City of Hart, Michigan
CITY COUNCIL AGENDA
February 9, 2021, 7:30 PM
NOTICE OF REMOTE MEETING PUBLIC MEETING

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 OPEN MEETINGS ACT

Please click the link below to join the webinar:
https://us02web.zoom.us/j/83908817466?pwd=MVZWWmlySG54M0l5d1VCRTZVdlZDQT09
Passcode: 831352
Or iPhone one-tap :
US: +13017158592,,83908817466#,,,,*831352# or +13126266799,,83908817466#,,,,*831352#
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1. Call to Order
2. Roll Call – Burillo, Evans, Hodges, B. Platt, Rybarz Jr.,Splane, V. Platt
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comments –
    a. **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*
    b. Correspondence, Events, Presentations
        Power Systems Engineering: Fiber to the Premises (FTTP) Broadband Planning & Analysis
6. Consent Agenda:
    a. Approval of Minutes from January 26, 2020 and Special Meeting January 26, 2021.
    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 2021-04 A resolution to change fo the date for the March Board of Review to Tuesday March 9, 2021
    b. Resolution 2021-05 A resolution to allow taxpayers to protest property tax assessments by mail
    c. Resolution 2021-06 Appointment of Councilor Splane

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.

8. Discussion Items
    a. Set work session to discuss Broadband Utility presentation and information
    b. Discussion related to Industrial Park deed covenants related to building construction
    c. Authorization to sell surplus equipment – Energy Department meters
9. City Manager Report
10. Communications from the Mayor and Council
    a. Resignation – Braxton Platt, City Council
11. Adjournment –

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

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CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
JANUARY 26TH 2021
MINUTES – DRAFT

PRESENT VIA ZOOM: Mayor Vicki Platt, Councilors: Rob Splane, Jim Evans, Braxton Platt, Dean Hodges, Catalina Burillo, and Fred Rybarz
ABSENT: None
OTHERS PRESENT: City Manager – Lynne Ladner, City Clerk – Karla Swihart, Claudia Ressel Hodan, Paul Erickson, John Wilson, Kevin Hallack, Sharon Hallack, Michael Mattzela, Nicole Steel, and George Sadler
Mayor Platt called the meeting to order; following the roll call, the Mayor lead the Council in the pledge of allegiance
DISCUSSION:

- On the bucket truck, as of now, the high bid is at $162,000. Would we like to increase our bid to $170,000? F. Rybarz and B. Platt are not comfortable bidding on the truck thru the auction site. Suggested to add a new one into the budget that way we know what we are purchasing and get all options we need.
  - J. Evans motioned to increase the bid on the truck to $170,000 and supported by C. Burillo
    - Ayes: 6 Nays: 1 (splane) Absent: 0

Public Comment: None

- Public Hearing: R. Splane motioned we open the public hearing on the City of Hart Safe Routes to School Application and supported by J. Evans.

Sharon Hallack asked about safe routes to school. I was wondering how property owners are being notified. L. Ladner, a public action meeting was held on Jan 5th. All of the property owners were notified by mail. They were allowed to join the meeting via zoom, and also a public notice was placed in the paper.
M. Mattzela from Fleis & Vandenbrink, who has been working on this grant program for over a few years now, laid out the route and gave an engineer's estimate of probable construction cost. Lots of hands are involved with this program and are excited to be in the final stages.

- R. Splane motioned we close the public hearing and is supported by C. Burillo. The public hearing closed at 8:09 pm.
  - Ayes: 7 Nays: 0 Absent: 0

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Vintage Snowmobile Show and Swap Meet. Kevin Hallack touched base on the event and swap meet. Swap meet, as well as the show, will be held outside. Vintage snowmobiles will be on display along with the snowmobiles. There will be parts, and most vendors will have parts in their trucks, trailers, or tables. The date will be Feb 6th at the Oceana County Fair Grounds.
- Music on the Commons.
- Hart Sparks.
  - C. Burillo motioned to approve all three special events and supported by B. Platt
    - Ayes: 7 Nays: 0 Absent: 0

CONSENT AGENDA:

- Approval of Agenda
- Approval of Minutes from Jan 12th, 2021
- 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 R. Splane
    - Ayes: 7 Nays: 0 Absent: 0

ACTION ITEMS: Ms. Ladner addressed the following Action Items:

- Resolution 2021-02 Accept Bids for a new roof at Sackrider Church and Award the project to Juan Time Roofing
  - B. Platt motioned to adopt resolution 2021-02 and supported by R. Splane

CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS Special Meeting
January 26th , 8:00 am
MINUTES – DRAFT

PRESENT VIA ZOOM: Mayor Vicki Platt, Councilors: Rob Splane Jim Evans (late), Braxton Platt, Fred Rybarz, Dean Hodges, and Catalina Burillo.
ABSENT: None
OTHERS PRESENT City Manager – Lynne Ladner, Deputy City Clerk – Karla Swihart, Nicole Steele and Hydro Superintendent - Mike Schiller
Mayor Platt called the meeting to order; following the roll call, the Mayor lead the Council in the pledge of allegiance
ACTION ITEMS:
Ms. Ladner addressed the following Action Items:

- Resolution 2021-04 Authorize City Manager to bid on (2020) Freightliner M2106 Bucket Truck with 55 Ft Terex Boom.

The City received an email late Friday from MMEA stating a 2020 Freightliner on auction in Pawpaw Mi with approx. 824 miles. Mike Schiller and Andy VanZoren reviewed the truck on Jan 25th, 2021, took some pictures, and said the truck is in like-new condition; it has a double bucket, which the current truck does not have. Hydro would have to do a few updates, like add some work lights. To buy this truck new it would cost around $220,000 - $240,000. If the City was to buy a new truck, it takes at least 12-18 months to get it on order. The Hydro department was going to bring to the Council early spring to purchase a new truck due to the fact their current one is over 20 yrs old
After discussions and clarifications, The City Manager recommends Council approval.
B. Platt motioned that we bid up to $160,000 on 2020 Freightliner, supported by J. Evans.

- Ayes: 6 Nays: 1 (Splane) Absent: 0 The Motion Carried

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at 8:34 am upon a motion by C. Burillo and supported by R. Splane. The next regularly scheduled meeting will be on January 26, 2021, at 7:30 pm, and will be held virtually.

Respectfully Submitted

Karla Swihart

Karla Swihart City Clerk

PAYROLL AMOUNTS					
02/04/21					
Pay 503		GROSS PAY	OVERTIME	OPT-OUT	BASE PAY
Employee Code	Dept.		PAY		
FULL-TIME					
DCC	Office	$1,352.96	$0.00	$0.00	$1,352.96
MGR.	Office	$3,640.80	$0.00	$0.00	$3,640.80
DCC	Office	$1,420.00	$0.00	$0.00	$1,420.00
CC	Office	$2,018.40	$0.00	$0.00	$2,018.40
DCC	Office	$1,820.00	$0.00	$0.00	$1,820.00
PO	Police	$228.48	$0.00	$0.00	$228.48
PO	Police	$2,150.40	$0.00	$0.00	$2,150.40
PO	Police	$2,246.36	-$138.36	$0.00	$2,384.72
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	$2,446.34	-$226.98	$0.00	$2,673.32
DPW2	DPW	$2,370.68	-$151.32	$0.00	$2,522.00
DPW3	DPW	$2,281.96	-$230.76	$0.00	$2,512.72
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	$2,194.14	-$176.54	$0.00	$2,370.68
BIOS	WW	$2,256.32	$0.00	$0.00	$2,256.32
ENERGY1	Energy	$3,656.38	-$120.54	$0.00	$3,776.92
ENERGY2	Energy	$3,535.84	$0.00	$0.00	$3,535.84
ENERGYS	Energy	$3,860.00	$0.00	$0.00	$3,860.00
ENERGY3	Energy	$3,212.80	$0.00	$0.00	$3,212.80
ENERGY4	Energy	$2,760.36	-$390.52	$0.00	$3,150.88
DIR.	HD	$2,009.60	$0.00	$0.00	$2,009.60
TOTAL		**$55,517.02**	**-$1,435.02**	**$0.00**	**$56,952.04**
COUNCIL					
CC1		$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
CC9		$0.00	$0.00	$0.00	$0.00
CC10		$0.00	$0.00	$0.00	$0.00
TOTAL		**$0.00**	**$0.00**	**$0.00**	**$0.00**
PART-TIME					
MGR.	HHD	$271.15	$0.00	$0.00	$271.15
EW	Office	$0.00	$0.00	$0.00	$0.00
DPW	DPW-PT	$0.00	$0.00	$0.00	$0.00
PPO	POL-PT	$0.00	$0.00	$0.00	$0.00
PPO	POL-PT	$450.00	$0.00	$0.00	$450.00
PPO	POL-PT	$277.50	$0.00	$0.00	$277.50
PPO	POL-PT	$900.00	$0.00	$0.00	$0.00
PPO	POL-PT	$0.00	$0.00	$0.00	$0.00
TOTAL		**$1,898.65**	**$0.00**	**$0.00**	**$998.65**
TOTAL PAYROLL		**$57,415.67**	**-$1,435.02**	**$0.00**	**$57,950.69**

Employee Hours and Gross by GL Number Report

For Payroll ID: 115

For Selected Pay Code(s): 15X, 225X, 2X

Pay Code ID	Distribution	Sup Hours	Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross
32DPW - ADAMS, MATTHEW T							
	Employee Totals:	0.00	0.00	0.00	6.00	226.98	226.98
23HYD - BIRKMAN, TERENCE L							
	Employee Totals:	0.00	0.00	0.00	2.00	120.54	120.54
41DPW - EISENLOHR, MICHAEL D							
	Employee Totals:	0.00	0.00	0.00	4.00	151.32	151.32
19WWP - KIES, CHRISTOPHER A							
	Employee Totals:	0.00	0.00	0.00	4.00	176.54	176.54
113HPD - MANTYCK, ELIZABETH A							
	Employee Totals:	0.00	0.00	0.00	3.50	138.36	138.36
16WWP - RIGGS, JASON J							
	Employee Totals:	0.00	0.00	0.00	6.00	230.76	230.76
25HYD - VAN ZOEREN, ANDREW							
	Employee Totals:	0.00	0.00	0.00	9.00	390.52	390.52
Distribution Totals:							
	101-301.000-702.900	0.00	0.00	0.00	3.50	138.36	138.36
	202-478.000-702.900	0.00	0.00	0.00	4.00	151.32	151.32
	203-463.000-702.900	0.00	0.00	0.00	4.00	153.84	153.84
	203-478.000-702.900	0.00	0.00	0.00	11.00	428.98	428.98
	580-537.300-702.900	0.00	0.00	0.00	2.00	120.54	120.54
	590-527.100-702.900	0.00	0.00	0.00	8.00	365.06	365.06
	590-527.300-702.900	0.00	0.00	0.00	2.00	76.92	76.92
	Grand Totals:	0.00	0.00	0.00	34.50	1,435.02	1,435.02

Hart Cemetery Commission
January 18, 2021

Meeting was called to order by Jay McGhan at 7: 00 PM.

Roll call present, McGhan, Urick,Veurink, Moul and Hedgedus absent.

