City of Hart, Michigan
CITY COUNCIL AGENDA
November 12, 2019, 7:30 PM
City Hall, 407 State Street, Hart, Michigan

1. Call to Order
2. Roll Call – LaPorte, Frontiera, Hegedus, La Fever, Martin, Platt, Splane
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes from October 22, 2019
6. Public Comments, Correspondence, Events, Presentations
    a. Public Hearing – Amendment No. I to City of Hart Tax Increment Development Plan and Tax Increment Financing Plan (Previously supplied)
7. Department Reports (* written report is in the packet)
    a. Police* b. BioPure* c. Public Works d. Hydroelectric e. Hart Main Street
8. Reports of Boards, Commissions, and Committees (*** Minutes in the packet)
    1. Cemetery***
    2. DPW
    3. Housing Board of Review
    4. Finance/Personnel
    5. Fire Board***
    6. Historic
    7. Police
    9. Power
    10. Recreation
    11. Parks
    12. Library
    13. Planning
    14. TIFA
    15. ZBA
    16. Tax Abatement
    17. Water/BioPure
    18. Neglected/Dangerous Properties
    20. Hart Main Street
    21. Hart Lake Board
    22. Election Commission
    23. Starting Block Kitchen Incubator
9. Bills, Claims, Payroll
10. Action Items
    a. Resolution 19-70 Accept bids for Pocket Park construction
    b. Resolution 19-71 Accept bids for demolition of former DPW building and award project
    c. Resolution 19-72 Adopt Amendment No. I to City of Hart Tax Increment Development Plan and Tax Increment Financing Plan
    d. Resolution 19-73 Authorize the transfer of Energy Department funds from Shelby State Bank Savings account to a _____ account at Shelby State Bank
    e. Resolution 19-74 Authorize Lion's Club to construct a Performance Shelter at the Hart Commons
    f. *Special Events Permit – Home for the Holidays Lighted Christmas Parade and Community Tree Lighting*
    g. Ordinance 19-05 Zoning Ordinance Text Amendment Chapter 1259 Signs – First Reading
11. Discussion Items
    a. Presentation of Phase II EAS, BEA, and DCAP for 227 E. Main
    b. Presentation of Downtown Planning Summary as drafted for the RRC Certification Program
12. City Manager Report
    a. 4-month Budget Report
13. Communications from the Mayor and Council
    a. Appoint Scott Hegg to TIFA Board
14. Closed Session: MCL 15.268 Sec. 8 (h) To consider material exempt from discussion or disclosure by state or federal statute discussion regarding the city attorney's written legal opinion concerning Moorman Transaction - 227 E Main St.
15. Adjournment - Next regular meeting Tuesday, November 26, 2019, 7:30 PM

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.

CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
OCTOBER 22, 2019, 7:30 P.M.
MINUTES

PRESENT: Mayor Ron LaPorte, Councilors: Patrice Martin, Jason La Fever, Vicki Platt, Rob Splane, Joe Frontiera, and Steve Hegedus.
ABSENT: None
OTHERS PRESENT: DPW Superintendent – Brad Whitney and Deputy City Clerk - Cheri Eisenlohr. See attached list for others in attendance.

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

A motion was made by Mr. La Fever to approve the agenda, supported by Ms. Martin. The minutes from October 8, 2019, regular meeting, was motioned by Ms. Platt to accept and supported by Ms. Martin. All ayes, both motions were carried.

PUBLIC COMMENTS, CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Austin Bechtel asked for an update on the purchase/closing of the Walker's building by the City, and when would the results report be issued on the survey that was done. He stated that he and his wife were unaware that the survey was being conducted and that they lost business for two days because of it. He would like to be kept in the loop as to the progress of the closing and the disposition of the parking lot issue. The Mayor assured him that the City Manager would do so when she returned to the office on November 4.
- Mr. George Sadler had questions for the Council:
  - Has the City determined a use for the old Walker's place? He was told not at this time, that the City was waiting on the testing results.
  - Was the waiving of past-due utilities included in the Purchase Agreement for the Walker's Restaurant? The Mayor said that it was not.
  - Mr. Sadler noted that there was Miss Dig for the E. Main Street area that DTE was working on. The area will be dug up again to replace a gas main.

