City of Hart, Michigan
CITY COUNCIL AGENDA
April 12, 2022, 7:30 PM
407 State St. – Council Chamber
NOTICE OF PUBLIC MEETING
REGULAR COUNCIL MEETING

1. Call to Order
2. Roll Call – Burillo, Evans, Hodges, Klotz, Rybarz Jr., Trygstad, Platt
3. Pledge of Allegiance
4. Approval of Agenda
5. 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**
    a. Correspondence, Events, Presentations
        i. Hart Area Fire Department Annual Budget communication
        ii. MMEA Spring General Membership Meeting
6. Consent Agenda:
    a. Approval of Minutes from March 22, 2022 Council meeting.
    b. Bills, Claims, Payroll
    c. Reports of Boards, Commissions, and Committees
    d. Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp.
7. Action Items
    a. Resolution 2022 – 16 Michigan Department of Transportation Performance Resolution
8. Discussion Items
    a. Special Event Permit – Hart Sparks
    b. 2019 Marijuana Ordinance review
    c. Downtown street scape planning and tree removal
    d. TIFA – review planning activities and public response to restated plan
9. City Manager Report
10. Communications from the Mayor and Council
11. Adjournment –

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With advance notice of seven calendar days, the City will provide interpreter services at all public meetings, including language translation and signage for the hearing impaired. Call 231-873-2488. La Ciudad proporcionará servicio de intérprete para esta reunión pública si se pide con siete días de anticipación, lo cual incluye la traducción de idioma y letreros para los con una discapacidad auditiva. Llame al 231-873-2488.

HART AREA FIRE DEPARTMENT

808 S. STATE STREET
P.O. BOX 125
HART, MI 49420
PH. & FAX (231) 873-3378
DISPATCH (231) 869-5858
WWW.HARTFIREDEPARTMENT.ORG

TO: City of Hart, Weare Township
Hart Township, Golden Township

FROM: Hart Area Administrative Board

DATE: March 5, 2022

SUBJECTS: Budget for the 2022/2023 year

At the Hart Area Fire Administrative Board meeting held on February 24, 2022 and the Budget for the 2022/2023 budget year was passed.

In determining the amount to be paid by each of the entities that make up the Hart Area Fire Administrative Board the taxable value for 2021 was used at 1 mil.

Enclosed with the 22/23 budget, is the current year to date budget for your review. The capital Improvement represents approximately 38% or the overall budget and the wages and associated expenses represents approximately 26% of the overall budget.

Please advise the Hart Area Fire Administrative Board that the budget has been approved by your entity.

Please contact Chairman Gary Beggs or Vice Chairman Jay McGhan if there are any questions.

Sincerely,

Daniel Leimback
Sec/Treasurer

Hart Area Fire Adminstrative Board
Profit & Loss Budget vs. Actual
July 2022 through June 2023

	Jul '22 - Jun 23	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
101-000-401 City of Hart Income	0.00	49,991.00	-49,991.00	0.0%
101-000-402 Golden Twp Income	0.00	191,836.00	-191,836.00	0.0%
101-000-403 Hart Twp Income	0.00	90,358.00	-90,358.00	0.0%
101-000-404 Weare Twp Income	0.00	52,141.00	-52,141.00	0.0%
101-000-664 Interest Income	0.00	500.00	-500.00	0.0%
101-000-691 Cash Reserves	0.00	85,000.00	-85,000.00	0.0%
101-000-693 Fire Reports	0.00	50.00	-50.00	0.0%
101-000-695 Misc. Income	0.00	27,000.00	-27,000.00	0.0%
Total Income	0.00	496,876.00	-496,876.00	0.0%
Gross Profit	0.00	496,876.00	-496,876.00	0.0%
Expense				
101-336-391 Capital Improvement	0.00	190,876.00	-190,876.00	0.0%
101-336-702 Administrative Wage	0.00	8,000.00	-8,000.00	0.0%
101-336-703 Fireman Wages	0.00	98,000.00	-98,000.00	0.0%
101-336-704 Payroll Expenses	0.00	25,000.00	-25,000.00	0.0%
101-336-710 Fire Prevention	0.00	3,000.00	-3,000.00	0.0%
101-336-726 Supplies	0.00	10,000.00	-10,000.00	0.0%
101-336-733 Equipment Maint	0.00	5,000.00	-5,000.00	0.0%
101-336-801 Administrative Fees	0.00	8,000.00	-8,000.00	0.0%
101-336-850 Radio Purch & Maint	0.00	6,000.00	-6,000.00	0.0%
101-336-853 Telephone	0.00	4,000.00	-4,000.00	0.0%
101-336-865 Training	0.00	9,000.00	-9,000.00	0.0%
101-336-876 Equipment Testing	0.00	8,000.00	-8,000.00	0.0%
101-336-910 Insurance	0.00	27,000.00	-27,000.00	0.0%
101-336-920 Utilities	0.00	6,000.00	-6,000.00	0.0%
101-336-931 Truck Maintenance	0.00	12,000.00	-12,000.00	0.0%
101-336-933 Building Maintenanc	0.00	7,000.00	-7,000.00	0.0%

Hart Area Fire Adminstrative Board
Profit & Loss Budget vs. Actual
July 2022 through June 2023

	Jul '22 - Jun 23	Budget	$ Over Budget	% of Budget
101-336-934 Truck Fuel	0.00	5,000.00	-5,000.00	0.0%
101-336-956 Equip Purch	0.00	65,000.00	-65,000.00	0.0%
Total Expense	0.00	496,876.00	-496,876.00	0.0%
Net Ordinary Income	0.00	0.00	0.00	0.0%
Net Income	**0.00**	**0.00**	**0.00**	**0.0%**

Hart Area Fire Adminstrative Board
Profit & Loss Budget vs. Actual
July 2021 through June 2022

