITY seeks to remedy the issue of improperly applied delinquent accounts to property taxes so as to comply with state law;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Repeals Resolution 19-31 Tax Lien Delinquent Utility Accounts and

Authorizes the City Treasurer to process the necessary paperwork to have the Delinquent Utility Account Tax Liens removed and directs the City Manager to draft a revised Utility Deposit Policy.

Moved by Ms. Martin, supported by Mr. Hegedus, and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, August 27, 2019.

Ayes 7 Nays 0 Absent 0

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



Cheri Eisenlohr, Deputy City Clerk

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Res. 19-54 Authorize installation of fencing at Pickle Ball Courts

Resolution 19-54 recognizes the residents that utilize the Pickle Ball Courts at John Gurney Park and the fundraising efforts that they have accomplished to make improvements to the courts. It also accepts the bids that have been solicited by the group for the installation of the fence and pledges city funds to make up the difference between the cost of the fencing and installation and the funds raised by the group.

It is my recommendation that the Council adopts Resolution 19-54 Authorizing the installation of fencing at the Pickle Ball Courts.

Lynne

RESOLUTION 19-54
City Council
City of Hart, Michigan
Oceana County

AUTHORIZE INSTALLATION OF FENCING AT PICKLEBALL COURTS

WHEREAS, the City of Hart owns and maintains the Pickleball courts at John Gurney Park; and

WHEREAS, local residents have raised funds in the amount of \$1500.00 to install fencing to divide the courts to better facilitate play and tournaments; and

WHEREAS, the residents have solicited three bids for the installation of the fencing; and

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Authorize the acceptance of the fencing bids and award the project to Great Lakes Pet Fencing in the amount of \$2000.00; and

Authorizes the use of city funds to supplement the private donation funds to fully fund the purchase and installation of the fencing; and

Authorizes the City Manager to sign all necessary documents.

Moved by Ms. Martin (Amended to reflect the amount the residents contributed), supported by Mr. La Fever (2nd), and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, August 27, 2019.

Ayes 7 Nays 0 Absent 0

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



Cheri Eisenlohr, Deputy City Clerk

To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Res. 19-55 Resolution to Adopt Procedures for Granting and Removing Real Property Exemptions

Resolution 19-55 is a requirement for the City to outline the procedures that the Board of Review and the City Assessor use for the granting and removal of real property exemptions. The procedures that will be adopted are those that are laid out in Chapter 6: Property Tax Exemptions, Abatements and Tax Capture Authorities of the State Tax Commission Manual, Bulletin 7 of 2016 (Senior Citizen & Disabled Family Housing Exemption), Bulletin 26 of 2017 (Charitable Exemption), The Michigan Strategic Fund Board designates Tool and Die Renaissance Recovery Zones pursuant to MCL 125.2688d & Nonferrous Metallic Minerals Extraction Severance Tax Act,(Act 410 of 2012)

It is my recommendation that the Council adopts Resolution 19-55 Resolution to Adopt Procedures for Granting and Removing Real Property Exemptions.

RESOLUTION 19-55
City Council
City of Hart, Michigan Oceana County

RESOLUTION TO ADOPT PROCEDURES FOR GRANTING AND REMOVING REAL PROPERTY EXEMPTIONS

WHEREAS, the City of Hart has the authority under the State of Michigan to levy and collect property taxes; and

WHEREAS, the City has the authority to adopt procedures for the granting and removal of real property exemptions;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

To adopt procedures for granting and removing real property exemptions as described in Chapter 6: Property Tax Exemptions, Abatements and Tax Capture Authorities of the State Tax Commission Manual, Bulletin 7 of 2016 (Senior Citizen & Disabled Family Housing Exemption), Bulletin 26 of 2017 (Charitable Exemption), The Michigan Strategic Fund Board designates Tool and Die Renaissance Recovery Zones pursuant to MCL 125.2688d & Nonferrous Metallic Minerals Extraction Severance Tax Act,(Act 410 of 2012), as attached hereto making them part of the resolution.

Moved by Ms. Martin, supported by Ms. Platt, and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, August 27, 2019.

Ayes 7 Nays 0 Absent 0

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



Cheri Eisenlohr, Deputy City Clerk

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Res. 19-56 Resolution to adopt waiver of interest and penalty for property transfer affidavits

Resolution 19-56 is a waiver of the interest and penalty that is associated with property transfer affidavits that are filed past the 45-day deadline. MCL 211.27b requires a penalty for the untimely filing of the affidavit but permits the adoption of a resolution waiving those fees. As property owners can view the interest and penalty as a punitive action and the City wants to retain a reputation of openness and cooperation with residents and property owners the good faith action of waiving the fees facilitates this belief.

It is my recommendation that the Council adopts Resolution 19-56 to adopt waiver of interest and penalty for property transfer affidavits.