DEPARTMENT REPORTS:

- BioPure Superintendent, Paul Cutter: Absent
- Police Chief, Juan Salazar: Absent
- DPW Superintendent, Brad Whitney:
  - The soft-start and motor are done at the North Valley Well.
  - Mains and laterals are almost complete on the Lincoln Street project.
  - Bids are being requested for the demo of the old DPW building on State St.
  - The booster station motor needs work.
  - The City Well generator is shot, it will be run from a portable generator.
  - Asphalt patches are done.
- Energy Superintendent, Mike Schiller: Absent
- Interim Mainstreet Manager, Christine: Absent

REPORTS OF BOARDS, COMMISSIONS, AND COMMITTEE:

Ms. Martin made mention of the minutes from the Compensation Committee; Mayor LaPorte asked that the Council Members keep those minutes and that they will be addressed when the City Manager is back.

BILLS, CLAIMS, PAYROLL:

Bills totaled: $420,673.99 Payroll totaled: $59,089.89 Grand Total: $483,089.87
A motion was made by Mr. Splane and supported by Ms. Platt to approve bills, claims, and payroll in the amount stated.
Ayes: 7 Nay: 0 Absent: 0

ACTION ITEMS:

CITY MANAGER, LYNNE LADNER PRESENTED THE FOLLOWING:

Memo
To: Mayor and City Council
From: Lynne Ladner
Date: 10/4/19
Re: Repeal Registered Caregiver language

At the PC meeting on Oct. 3, the planning commission held a public hearing regarding changes to the Zoning Ordinance which includes the repeal of section 1243.27 Registered Primary Caregivers. After hearing no comments from the public and closing the hearing the PC discussed the ordinance and voted to recommend to the Council adoption of Ordinance 19-04 Registered Primary Caregiver Repeal
This ordinance cleans up the zoning ordinances in that the language currently on the books is no longer enforceable under decisions and changes that have been made to the Medical Marihuana Regulations through court cases.
It is my recommendation that the council accept the first reading of Ordinance 19-04 Registered Primary Caretaker Repeal.
Lynne

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 22nd day of October 2019, at 7:30 p.m.

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

ABSENT: Members: None

The following preamble and ordinance were offered by Member Splane and supported by Member Hegedus:

ORDINANCE NO. 19-04

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF HART PART 12 – TITLE IV

THE ZONING ORDINANCE, TO DELETE SECTION 1243.27 REGISTERED PRIMARY CAREGIVER PURSUANT TO THE MICHIGAN MEDICAL MARIHUANA ACT

THE CITY OF HART ORDAINS:

Section 1. **Repeal of Section 1243.27 Registered Primary Caregiver Pursuant to the Michigan Medical Marihuana Act.** Section 1243.27, governing registered primary caregivers pursuant to the Michigan Medical Marihuana Act, is hereby repealed in its entirety.

Section 2. **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 22, 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 22, 2019.

Dated: October 22, 2019.

Cheryl Rabe, City Clerk
City of Hart

CITY OF HART, OCEANA COUNTY, MICHIGAN

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

Ayes: 7 Nays: 0 Absent: 0

First reading: October 8, 2019

Second reading: October 22, 2019

Ordinance becomes effective: November 10, 2019

SPECIAL EVENTS PERMIT:

- None

DISCUSSION ITEMS:

- None

CITY MANAGER REPORT:

- None

CITY ATTORNEY'S REPORT:

- None

COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mr. La Fever commended the Energy Department for its work during the current wind storm.

There being no further business to come before the Council, the meeting adjourned at 7:45 p.m., upon motion by Mr. Frontiera and supported by Mr. La Fever. The next regular meeting is November 12, 2019, at 7:30 p.m.

Respectfully Submitted

Chris Rosenlatter

Deputy City Clerk

City of Hart Police Department

407 State Street Ph. (231)873-2488 Fax (231)873-0100 Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: November 12th, 2019

RECENT EVENTS

From Thursday, October 17th, 2019, through Wednesday, September 6th, 2019, the Hart Police Department received 151 complaints ranging from Vehicle Violations, Malicious Destruction of Properties, Larcenies, Motorist Assists, Medical Assists, Disturbances, Assault & Batteries, Well-Being Checks, Suspicious Situations, Retail Frauds, Parking Complaints, Peacekeeings, Property Damage Accidents, Animal Complaints, Harassment / Threat Complaints, Missing Persons and a Criminal Sexual Conduct.