	Jul '21 - Jun 22	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
101-000-401 City of Hart Income	24,992.50	49,985.00	-24,992.50	50.0%
101-000-402 Golden Twp Income	93,810.00	187,620.00	-93,810.00	50.0%
101-000-403 Hart Twp Income	44,491.50	88,983.00	-44,491.50	50.0%
101-000-404 Weare Twp Income	24,758.50	49,517.00	-24,758.50	50.0%
101-000-664 Interest Income	76.81	500.00	-423.19	15.4%
101-000-691 Cash Reserves	0.00	0.00	0.00	0.0%
101-000-693 Fire Reports	20.00	50.00	-30.00	40.0%
101-000-695 Misc. Income	2,359.00	5,000.00	-2,641.00	47.2%
101 000 696 DNR Grant	1,084.61	0.00	1,084.61	100.0%
Total Income	191,592.92	381,655.00	-190,062.08	50.2%
Gross Profit	191,592.92	381,655.00	-190,062.08	50.2%
Expense				
101-336-391 Capital Improvement	0.00	132,655.00	-132,655.00	0.0%
101-336-702 Administrative Wage	1,750.00	20,000.00	-18,250.00	8.8%
101-336-703 Fireman Wages	56,575.00	85,000.00	-28,425.00	66.6%
101-336-704 Payroll Expenses	19,294.94	25,000.00	-5,705.06	77.2%
101-336-710 Fire Prevention	0.00	3,000.00	-3,000.00	0.0%
101-336-726 Supplies	2,026.43	3,500.00	-1,473.57	57.9%
101-336-733 Equipment Maint	1,858.14	5,000.00	-3,141.86	37.2%
101-336-801 Administrative Fees	6,838.24	7,500.00	-661.76	91.2%
101-336-850 Radio Purch & Maint	301.70	5,000.00	-4,698.30	6.0%
101-336-853 Telephone	2,055.51	4,000.00	-1,944.49	51.4%
101-336-865 Training	2,519.42	8,000.00	-5,480.58	31.5%
101-336-876 Equipment Testing	813.00	8,000.00	-7,187.00	10.2%
101-336-910 Insurance	20,648.08	26,000.00	-5,351.92	79.4%
101-336-920 Utilities	2,959.60	5,000.00	-2,040.40	59.2%
101-336-931 Truck Maintenance	9,643.44	10,000.00	-356.56	96.4%
101-336-933 Building Maintenanc	837.23	5,000.00	-4,162.77	16.7%

Hart Area Fire Adminstrative Board
Profit & Loss Budget vs. Actual
July 2021 through June 2022

	Jul '21 - Jun 22	Budget	$ Over Budget	% of Budget
101-336-934 Truck Fuel	1,915.01	4,000.00	-2,084.99	47.9%
101-336-956 Equip Purch	3,110.27	25,000.00	-21,889.73	12.4%
Total Expense	133,146.01	381,655.00	-248,508.99	34.9%
Net Ordinary Income	58,446.91	0.00	58,446.91	100.0%
Net Income	**58,446.91**	**0.00**	**58,446.91**	**100.0%**

City of Hart
407 State Street
Hart, MI 49420

April 5th, 2022

RE: Michigan Municipal Electric Association Spring general membership and Michigan Public Power Agency Annual Stakeholders Meeting at Frederik Meijer Gardens

Mayor Platt and distinguished council members,

The MMEA Spring general membership and MPPA Annual Stakeholders Meeting is scheduled for Friday, May 20th from 8am to 5pm with a networking reception afterwards. You are all invited to attend as governors of our municipal electric utility. This is an event that is designed to communicate some high-level presentations to help address various near and long-term industry challenges.

Some of the topics that will be covered include; The future of natural gas in the clean Energy Transition, The real world cost of fueling Electric Vehicles, and a presentation on using history to help us make future decisions.

Snacks and lunch will be provided as well as Hors d'oeuvres following the meeting.

Anyone that would like to attend can let me know by Friday April 22nd. I plan to leave Hart around 7 am and my vehicle seats 7, anyone interested is welcome to carpool with me down and back.

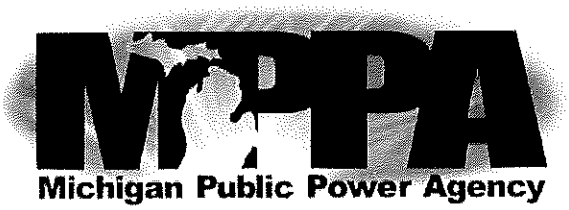
Feel free to reach out to me with any questions or concerns.

Respectfully,

~Rob Splane
City Manager
City of Hart
231-873-3546-office
www.cityofhart.org

Resend Confirmation





MMEA Spring General Membership Meeting

MPPA Annual Stakeholder's Meeting

Register to Join Us

Friday, May 20

at the Frederik Meijer Gardens

Registration Ends In:

17 days, 5 hours, 51 minutes, 17 seconds

These events are open to MPPA & MMEA Members, their City Councils, Utility Boards, and Staff.

Schedule of Events

8:00am	**Continental Breakfast &**

	Registration	
9:00am	**Michigan Municipal Electric Association**	Spring General Membership Meeting Speakers include: Katie Abraham, Michigan Municipal Electric Association Doug Bessette, Michigan State University
12:00pm	**Event Registration + Lunch & Networking**	Join us for lunch and take the opportunity to tour the beautiful Frederik Meijer Gardens & Sculpture Park
1:30pm	**Michigan Public Power Agency**	Welcome to the Annual Stakeholder's Meeting Patrick Bowland, David Koster
1:45pm	**The Real World Cost of Fueling EVs**	Patrick Anderson, Anderson Economic Group
2:45pm	**Break**	
3:00pm	**The Future of Natural Gas in the Clean Energy Transition**	Sally Talberg, Talberg Policy Solutions
3:45pm	**Break**	
4:00pm	**Look Back to Move Forward**	Patrick Bowland, Michigan Public Power Agency

5:00pm - 6:30pm	**Networking Reception**	Hors d'oeuvres, beer, and wine will be served.