Approval of the October 19,2020 minutes, all approved. The November meeting was canceled

Financial report as of December 31,2020 the checking account has $93,033,26; savings has $72,496.46. CD balance is $52,426.47, renewal is January 2021. CD balance $50,379.88 renewal is October 30, 2020

Sexton's report: Bosse reported last year we had 10 grave spaces purchased, $3350.00; 36 burials $12325.00; 9 cremains scheduled but not completed. Beacon brought up the possibility of giving discount if 2 urns are put into 1 grave space, if buried at the same time. It was suggested of giving $50.00- 100.00 Discount. no action taken. We need to update policy.

Discussion using the donated $750.00 for small trees and bushes this spring. McGhan suggested using the money at Bosse's discretion.

Work on renovating the west wall of the office with drywall, making it a lot warmer. Getting on a list to have tree clean up in the cemetery this spring.

Old business:
After reviewing the ending 2020 and the new 2021 budget. Motion by Urick supported by McGhan to approve the 2021 cemetery budget. All Ayes, The 2021 budget was approved.

New Business: Appoint Carol Tariske to replace Barbie Goss on the 5/3 financial accounts. Motion, by Urick and supported by Vuerink, motion passed.

Discussion on the Pentwater Hart Trail plans, The group had sent a resolution to commit our support for the Safe route to school plans. The Trail committee needs to be strongly pressed that no trees are cut down, or cemetery plots disturbed. Concern with the width of the trail coming so close to Tyler Rd., in front of the cemetery and the safety of school children crossing over the 72nd Ave. and Tyler road intersection. Vuerink said years ago school bus did stop at the Pines Trailer Park. nothing was decided, until more discussion can be had.

Motion by Urick to adjourn meeting supported by Vuerink, all ayes. Meeting was adjourned at 7:45pm.

Respectfully Submitted

Carol Tariske
Secretary, Treasurer

City Of HART BIOPURE facility

TO: **WASTEWATER BOARD**

FROM: **PAUL CUTTER, SUPERINTENDENT**

DATE: **FEBRUARY 8, 2021**

RE: **WASTEWATER TREATMENT PLANT OPERATIONS**

Treatment Plant-

Operations are going well. Our loading is continuing to stay high. This is a reflection of Seneca Foods still working through their growing and expansion changes. My personal opinion is that this is going to be a new norm for them/us.

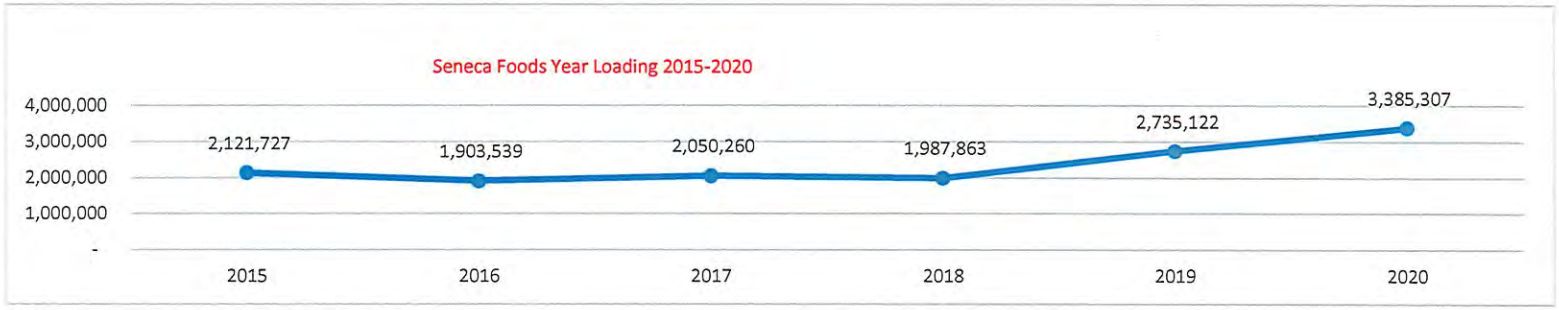
Attachment #1

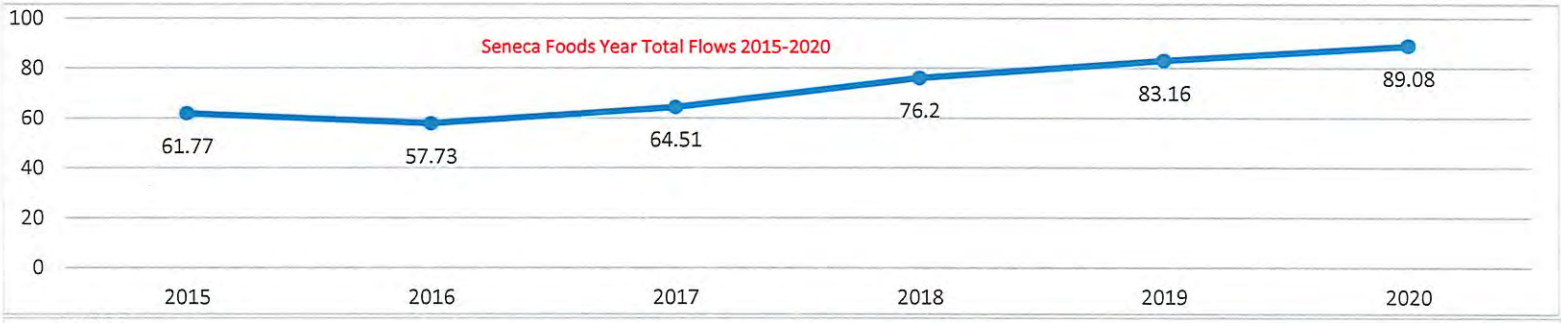
I have attached year end data I use to monitor the industries. As you will see this is a 5 year snapshot of how our 2 big industries increased their B.O.D loading and flow.
As a reminder this Facility was built going on 20 years ago with extra capacity figured into the future. With what you see in the 5 year growth of both industries in 5 years that look is very similar to the 15 years prior. I guess what I want all Council members to realize is our extra capacity that was calculated into the 2001 plant expansion is being used up. At this point in the game we are capable of absorbing the extra loading and flows but need to realize there is only so much capacity before we will need to expand the facility for again future growth.

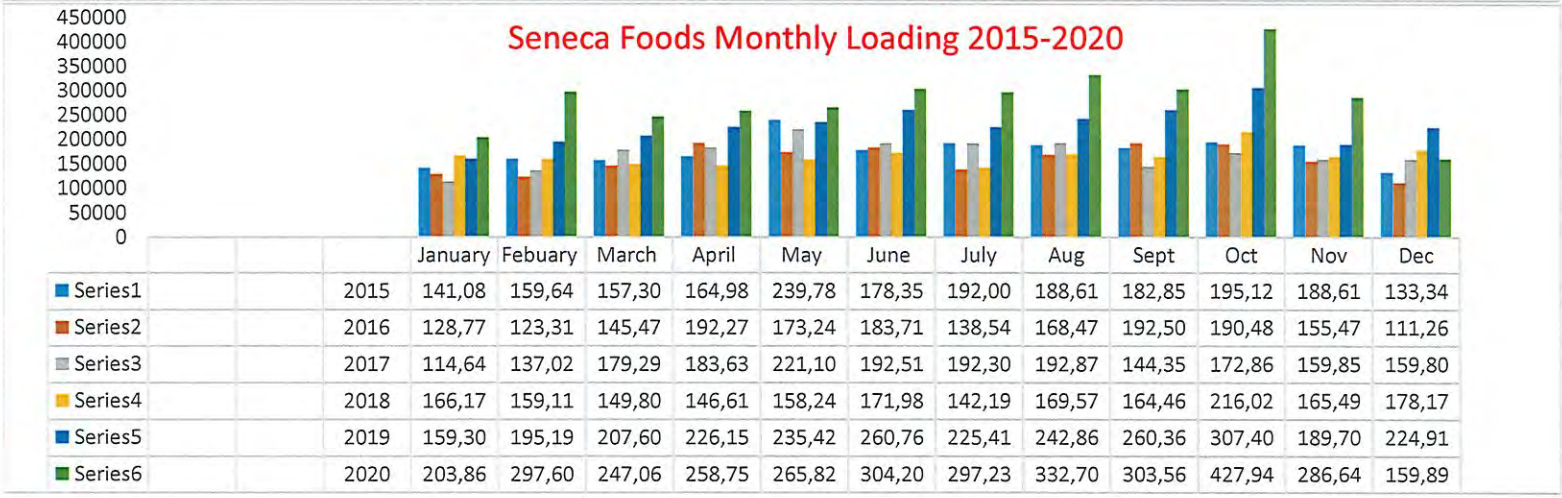
Attachnent #2

This attachment has a lot of information in it. A few areas to look at are the {% industry flow" and the % industry lbs} (Same as Loading). What this shows is the percent of those flow and loading that industries take up of the total for that month or average % for the year.

Next on this attachment is the Billed KW (Kilowatts) along with the Electric Billed for the month. To the right of those 2 columns speaks for themselves.