On Thursday, October 17th, 2019, the Hart Police Department initiated a traffic stop on Oceana Drive near Hilltop Street regarding a vehicle violation. A 29-year-old Hart woman was cited for Operating a Motor Vehicle without Insurance.

On Thursday, October 17th, 2019, the Hart Police Department was dispatched to the 60 block of Gwen Street in reference to a larceny-theft from a motor vehicle. A 39-year-old Hart man stated his auto had been entered during the night hours, which the man's vehicle was left unlocked; while it sat unoccupied within his driveway. A rifle was stolen from the vehicle. An investigation is ongoing.

On Saturday, October 19th, 2019, the Hart Police Department initiated a traffic stop on Dayton Street near Peach Street regarding a suspicious situation. A 37-year-old Hart woman was arrested and lodged at the Oceana County Jail for Operating a Motor Vehicle without Insurance. During the investigation, a small bag containing a white powdery substance was located within the vehicle. The contents of the bag will be sent to the Michigan State Police Grand Rapids Crime Lab for further analysis.

On Sunday, October 20th, 2019, the Hart Police Department was dispatched to the 200 block of State Street in reference to retail fraud. It was reported, an individual, later identified as being a 27-year-old Clare, Michigan man, had stolen several items from a local business. The man was later located and admitted to stealing from the business. The man was arrested and lodged at the Oceana County Jail for retail fraud. The man also had a valid/active warrant for his arrest out of Clare County.

On Monday, October 21st, 2019, the Hart Police Department was dispatched to the 4000 block of Polk Road about a suspicious situation / suspected fraud (scam). An unknown individual at the time who claimed to be employed by a local business had met a 50-year-old Ludington man for a vehicle purchase. The Ludington man conducted a money exchange with the unknown man who provided a bill of sale and stated the vehicle in question was at another location. The Ludington man proceeded to this other location and was unable to locate this vehicle. With the assistance of SSCENT, State, Sheriff's, Chief's Enforcement Narcotics Team, the suspect in the complaint was identified as being a 40-year-old Muskegon man. The man was interviewed pertaining to this complaint, who later admitted to conducting this transaction with the Ludington man. The Muskegon man was arrested and lodged at the Oceana County Jail on Fraud – Common Law Violation.

On Tuesday, October 22nd, 2019, the Hart Police Department initiated a traffic stop on Hart Street near Washington Street regarding a vehicle violation. A 30-year-old Hart man was arrested and lodged at the Oceana County Jail for Operating a Motor Vehicle without Insurance.

On Wednesday, October 23rd, 2019, the Hart Police Department initiated a traffic stop on Polk Road near State Street regarding a vehicle violation. A 28-year-old Shelby man was cited for Operating a Motor Vehicle without Insurance.

On Saturday, October 26th, 2019, the Hart Police Department was dispatched to the 400 block of State Street in regards to two (2) juvenile male runaways. The juveniles were located in the evening of Saturday, October 26th, 2019, and both juveniles admitted to having consumed alcohol. A report will be submitted to the Oceana County Prosecutor's Office.

Respectfully,

J. Salazar,
Chief of Police

City Of HART BIOPURE facility

TO: WASTEWATER BOARD

FROM: PAUL CUTTER, SUPERINTENDENT

DATE: NOVEMBER 4, 2019

RE: WASTEWATER TREATMENT PLANT OPERATIONS

Treatment Plant-

Operations are hitting new high levels for flow and loading. MFP have been loading us hydraulically with a daily average flow of .742 mgd. That brings our influent to the plant to a record high of 1.44 mgd for the month totaling 44.76 mg.

Loading of course has a correlation to the influent flow our monthly average loading to the plant has been 10,009 lbs this month our monthly average loading is 22,721 lbs. This type of increase in both loading and flow needs some attention given to it. I will be sitting down with MFP to discuss future discharge of this magnitude.

With the wet year we have had and the amount of flow entering the plant, storage over the winter is very concerning. Currently I cannot irrigate due to the fact we have lakes at each of our sites.

L.D. Docsa has been in installing some of the components for the blower project. Pictured is the dock that was installed in order to perform maintenance on the TSS probe and the D.O probe.
There will be 2 sets of these in the aeration basin. They have pulled off the job and will return in 2 weeks. It still appears the blowers will arrive in December.