All events will take place in the Huizenga Grand Rooms

2022

MPPA
Michigan Public Power Agency

STAKEHOLDERS MEETING

Building Michigan's Energy Future



PATRICK BOWLAND

CEO, MPPA

Looking Back to Move Foward



PATRICK ANDERSON

CEO, The Anderson Group

The Real-World Cost of Fueling EVs



SALLY TALBERG

President, Talberg Policy Solutions

The Future of Natural Gas in the Clean Energy Transition

Friday
May 20
12pm-5pm

Join MPPA & industry experts as we explore our energy future together.

Frederik Meijer Gardens

Scan with your phone to register!

REGISTER TO RESERVE YOUR FREE SEAT

OR visit

MichiganMunicipal.regfox.com/mppa-2022

mpower.org | 517.323.8919 | cholmes@mpower.org

Michigan Public Power Agency

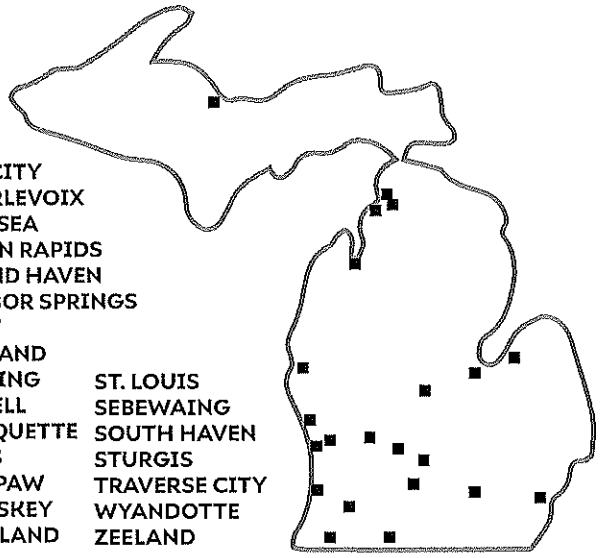
MUNICIPAL-OWNED UTILITIES WORK COLLECTIVELY, THROUGH MICHIGAN PUBLIC POWER AGENCY, A NOT-FOR-PROFIT **JOINT ACTION AGENCY**, TO **SHARE ENERGY SUPPLY** AND RELATED SERVICES TO **LOWER COSTS**, **REDUCE RISKS** AND **LEVERAGE EXPERTISE.**

FOUNDED IN **1978** | **22** MEMBERS | **80%** OF MI PUBLIC POWER ELECTRIC LOAD

WHO WE ARE

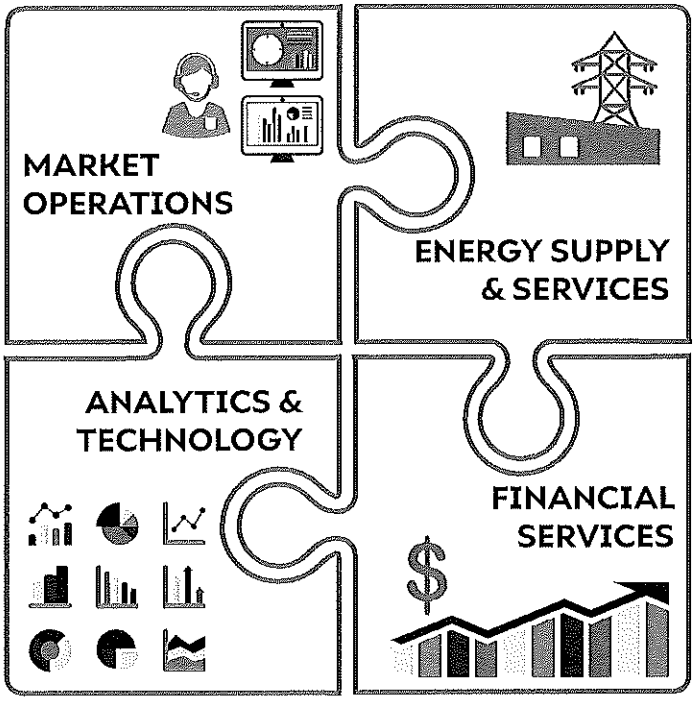
$1+ BILLION

committed to renewable energy in the last decade to help members achieve their environmental goals



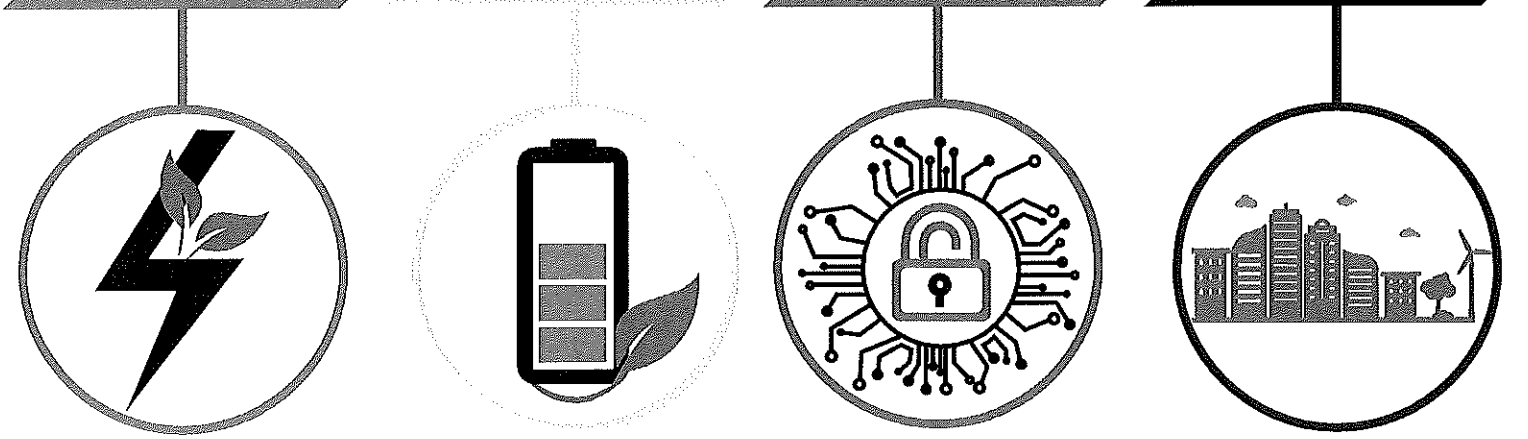
BAY CITY
CHARLEVOIX
CHELSEA
EATON RAPIDS
GRAND HAVEN
HARBOR SPRINGS
HART
HOLLAND
LANSING
LOWELL
MARQUETTE
NILES
PAW PAW
PETOSKEY
PORTLAND
ST. LOUIS
SEBEWAING
SOUTH HAVEN
STURGIS
TRAVERSE CITY
WYANDOTTE
ZEELAND