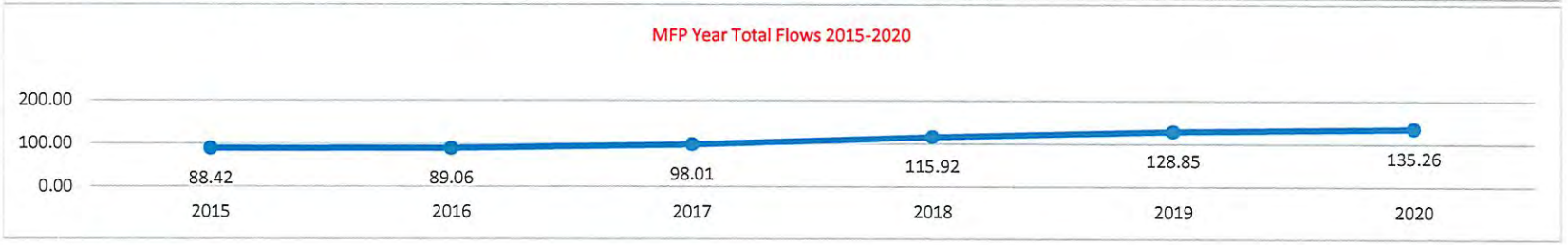


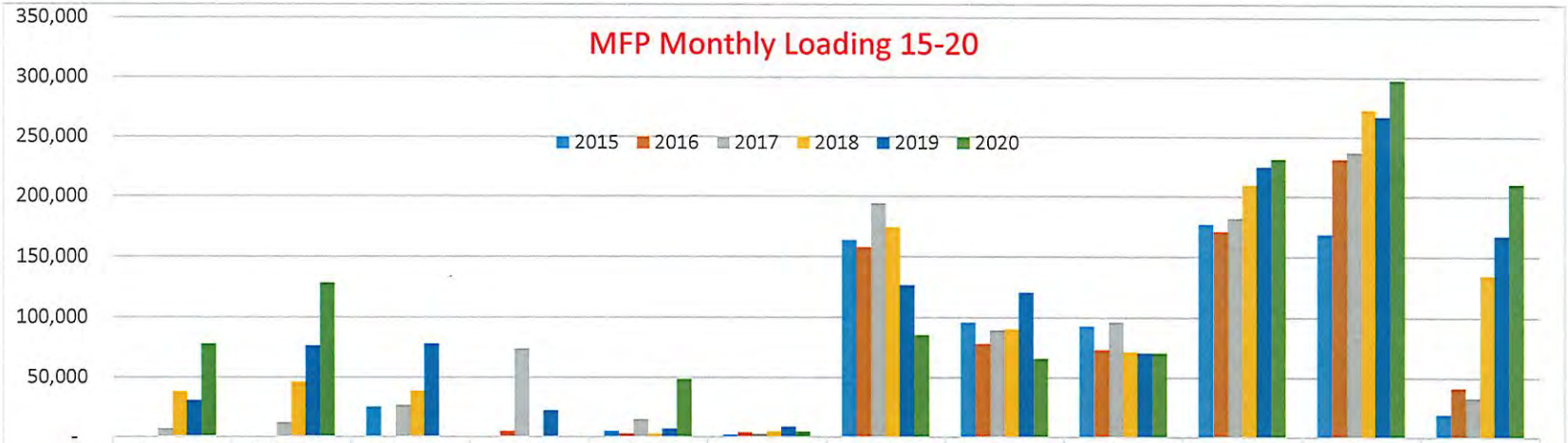




			January	Febuary	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Series1		2015	141,08	159,64	157,30	164,98	239,78	178,35	192,00	188,61	182,85	195,12	188,61	133,34
Series2		2016	128,77	123,31	145,47	192,27	173,24	183,71	138,54	168,47	192,50	190,48	155,47	111,26
Series3		2017	114,64	137,02	179,29	183,63	221,10	192,51	192,30	192,87	144,35	172,86	159,85	159,80
Series4		2018	166,17	159,11	149,80	146,61	158,24	171,98	142,19	169,57	164,46	216,02	165,49	178,17
Series5		2019	159,30	195,19	207,60	226,15	235,42	260,76	225,41	242,86	260,36	307,40	189,70	224,91
Series6		2020	203,86	297,60	247,06	258,75	265,82	304,20	297,23	332,70	303,56	427,94	286,64	159,89







	January	Febuary	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
2015	299	118	25,151	937	5,081	1,971	164,038	96,105	92,980	177,032	168,646	19,296
2016	36		847	4,803	2,820	4,088	158,100	78,105	73,108	171,102	230,848	41,319
2017	7,072	12,414	26,635	73,875	15,309	2,658	194,228	89,624	96,336	182,077	236,878	33,032
2018	37,797	45,666	38,089	-	2,817	4,868	174,303	90,191	71,289	209,228	272,789	134,446
2019	30,410	75,873	77,844	22,569	7,040	8,901	126,911	120,705	70,635	224,647	266,998	167,395
2020	77,599	128,281	830	184	48,644	4,909	85,329	65,935	70,320	231,371	297,345	210,341

DEPARTMENT REPORT
Feb 9, 2021

Events

- Music on the Commons 2021 line-up has been set, seeking sponsors.

Updates

- Primarily focused on launching a new economic development website.
- Awarded 15 of the 48 applicants a total of $105,996 allocated for Oceana through the MI Small Biz Survival Grant. Checks will be issued by Feb 28th.
- New downtown Banners are up.
- Nicole Russell, Assistant GM of Big Hart Brewing Co will join the HEART board in Feb 2021
- New Hart Economic Development website will go live this month.
- Attending weekly MEDC Economic Development enrichment courses.
- EDUCATION - working on bringing a college extension location/resource center to Hart (ongoing)
- INFRASTUCTURE – working to address downtown trees, streetscapes and applying for Wastewater Infrastructure Improvement EDC Grant (ongoing)
- INDUSTRY ACTIVITIES – plans to build a business retention team, turn HEART office into a professional business resource center & create a relocation guide (committee meets 02/08/21)
- MARKETING – working on a citywide wayfinding signage proposal (to lead guests to our attractions) and working w/ visitors bureau on a shared service event coordinator, creating an inventory of business resource handouts including available properties in Hart.
- Music on Commons lineup set for 2021 – we have expanded the # of concerts to offer a performance every week in the summer (instead of every other week)
- Next Regular HEART Meeting February 17, 2021 @ 4 PM

Respectfully Submitted,

Nichole Steel
Economic & Community Development Director

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: February 9th, 2021

RECENT EVENTS

From Tuesday, January 21st, 2021, through Wednesday, February 3rd, 2021, the Hart Police Department received 66 complaints ranging from Peacekeeping's, Domestic Assaults, Medical Assists, Vehicle Violations, Mental Health Complaints, Suspicious Situations, Civil Matters, Animal complaints, Disturbances, Assault & Batteries, Fraud Complaints, Threats Complaints and Assist to Other Agencies.

On Friday, January 22nd, 2021, the Hart Police Department was dispatched to the 500 block of Dryden Street, referencing an unresponsive 51-year-old Hart woman. The woman was administered two (2) rounds of Narcan due to her state. The woman was turned over to LIFE EMS for further evaluation.

On Saturday, January 23rd, 2021, the Hart Police Department was dispatched to Griswold Street's intersection near Lincoln Street regarding a reckless driving complaint. A 23-year-old Mears man was cited for Open Intoxicants located within his vehicle.

On Sunday, January 24th, 2021, the Hart Police Department was dispatched to the 600 block of Water Street about a Domestic Assault. An argument erupted between a 16-year-old Hart woman and an 18-year-old Hart woman. The 16-year-old Hart woman claimed to have been chocked and struck in the face area by the 18-year-old woman. The women were separated for the remainder of the day. A report will be submitted to the Oceana County Prosecutor's Office.

On Monday, January 25th, 2021, the Hart Police Department was dispatched to Polk Road near Comfort Drive, referencing a Reckless Driving Complaint. A 29-year-old Shelby woman was noted driving recklessly into coming traffic and not staying within her lane of travel. The woman was noted attempting to enter the McDonald's parking lot and, while doing so, slide into an embankment. The woman was cited for Reckless Driving and Driving While License Suspended.

On Tuesday, January 26th, 2021, the Hart Police Department was notified of a property damage crash involving a vehicle striking a light pole in the downtown area. The light pole sustained no damage, but the vehicle sustained damage to its front end. Officers were given a suspect vehicle description due to the vehicle leaving the crash scene before officers' arrival. On Thursday, January 28th, 2021, the suspect vehicle was located in the 300 block of West Main Street. A 20-year-old Hart man later admitted to striking the light pole.

On Sunday, January 31st, 2021, the Hart Police Department was dispatched to the 60 block of State Street in the Village of Shelby to assist the Shelby Police Department regarding an active Domestic Assault. Officers encountered a 24-year-old Shelby man who was intoxicated who had struck his mother, a 42-year-old Shelby woman, in the face area. The family was noted restraining the individual before the officer's arrival. The man was placed under arrest, at which time he began to resist officers by pulling away and striking several officers with his feet in the stomach area. The man was eventually handcuffed by officers and transported to the Oceana County Jail, where he was placed in a restraint chair due to his continued combative/assaultive behavior. A report will be submitted to the Oceana County Prosecutor's Office referencing Resisting and Opposing a Police Officer.

On Tuesday, February 2nd, 2021, the Hart Police Department assisted the Oceana County Sheriff's Office referencing a 32-year-old Mears man assaulting several individuals in the Mears area. The man had left the scene prior to the officer's arrival, and when contacted via telephone, the man claimed to have a knife and made several suicidal comments. The man was later located on the roof of a home in the Mears area. The man refused to come down from the roof and was noted harming himself, cutting his wrist to his forearm. The man eventually came down from the roof and was taken into custody. While attempting to take the man into custody, the man continued to kick at responding officers. The man was transported and lodged at the Oceana County Jail.

On Thursday, February 3rd, 2021, the Hart Police Department initiated a traffic stop on a vehicle on Courtland Street near Main Street regarding a vehicle violation. A 35-year-old Walkerville man was cited for Operating a Motor Vehicle without Insurance and Operating a Motor Vehicle without a License.

Respectfully,

J. Salazar,
Chief of Police

RESOLUTION 21-04
City Council
City of Hart, Michigan
Oceana County

A resolution to change the date for the March Board of Review to Tuesday, March 9, 2021

WHEREAS, The Michigan General Property Tax Act, PA 206 of 1893, as amended (MCL 211.30(1) states "Except as otherwise provided in subsection (2), the board of review shall meet on the second Monday in March; and

WHEREAS, Subsection (2) states "The governing body of the city or township may authorize, by adoption of an ordinance or resolution, alternative starting dates in March when the board of review shall initially meet, which alternative starting dates shall be the Tuesday or Wednesday following the second Monday of March"; and

WHEREAS, the City Assessor has requested to have the March Board of Review start date changed from March 8, 2021 to March 9, 2021;

NOW, THEREFORE, BE IT RESOLVED THAT:
the Hart City Council, by a vote of the majority approves moving the March board of review start date to Tuesday, March 9, 2021.

Moved by _____, supported by _____ , and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on February 9, 2021.

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.

_____
Karla Swihart, City Clerk

RESOLUTION 21-05
City Council
City of Hart, Michigan
Oceana County

A resolution to allow taxpayers to protest property tax assessments by mail.

WHEREAS, Hart City seeks to ease the burden on taxpayers, the assessor, and the Board of Review; and

WHEREAS, Hart City also seeks to ensure that all taxpayers have an equal opportunity to be heard by the board of review;

NOW, THEREFORE, BE IT HEREBY RESOLVED,

pursuant to MCL 211.30 (7) of the General Property Tax Act, the board of review shall receive letters of protest regarding assessments from taxpayers if received by the deadline set annually and published on the March Board of Review public notice for which it meets to hear such protests.

BE IT FURTHER RESOLVED, that all assessment change notices, and advertisements of the March Board of Review meetings shall include a statement that resident taxpayers may protest by letter to the Board of Review.

Moved by _____, supported by _____ , and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on February 9, 2021.

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.

_____
Karla Swihart, City Clerk

RESOLUTION 21-06
City Council
City of Hart, Michigan
Oceana County

APPOINTMENT OF COUNCILOR SPLANE

WHEREAS, the Council wishes to confirm and clarify the term of office currently being served by Councilor Robert Splane, who is completing the remainder of a four (4) year term ending in November of 2022,

NOW THEREFORE BE IT RESOLVED as follows:

1. Councilor Robert Splane is hereby appointed and confirmed as a City Councilor, serving a term that will expire in November of 2022. All actions, votes and activities of Councilor Splane acting in his role as a City Council member since Nobember of 2018 are hereby confirmed and ratified.

2. The Council position currently held by Robert Splane shall be open for election at the November 2022 general election.

Moved by _____, supported by _____ , and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on February 9, 2021.

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.

_____
Karla Swihart, City Clerk

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 2/8/2021
Re: Broadband utility presentation and next step

Ladies and Gentlemen,

The City has reached a milestone point regarding broadband internet expansion in the City. With the presentation by PSE Engineering along with countywide discussions related to the broadband expansion county wide the City of Hart is in a leadership position on this issue with the opportunity to significantly impact the future of broadband in Oceana County.

The OCEA currently has a survey on-going related to broadband internet throughout Oceana County, I also am aware that the information presented by PSE needs adequate time for the Council to review and discuss. It is my recommendation that the Council set a time for a special meeting/work session for the sole purpose of spending the time discussing broadband expansion within the City of Hart. That discussion may have many different outcomes and can at the same time layout next steps and what the City's role may be moving forward.