RESOLUTION 19-56
City Council
City of Hart, Michigan Oceana County

RESOLUTION TO ADOPT WAIVER OF INTEREST AND PENALTY FOR PROPERTY TRANSFER
AFFIDAVITS

WHEREAS, The Michigan State Tax Commission has published in the most recent guidelines for the next AMAR (Assessing Minimal Audit Requirements) audit cycle that included a review of the compliance of charging a fee for interest and penalty under 211.27b for not timely filing form 2766, or the adoption of a resolution to the contrary; and

WHEREAS, MCL 211.27b requires a penalty to be assessed to the buyers of properties if a Property Transfer Affidavit is not filed within 45 days of any transfer of ownership; and

WHEREAS, MCL 211.27b(1c)(1d) defines the penalties by state statute; and

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Will adopt the penalties defined by MCL 211.27b (1c) (1d);

And furthermore, that the interest and penalties may be waived at the discretion of the City Assessor.

Moved by Mr. La Fever, supported by Mr. Frontiera, and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, August 27, 2019.

Ayes 7 Nays 0 Absent 0

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



Cheri Eisenlohr, Deputy City Clerk

Memo

To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Res. 19-57 Federal Poverty Guidelines used in the determination of Poverty Exemptions Annually

Resolution 19-57 Federal Poverty Guidelines is a resolution that provides the City with the option of adopting a single resolution that determines that from that point forward the City will use the Annual Federal poverty guidelines for setting the poverty exemptions. In the past, the City has adopted the guidelines each year after the federal government publishes the guidelines in a table format. This resolution precludes the need to adopt a new resolution each year but formally adopting the Federal Guidelines as amended annually.

It is my recommendation that the Council adopts Resolution 19-57 Federal Poverty Guidelines used in the Determination of Poverty Exemptions Annually.

RESOLUTION 19-57
City Council
City of Hart, Michigan Oceana County

FEDERAL POVERTY GUIDELINES
USED IN THE DETERMINATION OF POVERTY EXEMPTIONS ANNUALLY

WHEREAS, the City of Hart performs property assessments; and

WHEREAS, the Federal Government prepares poverty guidelines for use in setting poverty exemptions annually; and pursuant to MCL 211.7u as amended by PA 390 of 1994 and further amended by PA 620 of 2002; and local governing bodies are required to and the City Assessor and Oceana County Equalization Director have requested that the City of Hart adopt the Federal Poverty Guidelines; and

WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:

NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:

Adopts the Annual Federal poverty guidelines to be used in the determination of poverty exemptions for each year a taxpayer applies and, adopts the asset test adopted by the Hart City Council to determine if an applicant qualifies for a poverty exemption under MCL 211.7u

Moved by Ms. Martin, supported by Ms. Platt, and thereafter adopted by the Hart City Council at a regular meeting held on Tuesday, August 27, 2019.

Ayes 7 Nays 0 Absent 0

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



Cheri Eisenlohr, Deputy City Clerk

Memo
To: Mayor and City Council
From: Lynne Ladner
Date: 8/23/19
Re: Ord. 19-02 Fair Housing

This is the second reading of Ordinance 19-02 Fair Housing. The language has been discussed at two previous meetings and is a boilerplate language that was provided by the MEDC. A fair housing ordinance is a requirement of the CDBG grant application process which must be met to obtain the funding that has been committed to the Pocket Park.

Lynne

**ORDINANCE
NO. 19-02**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF HART PART FOURTEEN BY ADDING A
NEW TITLE SECTION AND NEW CHAPTER WHICH NEW
CHAPTER SHALL BE DESIGNATED AS TITLE 6 CHAPTER
1460 FAIR HOUSING OF SAID CODE**

FAIR HOUSING ORDINANCE

AN ORDINANCE PROHIBITING AND MAKING UNLAWFUL DISCRIMINATION IN HOUSING AND/OR REAL PROPERTY BECAUSE OF RACE, COLOR, RELIGION, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, OR DISABILITY IN THE VILLAGE/CITY OF _____

WHEREAS, the City of Hart, Michigan desires to endorse and encourage the equal opportunity to all residents regardless of race, color, religion, creed, national origin or ancestry, sex, or disability, to live in decent, sanitary, and healthful living quarters; and,

WHEREAS, the 1963 Constitution of the State of Michigan provides as follows in Article I (Section 2) "...no person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against in the exercise thereof because of religion, race, color or national origin..." (Section 4) "...The civil and political rights, privileges and capacities of no person shall be diminished or enlarged on account of his religious belief..." (Section 9) "...Neither slavery, nor involuntary servitude unless for the punishment of crime, shall ever be tolerated in this state..." and,

WHEREAS, the Congress of the United States has provided that "it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States" and has established by law the following provisions:

"... it shall be unlawful:

- a. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, sex, or national origin.
- b. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith because of race, color, religion, sex, or national origin ...”