WHAT WE DO



WHERE WE'RE GOING

RENEWABLE ENERGY | **DECARBONIZATION** | **RESILIENCY** | **COMMUNITY SOLUTIONS**



WWW.MPOWER.ORG

CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
March 22, 2022
MINUTES – Draft

PRESENT: Mayor Vicki Platt, Councilors: Catalina Burillo (Late), Jim Evans, Amanda Klotz, and Fred Rybarz
ABSENT: Dean Hodges, and Kris Trygstad
OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Energy Superintendent – Mike Schiller, Hart Police Chief – Juan Salazar, Sharon Hallack and State Senator Jon Bumstead

Mayor Platt called the meeting to order; following the roll call, the mayor led the Council in the pledge of allegiance.

APPROVAL OF AGENDA:
- F. Rybarz motioned to approve the agenda and was supported by J. Evans
  - Ayes: 4 Nays: 0 Absent: 3

PUBLIC COMMENTS: Senator Bumstead, stopped to say Hello, and also wanted to give an update on what's going on in Lansing. Veterans' property tax bill is slowly making its way through the process so refunds should be done soon. Senate bill 565 Water Supplemental Bill (which is my bill) sounds like we will be voting that out this week or next and I will make sure you all get a copy of that as there should be dollars in there for the City of Hart.
State Park supplemental there should be money in there for local City parks as well so I will make sure you get information regarding that grant as well.
Right now, its budget time and should be having that wrapped up by June 1st, 2022
If you ever need to contact me, I have left cards with cell phone and office information as well.

CORRESPONDENCE, EVENTS, PRESENTATIONS: None

CONSENT AGENDA:
- Approval of minutes from March 8th, 2022.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
  - C. Burillo motioned to approve Consent Agenda supported by J. Evans
    - Ayes: 5 Nays: 0 Absent: 2

ACTION ITEMS:
- Resolution 2022-14 FY2023 Electric, Water, Sewer, and Trash Rates
  The City of Hart owns and operates electric, water, sewer and wastewater treatment facilities, and contracts for trash hauling services ("Services") and these services are funded through user rates and should self-fund their operations, maintenance, equipment replacement, and debt services, and the FY2023 Annual Budget is developed assuming the following electric, water, sewer and trash rates, and in order to secure the benefits of efficient self-government and to promote and protect our common interest and welfare, the City Council hereby declares
  NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL:
  Adopts the rates and charges as identified below for FY2023 effective for all bills for services mailed on or about July 1st,2022:

A	ELECTRIC—RESIDENTIAL	RATES FY2023
	Single phase monthly base rate	$8.50
	Three phase monthly base rate	$20.50
	kWh charge	$0.08560
B	ELECTRIC-- COMMERCIAL	RATES FY2023
	Single phase monthly base rate	$19.50
	Three phase monthly base rate	$22.00
	kWh charge	$0.1010
C	ELECTRIC--DEMAND CUSTOMER	RATES FY2023
	Monthly base rate	$90.00
	Demand charge per KW	$9.00
	kWh charge	$0.06370
D	ELECTRIC—INDUSTRIAL CUSTOMER EXCEDING 2,000,000 KWH ANNUALLY	RATES FY2023
	Monthly base rate	$150.00
	Demand charge per KW	$9.00
	kWh charge	$0.05906
E	FUEL COST ADJUSTMENT FACTOR (12-MONTH ROLLING AVERAGE)	Varies
F	ENERGY OPTIMIZATION	RATES FY2023
	Residential per kWh	$0.0013
	Commercial per meter	$4.43
	Industrial per meter (6)	$215.24

G	WATER	RATES FY2023
	Base rate per month including up to 3,000 gallons per month with 5/8 inch meter	$7.54
	1 inch meter	$9.13
	1.5-inch meter	$11.55
	2-inch meter	$14.30
	3-inch meter	$15.95
	4-inch meter	$17.88
	Rate per 1000 gallons (3001-13,000 gallons per month)	$1.28
	Rate per 1000 gallons (over 13,000 per month)	$1.12

H	WASTEWATER	RATES FY2023
	Base rate per month including up to 3,000 gallons per month	$30.97
	Volume rate per 1000 gallons per month over 3,000 gallons	$3.44
	Volume rate per 1000 gallons per month over 3,000 gallons (contracts)	$3.44
	BOD Surcharge per pound	$0.205
	TSS Surcharge per pound	$0.151
I	CUSTOMER CHARGE	
	Gray & Company	$2,880.38/month
	Michigan Freeze Pack	$2880.38/month
	Indian Summer	$900.00/month

J	MONTHLY RESIDENTIAL TRASH COLLECTION FEE	$23.25
	MONTHLY RESIDENTIAL CLEAN UP FEE	$1.00
	Monthly residential trash collection fees may increase, current contract expires Nov. 2020 and a new solid waste contract will need to be bid and negotiated.	