Lynne



PSE Power System Engineering

Fiber to the Premises (FTTP) Broadband Planning & Analysis

City of Hart Energy Department

Hart, Michigan

MICHIGAN MUNICIPAL ELECTRIC ASSOCIATION

Forward-Thinking Professionals
Helping Clients and Colleagues **ACHIEVE** Their **Goals.**

www.powersystem.org

HART #TAKEMETOHART

Tom Asp, Bryan Durnen

January 2021

1

PSE Power System Engineering

Project Background

- Funded by the Michigan Municipal Electric Association (MMEA) through a Rural Business Development Grant (RBDG) from Rural Development, an Agency of the USDA.
- The project explored the opportunity to provide broadband services over a fiber-to-the-premises (FTTP) network for six MMEA member municipal electric utilities in Michigan
  - Charlevoix
  - Eaton Rapids
  - Grand Haven
  - Hart
  - Negaunee
  - Norway

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Project Steps for Hart

- Provide a high-level review of the potential for the City of Hart Energy Department (Hart) to enter the broadband business as well as a magnitude cost estimate of implementing and operating a broadband business.
- Provide an overview of FTTP broadband services considerations, including:
  - Business-level considerations
  - Potential partnerships and alliances
  - Michigan-specific legislation
  - Financial projections for both retail and dark FTTP models
  - Recommended potential actions to encourage investment.

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Business Considerations

- An important consideration when determining whether to expand, and that is to examine your mission
  - What are the drivers beyond a ROI?
  - Is Hart in the business of providing security, comfort, and convenience? Or just providing electric, water, and basic broadband?
- Need to fully evaluate how current broadband services and the expansion serves the municipal's overall mission and future

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Defining Broadband

- The Federal Communication Commission (FCC) set its first definition of broadband in 1996, and it has slowly evolved from there.
  - 1996 broadband definition was a service that provided at least 200 kbps in either direction.
  - Today the FCC defines broadband as a service with at least 25 Mbps downstream and 3 Mbps upstream, this definition was adopted in 2015.
- For many applications, this definition is inadequate.
  - An alternate definition is to view broadband as a connectivity service that provides performance such that the connection does not in any way constrain the application you are using.

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Defining Affordability

- Affordable is when the prices charged are comparable to other regions in the country.
  - Under this definition, broadband is affordable today.
- Affordable is when the prices charged for broadband are the same regardless if you are in the city or in a rural area.
  - Under this definition, broadband is <u>not</u> affordable in the rural areas (outside of cities, villages, or towns) today.
- Affordable is when any household, regardless of disposable income, is able to acquire broadband services.
  - Under this definition, broadband is <u>not</u> affordable today.

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Broadband and Economic Development

- Broadband in itself is not an economic development strategy or initiative. Rather, broadband is another element in a broader strategy.
- Relating economic development to broadband service is an important objective for communities. It is important to give consideration to:
  - Coordinating broadband training opportunities with workforce development efforts and economic development goals.
  - Ensuring competitiveness of technology in the region for increasing/maintaining diversity of demand for technical infrastructure services.
  - Striving for diversification of industry types in the region.
  - Encouraging diversification among small businesses.

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Broadband and Economic Development

- Relating economic development to broadband service is an important objective for communities. It is important to give consideration to (continued list):
  - Enhancing broadband opportunities for a wide range of industries, not just high-tech groups.
  - Becoming intimately familiar with the broadband providers so as to be able to advise new and existing businesses on broadband capabilities and location options.
  - Understanding path redundancy of the CLECs in Hart.
  - Keeping provider information up to date.

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Partnership and Alliance Models

- **Facilitation of Private Investment:** This model offers the lowest risk to the municipality. The alliance model focuses on steps to facilitate private investment in broadband infrastructure.
- **Leverage Public Assets:** In this model, both parties develop a strategy to work together to leverage and expand assets in order to advance the availability of broadband.

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Partnership and Alliance Models

- **Leverage Public Financing:** This model is similar to an approach used at times in the U.S. for highways, toll roads, and bridges. In this model, the municipality makes the infrastructure investment while the private partner assumes a combination of engineering, construction management, operations, and/or maintenance responsibilities.
- **Obtain Operational Support:** In this model, the municipality deploys and operates the broadband network and is the retail service provider. To assist in operations the municipality will contract operational support from one or more private providers.
  - Norway uses this approach with Astrea Connect.

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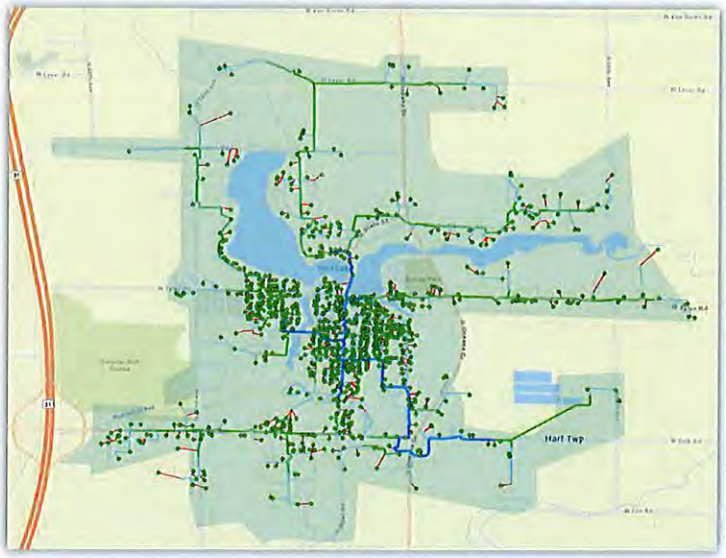
Metro Act

- Requires a public entity to issue a request for competitive, sealed bids before it can provide telecommunication services within its boundaries.
- Requires the public entity to conduct a three-year financial analysis before it adopts an ordinance or resolution authorizing the municipality to construct broadband facilities.
- Some attorneys have indicated that under the Metro ACT, the financial analysis must be reviewed and certified by a Certified Public Accountant (CPA). The public entity must conduct at least one public hearing before it adopts an ordinance or resolution authorizing the municipality to construct broadband facilities. Following the public hearing, the public entity may choose to adopt a broadband ordinance but is not required.

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FTTP Conceptual Design and Cost Estimate



High-level design for cost estimation, not a build-level drawing or document.

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Financial Analysis – Two Models

1. Retail services
2. Dark fiber

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FTTP Cost Estimate

Category	Low	Mid	High
Fiber OSP	$ 1,184,900	$ 1,316,500	$ 1,448,200
Make-Ready (MR)	516,300	737,500	958,800
Special Crossings	39,600	44,000	48,400
Engineering & Network Planning	181,000	201,100	221,200
Quality Assurance & Control	150,800	167,600	184,400
Total (with make-ready)	$ 2,072,600	$ 2,466,700	$ 2,861,000
Cost per passing (with make-ready)	$ 1,493	$ 1,777	$ 2,061
Total (without make ready)	$ 1,556,300	$ 1,729,200	$ 1,902,200
Cost per passing (without make-ready)	$ 1,121	$ 1,246	$ 1,370

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Other Estimated Costs – Retail Model

- The average drop cost will be $300 and the installed ONT cost will be $400 for residents and $500 for small/medium businesses.
  - At a 59 percent take rate, this represents a cost of $578,800 for the 1,388 passings.
- In addition, we estimate $278,000 for the core network and GPON electronics and $140,000 in special equipment, vehicles, and software.
- The subscriber take rate and service price projections are selected to show what would be required in order to cash flow the model.

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Dark FTTP Model

- In a "dark FTTP lease" model, the lessor constructs and owns the fiber network, the private provider (lessee) "lights" the fiber with electronics and directly serves the end user.
- Two models
  - Huntsville AL the lessee covers drop cost
  - Westminster MD the lessor covers the drop costs
- Hart would have to charge approximately $16.00 per month in per-passing lease fees to a private provider model like the lease agreement between Google Fiber and Huntsville Utilities, in which the private provider is responsible for drop cables.
  - This lease fee is 2.13 times the fee Huntsville and Google agreed upon.

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Steps to Advance Availability of Broadband

- We identified three key classifications of actions that might be considered to advance the availability and affordability of broadband.
  - Initiatives that can be implemented by the municipal electric utility (or other public entity).
  - Actions that will encourage private internet service providers (ISPs) to expand investment and services.
  - Steps that encourage development of federal or state policies and legislation.
- A complete strategy to promote broadband availability will address both demand and supply issues

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Alternatives to Municipal Investment in FTTP

- Waive make-ready costs
- Streamline permitting process
- Seek grant funding (joint application with provider)
- Provide grant funding to provider
- Provide access to existing fiber assets
- Provide aid in marketing

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Selecting the Broadband Approach

- Determine whether or to take an active role in advancing the availability and affordability of broadband services in the community.
  1. Build a FTTP infrastructure and become a retail broadband service provider. This approach has two options: Become a stand-alone provider or seek a private operator for the enterprise.
  2. Build a FTTP infrastructure and seek a private provider that would lease the FTTP infrastructure, add network electronics, and become the retail service provider. This is the dark FTTP model.
  3. Take actions to encourage private investment.
- Upon selection of the approach, Hart will then need to follow the requirements specific in the Metro Act. The starting point for any of the above alternatives is to develop and release a RFP which details objectives, approach, terms, and other conditions.

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Questions



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PSE Power System Engineering
Thank You
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City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
Rev 6
Hart, Michigan
December 8, 2020

Income Statement

Year		1	2	3	5	10	20
a. Revenues (see sheet "Revenues" for breakdown)							
Business Internet Revenues		$ -	$ -	$ -	$ -	$ -	$ -
Residential Internet Revenues		-	-	-	-	-	-
Per Passing Fee		66,600	266,500	266,500	266,500	279,800	308,500
Per Subscriber Fee		-	-	-	-	-	-
	Total	$ 66,600	$ 266,500	$ 266,500	$ 266,500	$ 279,800	$ 308,500
b. Operating Expenses - Cash ***(not including fees and taxes in line h)***							
Cost of Good Sold		$ -	$ -	$ -	$ -	$ -	$ -
Distribution Expense - Operations		38,900	39,300	39,600	40,500	42,400	46,300
Distribution Expense - Maintenance		-	4,900	10,100	20,500	21,500	23,400
Customer Accounts Expense		-	-	-	-	-	-
Customer Service and Informational Expense		-	-	-	-	-	-
Sales Expense		-	-	-	-	-	-
Administrative & General Expense		56,000	16,300	16,300	16,600	17,600	19,200
Salaries		78,000	79,600	81,100	84,200	92,000	112,300
	Total	$ 172,900	$ 140,100	$ 147,100	$ 161,800	$ 173,500	$ 201,200
c. Revenues less Cash Operating Expenses - EBITDA (a-b)		$ (106,300)	$ 126,400	$ 119,400	$ 104,700	$ 106,300	$ 107,300
d. Operating Expenses - Non-Cash							
Depreciation		$ 104,500	$ 104,500	$ 104,500	$ 104,500	$ 104,500	$ 86,500
e. Operating Income (d-c)		$ (210,800)	$ 21,900	$ 14,900	$ 200	$ 1,800	$ 20,800

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
Rev 6
Hart, Michigan
December 8, 2020