Also pictured is the biosolids basin. The polymer was added to assist in the settling of the biosolids. To date 4 mg of solids have been removed. Due to the condition of the roads we have had to stop hauling until the roads dry out and can be graded.

I have concern what to do with the filamentous bacteria that is present in the biosolids that will be left in the basin.
It's very important we overcome the filamentous problem for the future, we spent roughly $24,000 dollars of our biosolids hauling monies on polymer so we need to make the correct steps to not have to do that again.

Industries- MFP covered earlier. Seneca Foods very steady flow and loading.

Lift Stations-
All running normal.

Regulatory-
All monthly and quarterly reports have been completed and submitted.
I will be discussing our lakes on our irrigation sites with our District Rep Derrick Simmons.

If you have any questions feel free to stop out to the plant or give me a call.

Thank You, Paul Cutter





HART CEMETERY COMMISSION

Meeting Minutes

October 15, 2019

The meeting to order by Jay McGhan at 7:05 p.m. at the Hart Township Hall at 3437 West Polk Road. We have a new Hart Township Board Member Sally Veurink
Members Present: Urick, Hegedus, McGhan, Moul ,Veurink 3 audience members

Minutes from Last Meeting: The minutes from July 15, 2019 meeting were reviewed. Moul made a motion to approve but change the meeting called to order to Jay McGhan (Moul was absent) seconded by Urick. All ayes, passed.

Financial Report & Budget:
A) As of Sept. 30, 2019 the checking account has a balance of $91,060.71
B) As of Sept. 30, 2019 the savings account has a balance of $122,436.37
C) As of Sept. 22, 2019 the certificate balance was $51,146.44

Moul made a motion to accept financial report and seconded by Urick, all ayes, passed.

Computer program: Tami She brought the computer in and showed many interesting things that she has been able to update. Instead of just using the books to look up sites which is harder. She is able to put in a name and find the grave site. Very interesting information. Good job Tami!

Sexton's Report: 1) The sidewalk we approved in July has not been started yet. Patron had to talk to Oceana Road Comm. about the right of way. Jay will talk to Mark Timmer. **2)** Signs for South Cemetery to include rules. We need to do something about the Maple tree with dead limbs. **3)** We are putting 2" borders around headstones for easier trimming. **4)** Looking into planting trees that were removed away from gravestones & water. **5)** In Fall or Spring 2020 McAsteffer Tree removal will look into trees that need taken out and dead limbs. **6)** 10 sprinklers to replace & 20 faucets. **7)** Ordered grave markers from Beacon. **8)** Looking into marble vaults to put cremains in. Pentwater has some and charge $600.00 for 1 and $700.00 for putting 2 in same slot. Most cemeteries have these now and sell them fast. We really should consider.

Chadwick memorial space. We are staying out of any more time spent on investigation. They will have to purchase space to add to Memorial.

We had 16 full burials & 22 cremations so far in 2019.

Old Business: We still need to have someone do a new Back Flow Preventer. Andy has called Campbell Plumbing out of Ludington to get a quote. They have not given a quote as of Oct 15. We need to sell the older mower and the Toro mower deck that is too big. It also has 6 sets of extra blades.
New Business: Looking to purchase new mower in 2020.

Adjourn: A motion for the meeting to adjourn was made by Urick Supported by Hegedus All ayes. Meeting adjourned at 8:05 p.m.

The next meeting (Budget) will be held on November 18, 2019 at 7:00 p.m. at the Hart Township Hall.

Respectfully Submitted,

Barbie L. Goss, Sec./Treasurer

HART AREA FIRE

ADMINISTRATIVE BOARD

Meeting Minutes- September 26, 2019

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 Mike Powers,Mike Potter, Clancy Aerts, Dick Huntington, Jake Whelpley, Chief Jack White and undersigned

Absent for the meeting was, Gary Beggs, Dale Stevenson and Bruce Mull.

Motion was made by Aerts and supported by Powers to accept the agenda as presented. Voice Vote, all yes, Motion carried.

Motion was made by Whelpley and supported by Huntington to accept the July 25, 2019 meeting minutes as presented. Voice Vote, all yes. Motion carried.