- F. Rybarz motioned to approve Resolution 2022-14 and supported by A. Klotz
  - Ayes: 5 Nays: 0 Absent: 2

- Resolution 2022-15 Declaring surplus property and authorizing the disposal
  The Hart Historic District has indicated an excess of scrap wood, uncut wood timer, scrap metal and a dilapidated utility trailer: and the City acquired a property at 227 East Main Street formerly known as "Walkers Restaurant", where used restaurant equipment sits unused and aging, and it is in the best interest of the City to designate these items as obsolete, surplus materials and equipment to allow the City to attempt to recoup some of the original investment through the sale of such items.
  NOW THEREFORE LET IT BE RESOLVED THAT THE HART CITY COUNCIL
  Designates identified miscellaneous material at the Hart Historic District and used restaurant equipment located in the building at 227 East Main Street as obsolete and/or surplus materials and authorize the sale of the surplus materials through a public bid process.
  - C. Burillo motioned to approve Resolution 2022-15 and supported by J. Evans
    - Ayes: 5 Nays: 0 Absent: 2

DISCUSSION ITEMS:

- Mayoral Appointments:
  Library Board – Juan Cortes
  H.E.A.R.T – Catalina Burillo

CITY MANAGER'S REPORT:

- City Manager R. Splane gave copy of manager's report to City Council
- Hart Energy scored 105% on its 2021 Credit Report Card – the highest in the State! This is something to be proud of as it represents a well-managed and operated utility. (Let's remember this as we finish up our system study and capital improvement plan.)
- Work continues in collaboration with our City engineering team, the U.S. Economic Development Administration, and West Michigan Shoreline Regional Development Commission, to seeking $2.9 million in grant funding to support 2022/2023 water supply and treatment related construction projects.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- C. Burillo used TextMyGov today as her power went out. Wanted to make sure we received it. Which we did and we did find an issue with the flow. It did work the way we set it up to work, but would like a little better flow as to how the work orders get created. Which is why we are doing a soft launch in the beginning to get the bugs worked out.
  Also, while sitting at Stella's, I noticed that the parking lot across the street and there are at least 6 cars of employees for the State Farm Insurance and a few more employees for Stella's. There is parking behind the building but only three spaces so that is one space per building. Just wanted to comment on my observation as we talk a lot on the parking for the downtown area.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at 8:00pm upon a motion by A. Klotz and supported by F. Rybarz. The next regularly scheduled meeting will be on April 12th, 2022, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk

Payroll ID: 145

Pay Period End Date: 03/27/2022 Check Post Date: 03/31/2022 Bank ID: GEN

Grand Totals for Payroll:

Pay Code Id	Hours	OT Hours	Cur. Amnt.	YTD Amnt.
15X	0.00	21.25	1,190.82	6,885.09
2X	0.00	8.25	438.00	2,199.92
COMP	13.25	0.00	150.20	1,410.94
ETO	225.50	0.00	6,615.96	30,875.90
HOURLY	1,320.50	0.00	38,110.64	249,136.92
SALARY	426.75	0.00	16,983.38	37,054.55

Ded/Exp Id	Cur. Amnt.	YTD Amnt.
AFLAC	210.99	1,476.93
AFLDI	169.48	1,095.64
AFLIF	15.72	110.04
ALERUS 401	1,577.05	11,026.51
ALERUS 401 AD	8.00	56.00
ALERUS 457	1,200.00	8,400.00
ALERUS 457P	2,097.95	16,917.67
FITW	6,302.84	58,441.79
LOAN	159.86	1,119.02
LU465	28.12	28.12
MEDICARE_EE	917.53	7,735.47
MEDICARE_ER	917.53	7,735.47
SITW	2,461.38	20,388.54
SOCSEC_EE	3,923.26	33,075.75
SOCSEC_ER	3,923.26	33,075.75
UNIFM	20.80	145.60

Gross Pay This Period	Deduction Refund	Ded. This Period	Net Pay This Period	Gross Pay YTD	Dir. Dep.	Expense This Period
63,489.00	0.00	19,092.98	44,396.02	541,717.92	42,029.14	4,840.79

* = Check Adjustment

HART AREA FIRE

ADMINISTRATIVE BOARD

Meeting Minutes- February 24, 2022

The Hart Area Fire Administrative Board Meeting was called to order by Vice Chairman Jay McGhan at 7:00PM. Others present for the meeting were, Jake Whelpley, Clancy Aerts, Mike Powers, Dale Stevenson, Jerry Schaner, Chief Fuehring and undersigned.

Absent from the meeting was Gary Beggs, Mike Potter and Larry Doran.

Others present for the meeting was Assistant Chief Tim Tubbs.

Motion was made by Aerts and supported by Schaner to approve the agenda as presented. Voice Vote, all Yes. Motion carried.

There were no audience comments.

Motion was made by Whelpley and supported by Aerts to approve the minutes of the January 27, 2022 meeting as presented. Voice vote. All yes. Motion carried.

Treasurer advised there was $5,064.93 in total expenses for the month. A fund balance was reported at 736,655.86. The bills were listed and questions were answered. Motion was made by Whelpley and supported by Aerts to accept the treasurers report. Roll call vote. All Yes. Motion carried.

A motion was made by Whelpley and supported by Powers to pay the bills listed from the Treasurer, with the addition of West Shore Fire. Roll call vote, All yes. Motion carried.

Chief advised that he had asked Mike Fillips to be in charge of the air packs. It had been discussed last meeting but had not been voted on. A motion was made by Powers and supported by Schaner to have a position for maintaining the SCBA units of the department.

Chief advised over the last week he had three demonstrations on battery operated jaws units. He believed these would be better for the department as they are ready to work once you get to the scene and on the dunes there would be little interference with operation due to the sand. After the three demo's he would like to purchase the Hurst tools at a cost of $48,250.00. This included a combination tool that he would have on the Silver Lake Truck. A spreader, cutter and ram would be on the rescue truck. The combination tools would be a tool to start with but not for a sustained rescue.

Chief advised he would like to contact the townships and City to see if they would use their ARPA funds to purchase the tooks in questions. Chief passed out a handout indicating what percentage each unit would pay base on their percent of the budget. Golden would be 50%, Hart Twp. 23.5%,Weare Twp 13.5% and City of Hart 13%.