Cash Flow Statement

Year		1	2	3	5	10	20
a. Net Income (From Income Statement)		$ (273,800)	$ (39,800)	$ (45,400)	$ (57,300)	$ (47,700)	$ (8,900)
b. Cash Outflows							
Debt Service Reserve		$ -	$ -	$ -	$ -	$ -	$ -
Interest Reserve		-	-	-	-	-	-
Depreciation Operating Reserve		-	-	-	(14,400)	(14,400)	-
Capital Lease		-	-	-	-	-	-
Issuance Cost (Financing)		(21,000)	-	-	-	-	-
Capital Expenditures		$ (1,819,200)	$ -	$ -	$ -	$ -	$ -
	Total	$ (1,840,200)	$ -	$ -	$ (14,400)	$ (14,400)	$ -
c. Cash Inflows							
Utility Contributions		$ -	$ -	$ -	$ -	$ -	$ -
Interest Reserve		-	-	-	-	-	-
Depreciation Operating Reserve		-	-	-	-	-	-
Debt Service Reserve		-	-	-	-	-	-
Source A		2,100,000	-	-	-	-	-
Source B		-	-	-	-	-	-
Grant D		-	-	-	-	-	-
Grant E		-	-	-	-	-	-
	Total	$ 2,100,000	$ -	$ -	$ -	$ -	$ -
d. Total Cash Outflows and Inflows (b+c)		$ 259,800	$ -	$ -	$ (14,400)	$ (14,400)	$ -
e. Non-Cash Expenses - Depreciation		$ 104,500	$ 104,500	$ 104,500	$ 104,500	$ 104,500	$ 86,500

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
Rev 6
Hart, Michigan
December 8, 2020

Cash Flow Statement

Year	1	2	3	5	10	20
Cash Balance (with beginning cash)						
Unrestricted Cash Balance	$ 46,400	$ 65,600	$ 77,900	$ 46,300	$ (6,800)	$ 55,700
Fee Adjustment (end of term)	-	-	-	-	-	-
Depreciation Operating Reserve	-	-	-	28,800	10,800	10,800
Debt Service Reserve	-	-	-	-	-	-
Total Cash Balance	$ 46,400	$ 65,600	$ 77,900	$ 75,100	$ 4,000	$ 66,500

City of Hart Energy Department
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Hart, Michigan
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Capital Additions

Year	1	2	3	5	10	20
a. Connectivity Implementation Costs						
Fiber (15 year depreciation)	$ -	$ -	$ -	$ -	$ -	$ -
Fiber (10 year depreciation)	-	-	-	-	-	-
Fiber (7 year depreciation)	-	-	-	-	-	-
Fiber (6 year depreciation)	-	-	-	-	-	-
Fiber (5 year depreciation)	-	-	-	-	-	-
Network Equipment (10 year depreciation)	-	-	-	-	-	-
Network Equipment (7 year depreciation)	-	-	-	-	-	-
Network Equipment (6 year depreciation)	-	-	-	-	-	-
Network Equipment (5 year depreciation)	-	-	-	-	-	-
Customer Equipment (6 year depreciation)	-	-	-	-	-	-
Customer Equipment (5 year depreciation)	-	-	-	-	-	-
Total	$ -	$ -	$ -	$ -	$ -	$ -
b. Support Equipment (5 year depreciation)						
Misc. Equipment	$ -	$ -	$ -	$ -	$ -	$ -
Vehicles	20,000	-	-	-	-	-
Emergency Restoration Kit	-	-	-	-	-	-
Fiber OTDR and Other Tools	20,000	-	-	-	-	-
Fiber Managaement System	50,000	-	-	-	-	-
Billing Interface	-	-	-	-	-	-
tbd 6	-	-	-	-	-	-
Total	$ 90,000	$ -	$ -	$ -	$ -	$ -

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
Rev 6
Hart, Michigan
December 8, 2020

OSP Cost Estimate

Category	Low	Mid	High
Fiber OSP	$ 1,184,900	$ 1,316,500	$ 1,448,200
Make-Ready (MR)	516,300	737,500	958,800
Special Crossings	39,600	44,000	48,400
Engineering & Network Planning	181,000	201,100	221,200
Quality Assurance & Control	150,800	167,600	184,400
Total (with make ready)	$ 2,072,600	$ 2,466,700	$ 2,861,000
Cost per passing (with make ready)	$ 1,493	$ 1,777	$ 2,061
Total (without make ready)	$ 1,556,300	$ 1,729,200	$ 1,902,200
Cost per passing (without make ready)	$ 1,121	$ 1,246	$ 1,370

Drop Costs	$ -	
CPE Costs	$ -	$ -
Network	$ -	
Misc	$ 90,000	

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
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Hart, Michigan
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Staffing

Position	Year 1	2	3	4	5	Base Salary (Year 1)
Customer Service Representative	-	-	-	-	-	$ 50,000
Field/Service/Install Technician	1.00	1.00	1.00	1.00	1.00	$ 60,000
Dept Mgr	-	-	-	-	-	$ 90,000
Total	1.00	1.00	1.00	1.00	1.00	

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
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Income Statement

Year		1	2	3	5	10	20
a. Revenues (see sheet "Revenues" for breakdown)							
Business Internet Revenues		$ 7,800	$ 24,000	$ 40,800	$ 52,200	$ 55,100	$ 62,000
Residential Internet Revenues		105,300	333,500	579,200	702,000	737,100	814,300
Per Passing Fee		-	-	-	-	-	-
Per Subscriber Fee		-	-	-	-	-	-
	Total	$ 113,100	$ 357,500	$ 620,000	$ 754,200	$ 792,200	$ 876,300
b. Operating Expenses - Cash ***(not including fees and taxes in line h)***							
Cost of Good Sold		$ 27,000	$ 27,300	$ 55,100	$ 56,200	$ 58,900	$ 64,300
Distribution Expense - Operations		48,900	86,600	95,600	96,600	99,000	103,900
Distribution Expense - Maintenance		-	4,900	10,100	20,500	21,500	23,400
Customer Accounts Expense		10,000	5,100	5,100	5,200	5,500	6,000
Customer Service and Informational Expense		6,000	6,100	6,100	6,200	6,500	7,100
Sales Expense		20,000	10,100	10,200	10,400	10,900	11,900
Administrative & General Expense		71,000	34,100	37,100	38,500	41,400	46,400
Salaries		260,000	265,200	270,400	280,800	306,800	374,400
	Total	$ 442,900	$ 439,400	$ 489,700	$ 514,400	$ 550,500	$ 637,400
c. Revenues less Cash Operating Expenses - EBITDA (a-b)		$ (329,800)	$ (81,900)	$ 130,300	$ 239,800	$ 241,700	$ 238,900
d. Operating Expenses - Non-Cash							
Depreciation		$ 161,500	$ 183,900	$ 206,200	$ 206,200	$ 194,300	$ 147,100
e. Operating Income (d-c)		$ (491,300)	$ (265,800)	$ (75,900)	$ 33,600	$ 47,400	$ 91,800
f. Non-Operating Income							
Interest Expense (all)		$ (87,000)	$ (97,200)	$ (103,300)	$ (98,500)	$ (85,100)	$ (51,600)
Misc Income		-	-	-	-	-	-
	Total	$ (87,000)	$ (97,200)	$ (103,300)	$ (98,500)	$ (85,100)	$ (51,600)
g. Net Income (e+f)		$ (578,300)	$ (363,000)	$ (179,200)	$ (64,900)	$ (37,700)	$ 40,200
h. Taxes and Fees							
Revenue Fee		$ -	$ -	$ -	$ -	$ -	$ -
CIAC (one-time) Fee		-	-	-	-	-	-
Taxes (allocated)		-	-	-	-	-	-
	Total	$ -	$ -	$ -	$ -	$ -	$ -
i. Net Income after Fees (g+h)		$ (578,300)	$ (363,000)	$ (179,200)	$ (64,900)	$ (37,700)	$ 40,200

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
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Hart, Michigan
December 8, 2020

Cash Flow Statement

Year		1	2	3	5	10	20
a. Net Income (From Income Statement)		$ (578,300)	$ (363,000)	$ (179,200)	$ (64,900)	$ (37,700)	$ 40,200
b. Cash Outflows							
Debt Service Reserve		$ -	$ -	$ -	$ -	$ -	$ -
Interest Reserve		-	-	-	-	-	-
Depreciation Operating Reserve		-	-	-	(82,600)	(73,100)	(45,200)
Capital Lease		-	-	-	-	-	-
Issuance Cost (Financing)		(29,000)	(4,000)	(2,800)	-	-	-
Capital Expenditures		$ (2,321,600)	$ (202,300)	$ (202,300)	$ -	$ (87,200)	$ -
	Total	$ (2,350,600)	$ (206,300)	$ (205,100)	$ (82,600)	$ (160,300)	$ (45,200)
c. Cash Inflows							
Utility Contributions		$ -	$ -	$ -	$ -	$ -	$ -
Interest Reserve		-	-	-	-	-	-
Depreciation Operating Reserve		-	-	-	-	87,200	-
Debt Service Reserve		-	-	-	-	-	-
Source A		2,900,000	400,000	275,000	-	-	-
Source B		-	-	-	-	-	-
Grant D		-	-	-	-	-	-
Grant E		-	-	-	-	-	-
	Total	$ 2,900,000	$ 400,000	$ 275,000	$ -	$ 87,200	$ -
d. Total Cash Outflows and Inflows (b+c)		$ 549,400	$ 193,700	$ 69,900	$ (82,600)	$ (73,100)	$ (45,200)
e. Non-Cash Expenses - Depreciation		$ 161,500	$ 183,900	$ 206,200	$ 206,200	$ 194,300	$ 147,100

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
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December 8, 2020

Cash Flow Statement

Year	1	2	3	5	10	20
I. Beginning Cash	$ -					
Beginning Cash	$ -					
Cash Balance (with beginning cash)						
Unrestricted Cash Balance	$ 71,600	$ 15,000	$ 32,800	$ (13,900)	$ (51,900)	$ 108,200
Fee Adjustment (end of term)	-	-	-	-	-	-
Depreciation Operating Reserve	-	-	-	165,200	170,300	102,600
Debt Service Reserve	-	-	-	-	-	-
Total Cash Balance	$ 71,600	$ 15,000	$ 32,800	$ 151,300	$ 118,400	$ 210,800

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
Rev 6
Hart, Michigan
December 8, 2020