Motion was made by Powers and supported by Huntington to accept the minutes of the August 29, 2019 meeting as presented. Voice vote, all yes. Motion carried.

Treasurer reported total expenses of $1,339.59. A balance in the checking account was reported as $23,848.13 A balance in the Michigan Class-general Fund as $180,460.93 and the Capital Fund balance at 194,185.29.

Motion was made by Whelpley and supported by Powers to accept the Treasurers Report. Voice vote, all yes. Motion carried.

Motion was made by Whelpley and supported by Huntington to pay the bills as presented. Roll call vote, all yes. Motion carried.

Chief White passed out his report to the board members.

Chief advised other departments that had been participating in edispatch are going with Active 911 for their secondary paging. Hart and Shelby will be doing this as well but will need edispatch for another month. By month the bill is $129.00

Chief advised the new pagers are in but he is not sure on the time table to get them out to the departments but believes it will be soon.

Open house at the Hart Fire Station will be Oct 9 from 6 to 8pm.

Chief advised he has hired Jean Nicholas for the Fire Prevention Educator position, She is recently retired from teaching and will be doing the class at Spitler for a total of $990 per year. Motion by

Huntington and supported by Potter to hire Jean Nicholas for the Fire Prevention Educator position. Voice vote, All yes. Motion carried.

The county fire chiefs are going to look at he mutual aid agreements to see what changes if any need to be made to it.

Truck 141 failed the pump test the 3rd year in a row. Chief is looking for bids to get this repaired.

Discussed on changes to the department policy. Trying to find a digital version of the policy.

Fire Fighter Carroll had surgery on the 20th and will be out for about another 3 months.

Discussion on the Fire Fighter response on calls and the need for additional Fire Fighters.

The next meeting will be Oct 24. at the last Thursday will be Halloween.

Treasurer advised the 4th Thursday in November will be Thanksgiving. It was suggested to move the meeting to December 5 and payroll be able to be completed and voted on at that time.

Meeting was adjourned at 7:32PM.