Chief advised that our old Jaws unit was purchased with a grant. Pentwater has advised they are interested in either purchase or would accept it as a donation. Chief advised there is not much of a

market for the units and a value of $3,000.00 to $8,000.00 was estimated. There was no decision made at this time. Board Member Stevenson advised if the units was obtained with a grant that possible it should or could be moved to another department with no cost.

It was decided to move forward with this purposal to the Townships and the City.

There was no old business.

Under new business, the Annual Report for the 2021 was handed out for each of the board members. It was discussed briefly and if there were any questions to contact the Chief.

The 2022/2023 purposed budget was handed out and discussed. Treasurer advised the numbers for the Township and City came from the 2021 Taxable value at the agreed upon rate. $85,000.00 was added in from cash reserves. Also the misc income was listed as $27,000.00 with the idea at the Chief was looking for donations to fund the purchase of the new tools.

In the expense side the $190,876.00 in Capital Improvement represents 20% of the budget of the 4 entities and the cash reserves from the Michigan Class fund for Capital Improvement. Chief is working on possible a wage increase for the firefighters so additional funds were put in that line item in case that is agreed to . Also the call volume is up and additional fire fighters have been attending calls and training. There was a small increase in several other lines items , Insurance, Truck Fuel,Training to name a few. A larger increase was in equipment purchase to account for the jaws tools if they were to be purchase after July 1.

Following questions a motion was made by Whelpley and supported by Stevenson to accept the budget for the 2022/2023 year. Roll call vote, all yes. Motion carried.

Board Member Stevenson was concerned that only on bid had been received. He acknowledged that other companies had bee contacted but wanted to make sure of where we were at in the process. Chief advised he had asked three businesses for bids and two have not called him back. One had had called twice and one told him they were a year and half out.

Clancy and Rita Aerts donated $1,000.00 to the department to be used in the purchase of equipment for the use of the department.

Meeting adjourned at 7:38PM

Respectfully Submitted,

Daniel Leimback, Sec/Treasurer

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: January 25th, 2022

RECENT EVENTS

From Thursday, January 6th, 2022, through Tuesday, January 19th, 2022, the Hart Police Department received 56 complaints ranging from Unwanted Persons, Indecent Exposures, Larcenies, Domestic Assaults, Property Damage Crashes, Alarms, Medical Assists, Mental Health Complaints, Hit & Run Crashes, Suspicious Situations, Threat Complaints, Well-Being Checks, Disturbances and Disorderly Conducts.

On Thursday, January 6th, 2022, the Hart Police Department was dispatched to the 100 block of Courtland Street, referencing an unwanted subject. A 31-year-old Hart woman wanted a 17-year-old Hart woman, and an 18-year-old Hart man removed him from her home. While interviewing the woman and man, both indicated a relative, a 28-year-old Hart man, exposed himself to them approximately five (5) years ago. An investigation is ongoing.

On Friday, January 7th, 2022, the Hart Police Department was dispatched to the 300 block of Riverside Drive regarding a Domestic Assault. A 19-year-old Hart man stated a 21-year-old Hart man had assaulted him by shoving him to the ground after an argument. After speaking with the 21-year-old Hart man, it was deemed that the man was suffering from a mental health crisis. As a result, his parents transported the man to Mercy Hospital in Muskegon for further evaluation. A report will be submitted to the Oceana County Prosecutor's Office for his review.

On Wednesday, January 12th, 2022, D/Sgt. Skipski conducted three separate drug classes at Hart High School for Mrs. Hlady's health class. Students were taught about various drugs, their effects on the human body and Law Enforcement response. Students were also educated on vaping law and health risks and were given ample time to ask questions. Various drug paraphernalia was displayed for visual association and identification.

On Thursday, January 13th, 2022, the Hart Police Department was dispatched to the intersection of Oceana Drive near Tyler Road regarding a car/deer crash. Upon investigating the crash, the driver, a 74-year-old Hart man, was noted to be operating a motor vehicle with an expired license. As a result, the man was cited for operating a motor vehicle with an expired license.

On Friday, January 14th, 2022, the Hart Police Department was dispatched to the 2000 block of Comfort Drive about a Malicious Destruction of Property. A 60-year-old homeless woman had damaged a television and door lock within her room. Officers also noted that these items were damaged within the room at the time. While interviewing the woman, it appeared that the woman was suffering from a mental health crisis. Officers transported the woman to Oceana County Community Mental Health (CMH), at which time a petition was issued for the woman to be mentally evaluated. The woman was transported to Mercy Hospital in Muskegon for a mental evaluation. A report will be submitted to the Oceana County Prosecutor's Office referencing the damaged property.

On Saturday, January 15th, 2022, the Hart Police Department was dispatched to the 2000 block of Comfort Drive, referencing a burning smell within the building. Officers arrived on the scene and noted a burning smell in the upstairs portion of the building. Officers began to evacuate guests from the upstairs area of the building. The Hart Fire Department arrived on the scene to evaluate the complaint. The Hart Fire Department later cleared the building and allowed all guests to return to their rooms.

Officer Mantyck attended a week-long defensive tactics training course in PPCT, Pressure Point Control Training, at Delta College in Bay County, Michigan. As a result, officer Mantyck will begin instructing our officers on the proper use of force and how to use the most minimal force when necessary to apprehend an individual. In addition, officer Mantyck will continue to train officers every year in defensive tactics during our annual departmental training.

On Thursday, January 20, 2022, D/Sgt. Skipski conducted two (2) separate CPR classes for Mrs. Jazwinski's Real World Skills class at the Hart Middle School. The class covered hands only CPR and allowed the students to practice compression skills on CPR mannequins. The class also allowed for a question-and-answer type session. The students will be presented with a certificate of successful completion.

Respectfully,

J. Salazar,
Chief of Police

RESOLUTION 2022 - 16
City Council
City of Hart, Michigan
Oceana County

Michigan Department of Transportation Performance Resolution 2207B

This Performance Resolution (Resolution)is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".
RESOLVED WHEREAS, the *City of Hart* hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.
Title and/or Name:

- City Manager
- City Clerk/Treasurer
- Deputy City Clerk/Treasurer
- Hart Energy Superintendent
- Hart DPW Superintendent
- Hart BioPure Superintendent

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on April 12, 2022.