Capital Additions

	Year	1	2	3	5	10	20
a. Connectivity Implementation Costs							
Fiber (15 year depreciation)		$ 74,100	$ 86,100	$ 86,100	$ -	$ -	$ -
Fiber (10 year depreciation)		-	-	-	-	-	-
Fiber (7 year depreciation)		-	-	-	-	-	-
Fiber (6 year depreciation)		-	-	-	-	-	-
Fiber (5 year depreciation)		-	-	-	-	-	-
Network Equipment (10 year depreciation)		278,200	-	-	-	-	-
Network Equipment (7 year depreciation)		100,100	116,200	116,200	-	87,200	-
Network Equipment (6 year depreciation)		-	-	-	-	-	-
Network Equipment (5 year depreciation)		-	-	-	-	-	-
Customer Equipment (6 year depreciation)		-	-	-	-	-	-
Customer Equipment (5 year depreciation)		-	-	-	-	-	-
	Total	$ 452,400	$ 202,300	$ 202,300	$ -	$ 87,200	$ -
b. Support Equipment (5 year depreciation)							
Misc. Equipment		$ -	$ -	$ -	$ -	$ -	$ -
Vehicles		40,000	-	-	-	-	-
Emergency Restoration Kit		-	-	-	-	-	-
Fiber OTDR and Other Tools		20,000	-	-	-	-	-
Fiber Managaement System		50,000	-	-	-	-	-
Billing Interface		30,000	-	-	-	-	-
tbd 6		-	-	-	-	-	-
	Total	$ 140,000	$ -	$ -	$ -	$ -	$ -
C. Construction and Fiber OSP							
Construction (5-Year Depreciation)		$ -	$ -	$ -	$ -	$ -	$ -
Construction (10-Year Depreciation)		-	-	-	-	-	-
Construction (15-Year Depreciation)		-	-	-	-	-	-
Construction (20-Year Depreciation)		1,729,200	-	-	-	-	-
Construction (30-Year Depreciation)		-	-	-	-	-	-
		$ 1,729,200	$ -	$ -	$ -	$ -	$ -
Electric Utility Allocations (Make Ready)		$ 737,500	$ -	$ -	$ -	$ -	$ -
Cumulative Electric Utility Allocations		$ 737,500	$ 737,500	$ 737,500	$ 737,500	$ 737,500	$ 737,500

City of Hart Energy Department
Attachment A Financial Analysis - Retail Model
Rev 6
Hart, Michigan
December 8, 2020

OSP Cost Estimate

Category	Low	Mid	High
Fiber OSP	$ 1,184,900	$ 1,316,500	$ 1,448,200
Make-Ready (MR)	516,300	737,500	958,800
Special Crossings	39,600	44,000	48,400
Engineering & Network Planning	181,000	201,100	221,200
Quality Assurance & Control	150,800	167,600	184,400
Total (with make-ready)	$ 2,072,600	$ 2,466,700	$ 2,861,000
Cost per passing (with make-ready)	$ 1,493	$ 1,777	$ 2,061
Total (without make ready)	$ 1,556,300	$ 1,729,200	$ 1,902,200
Cost per passing (without make-ready)	$ 1,121	$ 1,246	$ 1,370

Drop Costs	$ 246,300		
CPE Costs	$ 332,500	$ 578,800	Drop and CPE
Network	$ 278,200		
Support Equip	$ 140,000		
Drop Unit Cost	$ 300		
ONT Res (CPE) Unit Cost	$ 400		
ONT Bus (CPE) Unit Cost	$ 500		

City of Hart Energy Department
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Staffing

Position	Year					Base Salary (Year 1)
	1	2	3	4	5	
Customer Service Representative	1.00	1.00	1.00	1.00	1.00	$ 50,000
Field/Service/Install Technician	1.00	1.00	1.00	1.00	1.00	$ 60,000
Dept Mgr	1.00	1.00	1.00	1.00	1.00	$ 90,000
Total	3.00	3.00	3.00	3.00	3.00	

AMENDED
RESTRICTIVE COVENANTS
FOR THE
HART INDUSTRIAL PARK

(Amended: June 9, 1992)

The City of Hart, Michigan, the owner of the real property described on the attached Schedule A, a plat of which is recorded in the Oceana County Courthouse, Hart, Michigan, in the office of the Register of Deeds for Oceana County, Michigan, hereby makes the following declaration of limitations and restrictions on said real property, and hereby specifies that this declaration shall constitute covenants to run with land which shall bind all parties obtaining interests in said real property, their successors and assigns, for the benefit of and limitation of all persons who obtain an interest in said real property. This declaration of restrictions is designed for the purpose of keeping the Hart Industrial Park a desirable industrial area having uniform and suitable architectural design and uses therein.

These Restrictive Covenants also amend Restrictive Covenants dated March 13, 1990 recorded, prior to the Plat herein, on August 16, 1990 at Instrument #905450 of the Oceana County Register of Deeds.

Now, therefore, in consideration of the mutual benefits to be derived by the undersigned, its successors and assigns, and all intending purchasers, and the future owners of the parcels and various lots comprising the above described Industrial Park, the City of Hart does hereby establish and declare that all of the above described real property is subject to the following building and use restrictions:

1. HART INDUSTRIAL PARK COMMISSION. There is hereby established the Hart Industrial Park Commission, hereinafter referred to as the

"Commission", which shall consist of five members as follows:

a. Two members shall be appointed from among nominees submitted by the Board of the Township of Hart by the Mayor of the City of Hart with the advice and consent of the City Council; and three members shall be appointed by the Mayor with the advice and consent of the City Council.

b. All nominees shall be appointed, unless good cause is shown why they should not be, by the Mayor with the advice and consent of the City Council. Further names may be submitted by the Township Board or Mayor upon the rejection of the first nominees named.

c. The term of office of the members of the Commission shall be five years, with Commission members first selected to be appointed for staggered terms, the City's first appointments shall be for periods of one, three and five years respectively and the first appointments from Township nominees shall be for a period of two and four years respectively.

d. The Commission shall annually select a Chairperson. It shall adopt appropriate rules for the conducting of its meetings, and the Commission shall hold at least one meeting annually.

e. The duties of the Commission shall include reviewing and processing of notices of violation of these Restrictive Covenants and the presentation of recommendations regarding violations to the Hart City Council. The Hart City Council may accept or reject the recommendations, but the failure of the Commission to make recommendations shall in no way prevent the Hart City Council from taking such steps as it deems necessary to proceed with applications or to enforce these restrictions.

2. DECLARATION. The undersigned, for itself, its successors and assigns, does hereby publish and declare and make known to all intending

purchasers and future owners of the various parcels and lots comprising the above-described Industrial Park that the same will and shall be used, held and/or sold expressly subject to the following easements which shall run with the land, and shall also be used, held and/or sold expressly subject to the following building and use conditions, restrictions, covenants and agreements, which comprise the general plan for the improvements of the Industrial Park, and which shall be incorporated by reference in all deeds of conveyance and contracts for the sale of said parcels and lots and shall run with the land to be binding upon all grantees of individual parcels and lots and shall run with the land to be binding upon all grantees of individual parcels and lots in the Industrial Park, and on their respective heirs, personal representatives, successors and assigns, and shall be operative and remain in full force and effect in perpetuity, provided, however, these conditions, restrictions, limitations and reverter may be changed, amended or modified by the written and recorded consent of seventy-five percent (75%) of the owners of the parcels and lots comprising this Industrial Park.

3. PERMITTED USES. The Industrial Park shall be used for manufacturing and/or fabricating purposes, for warehousing and distribution purposes and for research and development facilities, including offices used in connection therewith and shall be used and occupied only in accordance with the ordinances of the City of Hart, Oceana County, Michigan, as now existing or hereafter amended or adopted, and these covenants shall be complied within the entirety where more restrictive conditions are applied to the Industrial Park than appear in any of said ordinances. All uses permitted in the Industrial Zone District as defined by the City are

permitted under the agreement, except:

a. Freight terminal;

b. Offices except as incidental to any principal use;

c. Servicing of industrial materials or products, except as incidental to any principal use;

d. Pole buildings; and

e. Truck or equipment leasing terminals and facilities;

f. Retail and similar commercial uses;

g. Raw fruit and/or vegetable processing

4. SITE PLAN. Prior to the commencement of any construction within the Hart Industrial Park, the owner shall submit to the City at the office of the Hart City Clerk a site plan. This applies to original construction as well as expansion projects. No building, fence, enclosure, loading area, parking lot or parking area, accessory building, hedge, landscaping, shall be placed, planted or altered in the Industrial Park or any part thereof until the construction plans, landscape plans and specifications and a plot plan showing the location of any building, fence, enclosure, loading are, parking lot or parking area, accessory building, hedge, or any such other structure or improvement shall have been submitted to and approved by the City. The construction plans, specifications and plot plan shall be prepared and designed to meet standard and usual engineering detail drawings and shall be drawn to a scale of preferably not more than twenty (20) feet to the inch and shall be accompanied by a key map showing the Industrial Park in relation to surrounding areas, together with utility layouts and boundary lines, topographic contours, natural features and such other matters as the City shall require from time to time. Such plans,

specifications and plot plan shall be submitted with at least four (4) blueprint copies.

a. The proposed architectural and exterior finishes for any building improvements must be disclosed on any such plans and specifications and the proposed type and quality of materials used shall be subject to the prior approval of the City.

b. The proposed type and size of all outdoor signs to be situated in or about the Industrial Park are subject to prior review and approval by the City. Illumination of signs, facades, buildings, parking areas, loading and unloading facilities shall be so arranged as to eliminate glare to roadways and streets, and shall be directed away from properties lying outside the park.

(1) No flashing, revolving, intermittent or neon lighted signs shall be permitted. The display on all signs shall be limited to identification of facilities and activities located within the building and shall be limited to wording, trademarks, and other artistic symbols.

(2) Freestanding signs shall be set back at least 15 feet from the streetside property line, shall not exceed an area of 30 square feet, shall not be more than 4 feet in height and be appropriately landscaped.

(3) Signs attached to the buildings shall be attached flat against the building and shall not be in excess of 100 square feet.

c. The City's approval or disapproval of the proposed building,

fence, enclosure, loading area, accessory building, hedge, landscaping or any other structure or improvement as required by this covenant shall be in writing. In the event that the City fails to approve or disapprove within thirty (30) days after plans, specifications and plot plans were submitted to it, or if no suit to enjoin the construction, erection, placing, planting or alteration has been commenced prior to the completion thereof, then approval will not be required and this paragraph shall be deemed to have been complied with.

5. REVERTER. In the event the owner or purchaser of a parcel in the Industrial Park, or their heirs, personal representatives, successors or assigns, fails to commence construction of a building upon the parcel on or before three (3) years after date of acquisition of the parcel, the City shall have the option for a period of thirty (30) days from and after the 3rd anniversary date of the acquisition of the parcel within which to buy said parcel for the amount for which the City sold the parcel. In the event the City elects to exercise its option within the thirty (30) day period, the City shall be required to notify the owner and parties in interest of said parcel of its election so to do, and the owner and parties in interest agree to convey to the City all of their right, title and interest in said parcel, free and clear of all liens and encumbrances other than those which existed as of the date of acquisition of the parcel from the City or which were consented to subsequently by the City. If the owner of the parcel cannot be located and served with a notice as required herein, the City may comply with the notice requirement by recordation within such thirty (30) day period with Oceana County, Michigan, Register of Deeds of a notice of exercise of such option.

6. NUISANCES AND USE. The premises shall not be used for residential, retail or commercial purposes and nothing shall be stored on the premises for residential or retail commercial use. No toxic, noxious or offensive trade or activity shall be carried on or permitted upon the premises nor shall anything be done thereon which may be or may become an annoyance or nuisance to the occupants of any adjoining or surrounding lands.

7. MAINTENANCE. At all times, the exterior of the buildings on any lot or parcel within the Industrial Park and the parking areas, lands, fences and landscaping must be maintained in a neat, safe, clean and orderly appearance and must at all times comply with all local ordinances, governmental health, fire and police regulations. Failure to comply with this paragraph by the buyer shall permit the City, after twenty four (24) hours written notice to buyer, its successors or assigns, to enter the premises and make any and all corrections or improvements that may be required or necessary to meet with standards and regulations and to charge the buyer with the expense incurred in so doing. The City shall also have the right to complete landscaping as proposed to and approved by the City for such landscaping if not substantially completed within one (1) year of commencement of initial construction on any lot or parcel in the Industrial Park. The amount of such expense is immediately due and payable and if not paid, the City may institute any proceedings required for securing payment.