Respectful Submitted,

Daniel Leimback

Sec/Treasurer

Payables Date: 11/12/19	Description	Total	General +	DPW	Energy	BPTF	Water
Allshred	Office Recycling	$ 44.35	$ 44.35				
Asphalt Paving, Inc.	7.91 Tons	$ 549.75				$ 549.75	
Birkman, Terry	Reimburse Training Expense	$ 151.41			$ 151.41		
Brickley Delong	Accounting Assistance	$ 375.00	$ 93.75		$ 93.75	$ 93.75	$ 93.75
BS&A	Assessing Software Renewal	$ 398.00	$ 398.00				
Ceres Solutions	UPS	$ 30.20			$ 15.00	$ 15.20	
Charter	City Hall/Police Fax	$ 114.68	$ 114.68				
Charter	Hart Main Street	$ 164.97	$ 164.97				
City of Hart	Utility Bills	$ 46,030.83	$ 508.20	$ 1,110.93	$ 1,569.98	$ 39,606.37	$ 3,235.35
CMP Distributors	Vests/Radio Puch/Pistol Mag	$ 3,440.00	$ 3,440.00				
Dave's Party Store	Fuel	$ 1,974.38	$ 641.31	$ 637.06	$ 538.46	$ 157.55	
Delta Dental	November Ins. Prem.	$ 1,336.61	$ 520.69	$ 180.81	$ 429.35	$ 135.16	$ 70.60
Dixon	Phase II 227 E. Main St.	$ 9,955.00	$ 9,955.00				
DTE Energy	Gas Bills	$ 637.74	$ 177.87	$ 70.68	$ 246.80	$ 110.25	$ 32.14
Econo Signs	Dead End/No Outlet/No Parking signs	$ 1,063.80		$ 1,063.80			
Federal Licensing, Inc.	Radio Lic. Renewal	$ 119.00		$ 119.00			
Fish Window Service	Window Cleaning - City Hall	$ 105.00	$ 105.00				
Freed Management	Final JGP Mgmt Fee	$ 3,570.00	$ 3,570.00				
Frontier	Diesel Plant	$ 188.82			$ 188.82		
Gempler's	Gloves	$ 103.93				$ 103.93	
Guardian Ins.	November Ins. Prem.	$ 978.44	$ 299.58	$ 138.43	$ 333.48	$ 155.91	$ 51.04
Hallack Construction	Lincoln Street	$ 148,349.72	$ 148,349.72				
Hart Automotive	Auto Part/Supplies	$ 164.66		$ 97.82	$ 2.14	$ 64.70	
Hart Cemetery Comm.	Summer Taxes	$ 17.48	$ 17.48				
Hart United Methodist Church	Energy Efficiency Incentive	$ 270.77			$ 270.77		
Heritage Preservation Group	Repairs/Maintainance Historic District	$ 1,258.35	$ 1,258.35				
Horizon Community Planning	Planning Svcs	$ 1,729.23	$ 1,729.23				
Huntington Bank	Credit Card Charges	$ 4,912.90	$ 2,654.81		$ 2,258.09		
HydroCorp	Cross Connection Control Program	$ 750.00					$ 750.00
ICMA	Membership Dues	$ 720.00	$ 720.00				
Joe McGhan's Towing	Tow DPW Truck	$ 175.00				$ 175.00	
Johnson, Sarah	Deposit Refund	$ 12.73			$ 12.73		
Jons to Go	Portable Restrooms	$ 210.00			$ 210.00		
Kasza Asphalt Sealing	Asphalt Patches on State/Wood	$ 5,595.84		$ 5,595.84			
Kennedy Industries	5 HP Motor	$ 1,185.26				$ 1,185.26	
Klotz Auto Parts	Auto Part/Supplies	$ 690.37		$ 690.37			
Larson's	Parts/Supplies	$ 1,666.12	$ 734.03	$ 342.77	$ 381.57	$ 207.75	
Lighthouse Car Care	Oil Changes	$ 80.00	$ 80.00				
Ludington Daily News	Publications	$ 1,895.61	$ 1,895.61				
Maner Costerisan	Audit Fee	$ 7,000.00	$ 1,750.00		$ 1,750.00	$ 1,750.00	$ 1,750.00
Medler Electric	Parts/Supplies	$ 1,588.86		$ 703.51	$ 885.35		
Mendez, Xavier	Deposit Refund	$ 25.33			$ 25.33		
Merit	Collectors for Digital Meters	$ 18,011.00			$ 9,005.50		$ 9,005.50
Michigan Freeze Pack	Energy Efficiency Incentive	$ 1,253.00			$ 1,253.00		
Michigan Municipal League	Workman's Comp	$ 6,633.00	$ 2,719.53		$ 2,454.21	$ 1,127.61	$ 331.65
Mika Meyers	Legal Services	$ 18,326.64	$ 18,326.64				
Model Coverall Service, Inc.	Uniforms/Rugs/Rags	$ 777.36	$ 204.87	$ 222.65	$ 97.85	$ 251.99	
MPPA	Purchased Power	$ 65,031.54			$ 65,031.54		
Navarrette, Maria	Deposit Refund	$ 76.54			$ 76.54		
NCL	Lab Supplies	$ 1,375.20				$ 1,375.20	
NYE Uniform	Coats	$ 399.98	$ 399.98				
Paul's Auto & Tire	16 Used Rin 8 Hole	$ 51.00		$ 51.00			
Peerless Midwest	50 HP Motor/Labor - S. Valley Well	$ 8,571.00					$ 8,571.00
Power Line Supply	Parts/Supplies	$ 13,149.67			$ 13,149.67		
Pranger Property Mgmt	Cleaning Svcs	$ 336.00	$ 336.00				
Praxair	Cylinder Rental	$ 86.75		$ 37.41	$ 49.34		
Prein & Newhof	Various Projects	$ 108,019.06	$ 7,266.21		$ 1,467.00	$ 99,285.85	
Priority Health	November Ins. Prem.	$ 16,930.69	$ 6,703.89	$ 2,286.10	$ 4,600.48	$ 2,506.32	$ 833.90
Quill	Office Supplies	$ 606.37	$ 606.37				
Republic Services	Monthly Garbage Service	$ 16,140.34		$ 16,140.34			
Republic Services	The Starting Block Garbage Svc	$ 186.18			$ 186.18		
Ricoh	Copy Fees	$ 158.27	$ 158.27				
SHRM	Membership Dues	$ 219.00	$ 219.00				
Sisson, Calvin	Deposit Refund	$ 55.69			$ 55.69		
State of Michigan	JGP Campground License Renewal	$ 190.00	$ 190.00				
Swihart's Septic	Camera/Jet Lines/Union/Church	$ 850.00				$ 850.00	