Ayes: __ Nays: __ Absent: __

Rob Splane

From: Love, Jordan (MDOT) <LoveJ4@michigan.gov>
Sent: Tuesday, April 5, 2022 9:47 AM
To: clerk@allendale-twp.org; supervisor_barry@mei.net; office@castwp.com; manager@hct.holland.mi.us; jerry@pmtwp.org; dluce@cityofcoopersville.com; cbessinger@ferrysburg.org; cityclerk@fremontmi.gov; Clerk@grandhaven.org; maass@cityofgrandville.com; kjernberg@cityofgrantmi.com; Rob Splane; n.bocks@cityofholland.com; pwaterman@hudsonville.org; mayor@ci.ludington.mi.us; Kelly Markley; Clerk@cityofmuskegonheights.org; LeighAnn Mikesell; jons@newaygocity.org; sjanson@northmuskegon.org; rfowler@cityofnorton.org; citymanager@cityofscottville.org; citymanager@cityofwhitecloud.org; huebler@cityofwhitehall.org; citymgr@cityofzeeland.com; Clerk@co.muskegon.mi.us
Subject: 2207B Governmental Resolutions
Attachments: 2207B Resolution.pdf

Good morning,

Michigan Department of Transportation has updated form 2207B Performance Resolutions for Governmental Agencies. The form changes include removing the word "Utility" from "Municipal Utility" in the document. Removing "Utility" now states the resolution allowable uses and not just for utilities. The resolution having "Municipality" allows the local unit of government to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits. Please complete this form and return it after your next council meeting.

Thank you

Jordan Love
Operations Technician – Permit Agent
Michigan Department of Transportation
Muskegon TSC- 2225 Olthoff Dr Muskegon, MI 49444
Cell: 269-330-4348

CITY OF HART

407 S. State St., Hart, MI 49420

Ph: 231-873-2488 Fax: 231-873-0100

SPECIAL EVENTS PERMIT

THE CITY IS NOT RESPONSIBLE FOR BY-STANDERS AT YOUR EVENT.

DATE OF APPLICATION: 04/01/2022

NAME OF EVENT:
Hart Sparks Fireworks

DATE OF EVENT: 07/02/2022 TIME: 1pm setup TO 11pm end

RAIN DATE OF EVENT: MUST PROVIDE July 3, 2022

LOCATION AND/OR ROUTE OF EVENT:

Fireworks setup @ Veteran's Park, 1p display beginning at 10p, band will play from 7-10p in Hart Commons

vendors and booth displays if permitted, family activities if permitted.

DESCRIPTION OF EVENT:

fireworks, family activities, vendor booths, live music, food

SPECIAL NEEDS: will hold a logistics mtg w/ DPW & HPD prior to event to outline special needs & times on map

blocking Main St btwn Courtland & Hart St; State St btwn Washington & North City limits. "No Pkg" signs out 8a, blocked @ 5p

NAME OF ORGANIZATION OR SPONSOR: H.E.A.R.T. & City of Hart

ADDRESS: 407 S State St, Hart, MI

CONTACT PERSON: Erin Stotler

PHONE: 616-232-547 FAX:

EMAIL: events@cityofhart.org

X Erin Stotler

SIGNATURE OF EVENT COORDINATOR/ SPONSOR **DATE** 4/01/2022

IT IS YOUR RESPONSIBILITY TO SCHEDULE THE LOGISTICS MEETING WITH THE CITY DEPARTMENTS INDICATED IF YOUR APPROVED PERMIT INDICATES THAT A MEETING IS NEEDED. PLEASE NOTE THAT A 7 - 10 DAY ADVANCE NOTICE WILL BE NEEDED TO SCHEDULE THE MEETING.

POLICE: 873-2488, DPW: 873-3100, HYDRO: 873-5367, EMS: 873-8240

SECTIONS BELOW TO BE COMPLETED BY THE CITY

PROOF OF LIABILITY INSURANCE FOR STREET SOLICITATION: YES OR NO

LOGISTICS MEETING NEEDED: YES OR NO

DEPT. ATTENDING: DPW POLICE EMS HYDRO

PERMIT NUMBER: APPROVED BY CITY COUNCIL/ CITY MANAGER

DATE OF APPROVAL/ DENIAL: YES OR NO

CONDITIONS:

CITY REPRESENTATIVE'S SIGNATURE:

CITY OF HART

COUNTY OF OCEANA, MICHIGAN

At a regular meeting of the City Council of the City of Hart, held at the City Hall, 407 State Street, within the City, on the 8th day of October, 2019, at 7:30 p.m.

PRESENT: Members: LaPorte, Frontiera, Hegedus, Martin, Platt and Splane

ABSENT: Members: La Fever

The following preamble and ordinance were offered by Member Hegedus and supported by Member Ms. Platt:

ORDINANCE NO. 19-03

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF HART BY DELETING THE PROVISIONS OF ORDINANCE NO. 18-06 AND ORDINANCE NO. 18-07 AND REPLACING THOSE PROVISIONS WITH THE FOLLOWING PROVISIONS WHICH SHALL NOW COMPRISE ALL OF CHAPTER 818 TO PART 8 – THE BUSINESS REGULATION AND TAXATION CODE, TITLE II

THE CITY OF HART ORDAINS:

Section 1. **Repeal of Ordinances 18-06 and 18-07.** Ordinances 18-06 and 18-07, intended to create Chapter 818 "Prohibition of Marihuana Establishments" and to add to the City ordinances prohibitions on sale and consumption of marihuana in public places, and to amend Part 10, Title VI, Chapter 1068 "Prohibitions on Sale and Consumption of Marihuana in Public Places" are hereby repealed and replaced in their entirety by the following provisions, which shall be included in Part 8 Business Regulation and Taxation Code. The provisions shall comprise Chapter 818 and shall read in their entirety as follows:

CHAPTER 818 REGULATION OF MARIHUANA BUSINESSES, SALE, POSSESSION AND CONSUMPTION

818.01 **Prohibition on Recreational Marihuana Establishments.** Any and all types of a "marihuana establishment," as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, are completely prohibited in the City and may not be established or operated in any zoning district, by any means, including by way of a variance. The City of Hart has determined

that the licensing of marihuana facilities or establishments within the City should not be permitted for policy reasons, including public safety, law enforcement concerns and the limited amount of appropriately zoned space for certain of these facilities and establishments. Pursuant to this ordinance, the City specifically prohibits, and does not in any way authorize, the issuance of licenses authorizing State-licensed marihuana facilities or establishments to locate and operate within the City. This prohibition shall also include all marihuana establishment licenses and activities established by rules promulgated under the Initiated Law 1 or associated statutes. The Zoning Board of Appeals shall not have jurisdiction to consider a use variance that would allow the licensing or operation of a marihuana establishment.