8. PARKING AND LOADING. Offstreet parking and loading areas shall comply with applicable ordinances of the City of Hart and further, no more than 10% of the required parking is allowed in the front yard, and all parking, loading areas, approaches and drives, shall be suitably paved and

kept in good condition, with proper and required drainage and snow removal. No loading areas or loading docks shall be allowed on the front of any building.

9. BUILDING LINES & SETBACKS.

a. For the purpose of this paragraph the following definitions shall be used:

"Front yard" shall mean an open space extending the full width of the lot between a building and a front lot line.

"Front lot line" shall mean the line separating such lot from any street, whether or not such lot has access to such street; as defined herein, a lot may have more than one front lot line and more than one front yard.

"Rear yard" shall mean an open space extending for the full width of the lot between the rear line of a building and the rear lot line.

"Side yard" shall mean an open space extending the full length of the lot between the side line of a building and the adjacent side line of the lot which is not a front yard or a rear yard as defined above.

b. The front yard setback shall be at least seventy feet and the owner shall landscape the total front and side yard areas except driveways and walkways.

c. The side yard setbacks and the rear yard setback shall be at least thirty feet.

10. STORAGE. No open, unenclosed storage of materials, supplies,

equipment, or any other thing or matter used or consumed on any lot or parcel within the Industrial Park shall be permitted.

11. ENVIRONMENTAL PERMITS. Prior to construction on any lot or parcel, the owner shall be responsible to obtain all necessary environmental permits from applicable Federal, State, County and City agency and any present or future uses on any lot or parcel within the Industrial Park shall conform to all environmental laws, orders, ordinances and requirement. Noxious odors and smells will not be permitted and noise and/or decibel levels shall not exceed published State (DNR) standards for manufacturing plants. Industrial Park Lots 16 and 17, lying adjacent to existing residential uses, will be required to be developed and operated to produce outside decibel levels below standards outlined above.

12. WASTE DISPOSAL. All waste, debris and trash from any lot or parcel within the Industrial Park shall be stored and placed in suitable and safe covered containers and removed from said premises by the occupant at its expense from time to time as required and no waste containers shall be permitted in the front yard of said lot or parcel and at all times the area for such waste containers shall be suitably screened with fencing, walls or hedges, and shall comply with minimum setback requirements.

13. LANDSCAPING. Front and side yards shall at all times be satisfactorily landscaped, provided with underground sprinkling system and maintained in a neat and orderly appearance with no debris permitted to accumulate thereon. Regular and required lawn mowing shall be performed at all times and no soil erosion or blowing shall be permitted to occur on any lot or parcel within the Industrial Center. Landscaping as approved by the City shall be placed between the front line of the building and the street

after the completion of the building construction by buyer. Berming of not less than 3 feet high must be constructed by buyer off the immediate roadway frontage.

14. ELECTRICAL AND TELEPHONE LINES. All power, electrical and telephone lines servicing any improvements on any lot or parcel within the Industrial Park shall be located beneath ground level and no structure shall be erected on any said lot or parcel in violation of any governmental regulation, ordinance, rule or statute. Electrical services shall be provided by the City of Hart.

15. MUNICIPAL WASTEWATER, WATER AND STORM WATER DRAINAGE. All lots or parcels shall be connected to the City of Hart's municipal wastewater (sanitary sewer) and water systems and all connection to and use of the systems shall be in compliance with applicable ordinances and state and federal regulations.

Lots 3 through 16 that drain into or are tributary to the drainage system that drains into Outlot C shall have their on-site drainage system designed and constructed to comply with the following specifications:

Design Storm:	25 year: 1 hour storm
Average rainfall intensity during design storm:	2.0 inches/hour
Peak runoff from property during design storm event:	0.80 cfs/acre

On-site retention basins will be required to restrict the peak runoff from the property to that indicated above. Before construction is initiated, the owner shall submit his/her design calculations to the City and the Drain offices for approval of the on-site drainage system.

16. RIGHT OF FIRST REFUSAL. The City shall have the right of first

refusal to purchase any lot or parcel within the Industrial Park, or any part thereof, which is proposed to be conveyed, sold or transferred by the buyer, for a period of time to expire 15 years after the date of the deed, unless sooner terminated, as provided in a Right of First REfusal Agreement between the parties which is supplemental to the deed.

17. SEVERABILITY. Invalidation of any one or more of these conditions, restrictions, limitations or reverter by judgment or court order shall in no way affect any other of the conditions, restrictions, limitations and reverter and the same shall continue in full force and effect. Further, all of the said restrictions shall be in accordance with the ordinances of the City of Hart and these restrictions. Whenever a conflict shall exist, the more restrictive of the two shall apply.

18. CAPTIONS. The captions for the paragraphs herein are for convenience only and are not to be considered as part of the covenants for purpose of interpretation.

19. ENFORCEMENT. If the buyer or its successors or assigns shall violate or attempt to violate any of the provisions of these conditions, restrictions, limitations and reverter, it shall be lawful for the City, its successors or assigns, to prosecute any proceeding at law or equity against the persons, entity or organization violating these conditions, restrictions, limitations and reverter and either prevent them from so doing and/or recover damages for such violation and/or enforce the specific terms hereof.

20. NON-WAIVER. The failure of the City, or any other entity to which it may have assigned or transferred its rights and powers hereunder, to enforce any of the terms, provisions, covenants and restrictions of this

Declaration of Restrictions, shall not constitute a waiver by the City, or its aforesaid assignee, of such terms, provisions, covenants and restrictions, and shall not affect or impair the right of developer or its aforesaid assignee at any time thereafter to enforce the same.

IN WITNESS WHEREOF, the City has caused the above Declaration of restrictions to be executed this _____ day of _____, 1992.

In the presence of:

THE CITY OF HART

_____ By_____
Kalvin D. Klotz, Mayor

_____ By_____
Terry Hofmeyer, City Manager

STATE OF MICHIGAN)
)SS.
COUNTY OF OCEANA)

The foregoing document was acknowledged before me this _____ day of _____, 1992, by Kalvin D. Klotz and Terry Hofmeyer, Mayor and City Manager, respectively, of the City of Hart, a Michigan Municipal Corporation, on behalf of the Corporation.

_____
, Notary Public
Oceana County, Michigan
My commission expires: _____

Drafted by:
Thaddeus C. Barecki
PRINCE, BARECKI, NICHOLAS & BURROWS
127 State Street
Hart, Michigan 49420
(616) 873-3892

CITY OF HART, MICHIGAN

SITE PLAN REVIEW REQUIREMENTS

407 State Street, Hart, MI 49420
231-873-2488
Uploaded March 2012

What is a Site Plan?

Most Michigan communities have some form of site plan review. The State of Michigan *"City and Village Zoning Act"* defines the site plan as *"the documents and drawings specified in the zoning ordinance necessary to insure that the proposed land use or activity is in compliance with local ordinance, and state and federal statutes."*

The Benefits of Site Plan Review (SPR)

The whole point of reviewing a site plan is to make sure the site functions well, is attractive, and safe for the public. Poorly designed sites that are cramped, inconvenient, unsafe, and unattractive can hurt a business, impact neighboring properties, and also make a site more difficult to sell, lease or reuse. When reviewing a site plan planning commission members visualize such things as: how vehicles and people will circulate on the site, how the rainwater will run off or puddle on the site, where utilities will connect, and how the development will impact its neighbors. In addition to making sure the site plan meets ordinance standards, the zoning administrator is available to assist the owner or developer and can often make suggestions that may help the developer utilize the site better, which can reduce costs, keep future development options open, and enhance the resale value of properties.

What Kind of Development Needs Site Plan Review?

The City of Hart has two types of site plan review. The Planning Commission (PC) is required to review any new (or existing use increasing by more than 50%) principal commercial, office, industrial, business or institutional use or a residential use having more than two dwellings. The PC also reviews all special land uses and planned unit developments. The Zoning Administrator (ZA) is able to approve expansion of an existing building or use if less than a 50% expansion. The ZA also can approve an accessory building or structure, a single or two-family dwelling, or a change in use which results in the need for more parking spaces. The ZA reviews every site plan and will forward comments and recommendations to the Planning Commission as appropriate. **Final site plan approval is required before a building permit can be issued.**

The SPR Process

1. The application process starts with the City's Zoning Administrator, who coordinates with county departments and consultants for the review.
2. City staff takes the application and appropriate fee. All SPR applications must be filled out completely and accurately by the applicant in order to be accepted. Site plans needing PC review must be accompanied by a $1,000.00 escrow fee (which covers consulting fees for review). Unused funds are reimbursed to the applicant. Site plans with ZA review must be accompanied by a $25.00 fee. Applications must be signed by the owner of the property, or their authorized agent. Applications for Zoning Administrator review must be accompanied by 3 copies of a complete site plan. Applications for Planning Commission review require 12 copies of a complete site plan. Other materials such as a traffic study or environmental impact assessment could also be required by the Planning Commission during review.
3. The site plan is reviewed by relevant county departments, the Michigan Department of Transportation, (as appropriate) and consultants. Comments and recommendations are forwarded to the PC for their review. The approving entity (either the PC or the ZA) will: 1) approve the site plan, 2) deny it, or 3) approve it with conditions. If a conditional approval is given by the PC, they often will allow the Zoning

Administrator to review the revised site plan and give final approval if all of the conditions that the PC placed on the site plan have been met.

4. Once the final site plan has been approved, the Zoning Administrator signs 3 copies of it. One copy becomes part of the City's files, and one copy is forwarded to the Building Inspector so that a building permit can be issued, and one copy is retained by the applicant.
5. Once the site plan gets final approval, construction must start within one year after the date of approval, unless a one-year extension is granted by the PC. An extension will only be granted if reasonable evidence is provided to show that there is a likelihood of construction starting within another year. If the original year goes by with no construction started (and having proceeded meaningfully toward completion) and no extension has been applied for, the site plan will be null and void.
6. Amendments to an approved site plan may be allowed with ZA approval as long as the changes are considered to be minor (as determined by the ZA). An amendment not considered to be minor would need to be submitted to the PC for their review and approval.

What Should the Site Plan Include?



Chapter 1258 of the Zoning Ordinance addresses site plan review, Chapter 1259 addresses signs and Chapter 1260 addresses off-street parking and loading. Copies of these sections or of the full ordinance are available from the City at the address below for $3.00 plus postage. Zoning maps are $1.00. To help sift through the technical language more quickly, below is checklist of the City's requirements.

Basic Information:

Every site plan should have "the basics" so anyone reviewing it can understand where the site is and what is being proposed. The sooner the PC and ZA get oriented, the quicker the review will be. The basics include such things as:

- ☐ North Arrow and scale
- ☐ Date of preparation/revision
- ☐ Names of streets the property fronts on
- ☐ Name, address, phone # of the applicant
- ☐ All lot lines with dimensions
- ☐ Existing/proposed utilities for the property
- ☐ Location map of streets and land uses within ¼ mile
- ☐ Parking lots and driveway access points
- ☐ Existing/proposed streets & curb cuts within 100 feet
- ☐ Name, address, phone # of the site plan preparer
- ☐ Building setbacks from property lines and the road Right of Way
- ☐ Dwelling unit densities by type, if applicable.
- ☐ Existing and proposed buildings and man-made features, including existing buildings or uses within 100 feet of the property.