NOW, THEREFORE, BE IT ORDAINED BY THE
CITY COUNCIL OF THE CITY OF HART, MICHIGAN, AS FOLLOWS:**CHAPTER 1460**

SECTION 1460.01. DECLARATION OF POLICY:

- a. In furthering the policy of the State of Michigan as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the Village/City may be ensured, it is hereby declared the policy of the Village/City of _____, Michigan, to endorse and encourage equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.
- b. It is the policy of the Village/City of _____ that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the Village/City, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.
- c. Relocation shall be carried out in a manner that will promote maximum choice within the community’s total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

SECTION 1460.02. DEFINITIONS:

Unless a different meaning clearly appears from the context, the following terms shall have the meaning as described in this SECTION and as used in this Ordinance.

- a. **DISCRIMINATE** - The terms “discriminate” or “discrimination” mean any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real

property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person.

- b. HOUSING ACCOMMODATION - The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.
- c. REAL PROPERTY - The term "real property" means any real estate, vacant land, building, structure, or housing accommodations within the corporate limits of the City of Hart, Michigan.
- d. REAL ESTATE BROKER - The term "real estate broker" means any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.
- e. FINANCIAL INSTITUTION - The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.
- f. OWNER - An "owner" means any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.
- g. DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS - "Decent, sanitary, healthful standard living quarters" is housing which is in sound, clean, and weather tight condition in conformance with applicable local, state, and national codes.

SECTION 1460.03. PROHIBITED ACTS:

It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the City of Hart, Michigan:

- a. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy

of any housing accommodation or real property in the Village/City or in the furnishing of any facilities or services in connection therewith.

- b. To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person.
- c. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.
- d. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability.
- e. To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood.
- f. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.

- g. For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner’s housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability.
- h. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant.

SECTION 1460.04. PENALTY:

Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than fifteen hundred dollars (\$1,500.00). Each day a violation continues shall constitute a separate violation. This Section shall in no way abrogate or impair the right of the City of Hart, Michigan, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

SECTION 1460.05:

That all Ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 1460.06:

That it is the intention of the City Council of the City of Hart, Michigan that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 1460.07:

That this Ordinance shall be known as Ordinance No. 19-02_ of the City of Hart, Michigan, and shall be in full force and effect from and after its passage, approval, recording, and publication in pamphlet form in accordance with the law.

PASSED AND ADOPTED this 27TH day of AUGUST, 2019 (year).

APPROVED BY ME this _____ day of _____ , _____ (year).

Ron LaPorte, Mayor

ATTEST:



Cheri Eisenlohr, Deputy City Clerk

SPECIAL EVENTS PERMIT: None**DISCUSSION ITEMS:**

- Utility Deposits:
Memo
To: Mayor and City Council
From: Lynne Ladner
Date: 5/28/19
Re: Tax Lien Delinquent Utility Accounts

In recent years the City has certified to the County delinquent utility accounts to the County to be placed as a tax lien on the property. This process allows the City to collect on accounts that are otherwise uncollectable through traditional means. Collection of even a portion of these utility account revenues enables the city to maintain utility rates that are equitable for all users.

Lynne

- City Manager Compensation
 - Mr. Splane made a motion and then amended the motion to make it retroactive to the beginning of the fiscal year to give the City Manager, Lynne Ladner, a 6% raise, the motion was supported by Ms. Platt. All Ayes, the motion carried.
- Consider declaring specific equipment of the Energy Department surplus equipment:
 - Items to be sold are the old street lights and the old bucket truck. The Council had no objections to disposing of these items.

CITY MANAGER REPORT:

- Insituform will be starting the manhole repairs on State Street.
- The dumpster signs have been installed near to all City dumpster locations, cameras to follow.
- A conference call will take place tomorrow with SHPO regarding the restrictions that they placed on the design of the pocket park.
- The Lincoln Street project will start next week.
- There will be a tour of the Energy Department with Katie Abraham from the MMEA, Rep. VanSingel, Sen. Bumstead have all been invited. Meet at the City Hall at 10:00 if you wish to attend.
- The next Farmer's Market will be Thursday.

CITY ATTORNEY'S REPORT:

- None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- The City Manager was asked if she could reveal what business is moving in the Shopko building; she advised that information is still not public knowledge. The new company is anticipating a March 2020 opening date. She did inform the board that the IGA building sale fell through.
- It was mentioned that the resident to the west of the Walker's building might be interested in selling their property to the City.
- Ms. Martin informed the Council that the MSU Extension office was offering Planner training. Ms. Ladner stated that the new code enforcement officer, Dave Dickman, would be attending the 11-week course.

- It was noted that a "scam" letter from POLK ROAD NEIGHBORS was being distributed within the City.

Closed Session:

Entered into at 8:30 pm by motion made by Mr. Frontiera and supported by Mr. Splane, all ayes, the motion carried, to discuss 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 Recreational Marijuana.

Open session resumed at 9:07 pm.

Ms. Martin made a motion to return to open session, supported by Mr. Splane, all ayes, the motion carried.

There being no further business to come before the Council, the meeting adjourned at 9:08 p.m., upon motion by Mr. Hegedus and supported by Mr. La Fever. The next regular meeting is September 10, 2019, at 7:30 p.m.

Respectfully Submitted



Deputy City Clerk