818.02 **Medical Marihuana Facilities Prohibited**. Public Act 281 of 2016 provided for State licensing of certain defined marihuana facilities, including growers, processors, provisioning centers, safety compliance facilities and secure transporters ("marihuana facilities"). Section 205 of Act 281 provides that a marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility. Pursuant to this ordinance, the City specifically prohibits, and does not in any way authorize, the issuance of licenses authorizing State-licensed marihuana facilities or establishments to locate and operate within the City. This prohibition shall also include all marihuana establishment licenses and activities established by rules promulgated under the Initiated Law 1 or associated statutes. The Zoning Board of Appeals shall not have jurisdiction to consider a use variance that would allow the licensing or operation of a marihuana facility, and unless this ordinance is amended, nothing in the ordinances of the City of Hart shall be construed as satisfying the requirement in Section MCL 333.27205(1)(a), which requires that prior to issuance of a license, a copy of the local ordinance authorizing a marihuana facility be submitted to the State of Michigan.

818.03 **Medical Marihuana Rights not Affected**. Nothing in this Chapter shall limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq*.

818.04 **Transportation and Other Rights not Affected**. This section shall not limit or supersede any privileges, rights, immunities or defenses of a person to transport marihuana into or through the City to the extent such right is protected by the Michigan Regulation and Taxation of Marihuana Act or other state laws, nor does it supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies or operates such property, as provided in and authorized by the Act. This ordinance does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.

818.05 **Use or Possession of Marihuana on City Property is Prohibited**. No person shall possess, use, be impaired by or distribute marihuana on City property.

818.06 **Prohibition on Sale and Consumption of Marihuana in Public Places**. In conformance with Sections 4.1(e) and 6.2(b) of the Michigan Regulation and Taxation of Marihuana Act, the sale, possession or consumption of marihuana in any form, the smoking of

marihuana, and the sale or display of marihuana accessories, as defined by the Act, is prohibited in any public place within the boundaries of the City.

818.07 **Municipal Civil Infraction.** Any person who violates any of the provisions of this Chapter 818 shall be responsible for a municipal civil infraction punishable by a civil fine of $500, plus court-imposed costs.

818.08 **Automatic Expiration of Ordinance.** Unless confirmed, extended or revised within three (3) years of the effective date of this ordinance, the provisions contained in Sections 818.01 through 818.07 shall expire and be of no further force and effect within the City, as if they had never been adopted. No action shall be required for this expiration to be effective.

Section 2. **Conflict and Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 3. **Publication; Effective Date.** This ordinance shall become effective ten (10) days after its publication or ten (10) days after publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart.

ORDINANCE DECLARED ADOPTED.

Ron LaPorte, Mayor

Dated: October 8, 2019.

Cheryl Rabe, City Clerk
City of Hart

CERTIFICATION

I, the undersigned duly appointed City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in the *Oceana's Herald-Journal*, a newspaper of general circulation in the City, on September 19, 2019, and that such ordinance was entered with the Ordinance Book of the City on October 8, 2019.

Dated: October 8, 2019.

Cheryl Rabe, City Clerk
City of Hart

CITY OF HART, OCEANA COUNTY, MICHIGAN

Councilmember Hegedus, supported by Councilmember Platt, moved the adoption of the ordinance.

Ayes: 6 Nays: 0 Absent:1

First reading: September 24, 2019

Second reading: October 8, 2019

Ordinance becomes effective: _October 19, 2019

City of Hart
407 State Street
Hart, MI 49420

April 7th, 2022

RE: Tree trimming and tree removal – Downtown business district

Mayor Platt and distinguished council members,

As the weather continues to improve, we are planning summer tree trimming along State Street and Main Street in our core business area. Per our previous discussions, the trees that currently occupy sidewalk space downtown are not appropriate for their current use and require trimming every other year.

The TIFA board continues to plan for a street scape project that will include public input and require council approval. The city is working to align the street scape project with sidewalk and street work, including the replacement of water service lines per state mandate.

Due to the trees needing trimming this year, it would be an efficiency measure to begin some tree removal to parallel the trimming. I would propose that city council authorize the removal of up to 50% of the trees along state street from Lincoln to State Street and on State Street from Hart to Courtland. There are currently 50 trees in this area. Any tree to be cut down would require permission from the adjacent business / property owner. This will continue to build the cities relationship with our business community, while helping the city to prepare for the street scape project and envision new greenspace with that project. Many business owners have indicated their desire to remove the trees to allow for better visibility of their business / signage while removing the presence of debris that falls from the trees throughout the season.

Positive benefits of this will include expanded sidewalk space for public gathering, labor savings, and an opportunity to see areas as a "blank slate" for street scape visioning. Due to the nature of the trees being planted in the sidewalk full removal would be difficult. Pulling the trees would certainly damage the sidewalk and stump grinding would be difficult or impossible in some locations. As a potential opportunity, community members who are involved in a new art initiative named, The H-Art Project, would welcome this as an opportunity to create some art from the remaining stumps. They envision repurposing them as stools, pub height tables, checker boards, and other artful expressions (see attached images).

Respectfully,

~Rob Splane