District Requirements:

Each zoning district has basic dimensional requirements to check. Requirements for each zoning district are listed in the district's regulations.

- ☐ Minimum lot size:_____
- ☐ Front Yard Setback:_____
- ☐ Side Yard Setback:_____
- ☐ Rear Yard Setback:_____
- ☐ Minimum lot width:_____
- ☐ Maximum building height:_____
- ☐ Percentage of lot coverage:_____

Development Data:

SPR regulations enable the City to ask for a variety of information to facilitate review. Each item is required unless specifically waived by the Planning Commission. It's best to talk to the City ahead of time in order to help streamline the process. Items that are necessary include (ordinance section numbers are included for reference where applicable):

Preliminary SPR Requirements	Final SPR Requirements
Engineering and Utility Information	
☐ General **topographical features** including existing contours at intervals no greater than 2 feet. [Section 16.1-C-2-a-(2)-(b)-viii]	☐ Existing/proposed **topography** of the site at min. 2' contour intervals and its relationship to adjoining land; proposed grading, showing 2' contour intervals. [Section 16.1-C-2-b-(1)-(b)-iii and vii]
☐ Proposed method of providing **storm drainage**. [Section 16.1-C-2-a-(2)-(b)-xii]	☐ Location, sizes, type of **drainage**, sanitary sewers, water services, storm sewers, detention/retention, fire hydrants. [Section 16.1-C-2-b-(1)-(b)-viii]
☐ Prop. method of providing sewer/water service, and other public/private **utilities**. [Section 16.1-C-2-a-(2)-(b)-xi]	☐ **Easements**, if any. [Section 16.1-C-2-b-(1)-(b)-xii]
☐ Specific utility requirements are mentioned in the ordinance for manufactured home developments. [Section 8.5-H]	
Parking, Access and Circulation (to be sure site circulation is efficient and safe)	
☐ Acreage allocated to each prop. use and **gross area** in building, structures, parking, public/private streets/drives, and open space. [Section 16.1-C-2-a-(2)-(b)-ix]	☐ **Street ROWs**, indicating proposed access routes, internal circulation, relationship to existing ROWs, and curb cuts within 100' of the property. [Section 16.1-C-2-b-(1)-(b)-vi]
☐ Written description of the **computation** for required parking. [Section 16.1-C-2-a-(2)-(b)-xiii]	☐ Proposed **parking areas/drives**. Parking areas to be designated by lines showing individual spaces, conforming with ordinance provisions. [Section 16.1-C-2-b-(1)-(b)-xi]
☐ In all zoning districts, **sidewalks** are required on all sides of the property which abut a public street. [Sections 4.4, 5.4, 6.4, 7.4, 9.4, 10.4, 11.4, 12.4 and 13.4] Sidewalks are also specifically required for manufactured home and site condominium developments. [Section 8.5-G-11 and Section 2.26-D]	
☐ For non-residential districts or uses, except in the B-1 district, **parking areas need to be either on the same lot or within 300 feet** of the building or use they are intended to serve. In the B-1 district, parking needs to be on the same lot as the use, unless the property adjoins or has access to a community or common parking lot. [Section 16.3-A-1]	
☐ **Adequate numbers of parking spaces** must be provided. Provide number of employees and usable floor space for parking calculations. [Section 16.3-C] Each lot in a manufactured home community needs to provide a minimum of 2 off-street, paved parking spaces. [Section 8.5-G-12] • Parking requirements vary according to the proposed use, see Section 16.3-C for details. • For Special Uses, check for specific parking requirements for each use in Section 17.6.	
☐ The **minimum width for all parking spaces** is 9 feet. The **minimum length** is 20 feet for a 76-90 degree angle parking pattern, 21 feet for a 30-75 degree angle parking pattern and 25 feet for a parallel parking pattern. [Section 16.3-B-1]	
☐ **Drives, streets and other circulation routes** need to be designed to promote safe and efficient traffic operations within the site and at ingress/egress points. [Section 16.1-D-1-b]	

☐ **Maneuvering lanes** are required to be a minimum of 18 to 24 feet in width for two-way traffic and 12 to 15 feet in width for one-way (angled parking) traffic, depending on the parking pattern. [Section 16.3-B-1]

☐ Parking areas must be **paved with a durable and dustless surface**. A site plan note acknowledging the requirement helps. Parking areas should also be defined by curbing or curb stops. Curbing extends the life of pavement, can help direct stormwater, and prevents damage to landscaped areas and fences. [Section 16.3-B-3 & 4]

☐ Any use involving the receipt or distribution of vehicles, materials or merchandise must have a designated **loading area** for delivery trucks. Loading areas are required to be paved with either asphalt or a portland cement binder to provide a permanent, and durable surface. [Section 16.3-D]

- B-1/B-2 Districts: at least 10 sq. feet per front linear foot of building, located in the rear yard.
- OS-1 District: at least 5 square feet per front linear foot of building, located in the rear yard.
- I-1 District: 10 feet x 50 feet or at least 500 square feet, in size, minimum 14 feet high, at least 1 loading space located off the street and in rear or interior side yard.

☐ **Stacking spaces** for drive-thru facilities need to be provided - see specific requirements in Special Use standards in Section 17.6.

Natural features, Landscaping, Screening, Lighting and Signs

☐ Proposed buffer strips or screening. [Section 16.1-C-2-a-(2)-(b)-iv]

☐ Location, sizes, and types of fences, landscaping, buffer strips, and screening. [Section 16.1-C-2-b-(1)-(b)-ix]

☐ Location of any signs not attached to the building. [Section 16.1-C-2-a-(2)-(b)-vi]

☐ Location, sizes, and type of signs and on-site lighting. [Section 16.1-C-2-b-(1)-(b)-x]

☐ Significant natural features/other natural characteristics on the property, such as open space, stands of trees, wetlands, brooks, ponds, floodplains, hills, and similar natural assets. Also any wetland, brook, pond or similar water feature within 250 feet of the property boundary. [Section 16.1-C-2-a-(2)-(b)-v and Section 16.1-C-2-b-(1)-(b)-xiv]

☐ Existing vegetation must be marked as either to be preserved or to be removed. Proposed **landscaping and vegetation** needs to be shown on the site plan as well. Vegetation may only be removed or altered if deemed reasonably necessary to develop the site in accordance with ordinance requirements. [Section 16.1-C-2-a-(2)-(b)-v, Section 16.1-C-2-b-(1)-(b)-xiv & Section 16.1-D-1-d]

☐ Any proposed use needs to be adequately **buffered** from other uses and from surrounding public and private property. The PC may require that landscaping, buffers or greenbelts be preserved or provided to ensure this. [Section 16.1-D-1-d and Section 16.2-C & I]

☐ **Trash dumpsters**, designated outdoor **storage areas** in the I-1 district, and loading/unloading areas or hospital emergency rooms are all required to be screened with a solid, sight-obscuring fence or wall 6 feet high. [Section 16.2-E & F]

☐ **Greenbelts** are required within the front setback area in the OS-1, B-1, B-2, P-1 and I-1 districts and also around any nonresidential parking lot abutting or within 100 feet of a residential district, and within any parking lot which has at least 50 spaces. [Section 16.2-G] Greenbelts need to meet the standards in Section 16.2-H & I.

☐ All parking lots need to have adequate **lighting**, which needs to be shielded so as to prevent light from spilling onto adjacent properties. (Section 16.3-B-5)

☐ All proposed signage needs to meet the requirements of Section 16.4.

Helpful Hints

1. Of course, if all the information and details necessary are provided on the site plan as originally submitted, and if the plan meets all requirements, approval can be received very quickly. The City likes to be able to say "yes!" on the first go-around with a site plan.

2. Remember, the site plan is a contract with the community and should not leave out information. Site plan notes assuring the City that you know what your responsibilities are help a speedy approval. For example, less tree removal on your site saves you time, money and may reduce additional landscaping requirements. It also makes the site more attractive and helps stormwater runoff. If you have noted the trees on site, also note which ones are going "to be protected".
3. City staff is here to help facilitate the development process - ask for help if you need it!

Performance Guarantees

As a condition of approval of a site plan review or special use, the Planning Commission can require a financial guarantee to assure the installation of features such as roadways, curbing, landscaping, fencing, walls, screening, lighting, drainage facilities, sidewalks, driveways, utilities, and similar items. Any performance guarantee will need to be 100% of the cost of materials and installation for the required improvements, plus engineering and contingency costs. A performance guarantee can be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the City. The process and requirements for performance guarantees are explained in Section 19.3-B.

Other Approvals

Sometimes developments are in a floodplain or may involve altering a wetland. These activities fall under state and/or federal law and often need state level permits. Site Plan approval is often conditioned upon getting these other approvals. Copies of such approvals must be provided to the City for the project file.

Contact Information

Zoning Administrator, Stan Rickard, City of Hart, 407 State Street, Hart, MI 49420
Zoning Consultant, Brenda Moore LSL Planning 15 Ionia S.W. Suite 450 Grand Rapids, MI 49503
Zoning Assistant, Gale Goldberg, City of Hart, 407 State Street, Hart, MI 49420

Hart City Hall
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Hart, MI 49420

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City Hall Office Hours: Monday-Friday, 8 a.m. to 5 p.m.

Website: www.ci.hart.mi.us

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 2/8/2021
Re: Sale of surplus equipment.

Ladies and Gentlemen,

With the upgrade and installation of newer electric meters by the Hart Energy Department we now have surplus equipment in the form of the retired meters. As these items take up considerable space and though retired from the City may have value remaining I am seeking permission to dispose of the surplus equipment, working with Energy Superintendent Schiller to identify the best method to obtain the highest return for the City.

Lynne

Hart Energy list of old meters to be sold.

127—single phase 240v form 2S digital.

148---single phase 240v form 2S analog.

Multiple manufactures.

Memo

To: Mayor and Council
From: Lynne Ladner
Date: 2/8/2021
Re: Resignation Braxton Platt.

Ladies and Gentlemen,

As you are aware Councilmember Braxton Platt has resigned his seat on the Hart City Council due to relocating out of the city for employment. The resignation was effective February 7, 2021 which per the City Charter starts the clock for filling the vacancy. The council has 30 days from the effective resignation to fill the vacancy or a special election is required with February being a month with less than 30 days the Council has until March 9, 2021 to fill the vacancy. The term to be filled expires in November of 2024.

There are two council meetings scheduled prior to the deadline February 23rd and March 9th the end date itself, permitting the council to have a generous amount of time to fill the seat. I have taken the liberty of posting the vacancy on the City's website and having it posted on the city's Facebook page but am waiting for direction from the Council regarding a time frame for filling the vacancy.

Lynne

Mayor, City Council, and City Manager,

When I ran for city council my intentions were to serve my full term; however, life has changed since then and it will no longer be possible for me to serve the City of Hart. I am moving for work purposes and shortly will not be a citizen of Hart. I love this place, it is my hometown, and it's been an honor and a privilege to serve this city. This city is heading in a good direction and I know you all will continue to push Hart to further successes.

My time with the council was short, but wonderful. With that I am formally stating my official resignation to be effective on February 7, 2021.

Thank you,

Braxton Platt