--OVER--

Payables Date: 11/12/19	Description	Total	General +	DPW	Energy	BPTF	Water
Syncwave	Website Hosting - Winter Billing	$ 367.04	$ 116.89	$ 73.44	$ 73.44	$ 103.27	
Tanner Plumbing & Heating	Plumbing Supplies	$ 136.83	$ 89.50			$ 47.33	
Trace Analytical	Water testing	$ 1,182.60				$ 1,182.60	
Tri-Berry	Black UHMW	$ 474.00				$ 474.00	
Varnum	Legal Services	$ 808.50			$ 808.50		
Wilbur-Ellis	Lime/Equip Rental	$ 1,768.10				$ 1,768.10	
		$ -					
	Subtotal	$ 531,801.49	$ 216,559.78	$ 29,561.96	$ 107,671.97	$ 153,282.85	$ 24,724.93
Additional Bills							
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
		$ -					
	Subtotal	$ -	$ -	$ -	$ -	$ -	$ -
	Subtotal Reg and Additional	*$ 531,801.49*	*$ 216,559.78*	*$ 29,561.96*	*$ 107,671.97*	*$ 153,282.85*	*$ 24,724.93*
HAND CHECKS/ACH							
Alerus - ACH	*City Share 401 Retirement*	$ 3,103.44	$ 3,103.44				
United Group Programs - OptiMed	*Oct. Ins. Prem.*	$ 2,556.05	$ 964.27	$ 465.39	$ 450.18	$ 532.41	$ 143.80
United Group Programs - OptiMed	*Nov. Ins. Prem.*	$ 2,390.84	$ 799.06	$ 465.39	$ 450.18	$ 532.41	$ 143.80
US Postmaster	Postage Utility Bills	$ 476.44			$ 309.69	$ 142.94	$ 23.81
Rickard, Christine	Net Pay	$ 401.22	$ 401.22				
Advanced Land Title	Forner Property Purchase	$ 15,210.00	$ 15,210.00				
		$ -					
	TOTAL HAND CHECKS	$ 24,137.99	$ 20,477.99	$ 930.78	$ 1,210.05	$ 1,207.76	$ 311.41
	Sub-Total Regular Bills/Additional Bills/Hand Checks	*$ 555,939.48*	*$ 237,037.77*	*$ 30,492.74*	*$ 108,882.02*	*$ 154,490.61*	*$ 25,036.34*
Gross Payroll	471	$ 58,117.30					
	Sub-Total	$ 58,117.30					
	GRAND TOTAL	$ 614,056.78	$ 237,037.77	$ 30,492.74	$ 108,882.02	$ 154,490.61	$ 25,036.34

--OVER--

PAYROLL AMOUNTS					
10/31/19					
Pay 470		GROSS PAY	OVERTIME	ETO	BASE PAY
Employee Code	Dept.		PAY	BUYBACK	
FULL-TIME					
MGR.	MSM	$0.00	$0.00	$0.00	$0.00
DPW1	DPW	$2,263.20	-$98.40	$0.00	$2,164.80
DPW2	DPW	$2,164.80	$0.00	$0.00	$2,164.80
DPW3	DPW	$2,100.84	-$100.04	$0.00	$2,000.80
DPWS	DPW	***$2,376.80***	$0.00	$0.00	$2,376.80
ENERGY1	Energy	$3,802.40	-$352.80	$0.00	$3,449.60
ENERGY2	Energy	$3,920.00	-$470.40	$0.00	$3,449.60
ENERGYS	Energy	***$3,765.60***	$0.00	$0.00	$3,765.60
ENERGY3	Energy	$2,789.64	-$100.84	$0.00	$2,688.80
ENERGY4	Energy	$2,488.80	$0.00	$0.00	$2,488.80
ENERGY5	Energy	$2,633.60	-$321.84	$0.00	$2,311.76
DCC	Office	***$1,556.00***	$0.00	$0.00	$1,556.00
MGR.	Office	***$3,552.00***	$0.00	$0.00	$3,552.00
CC	Office	***$1,968.80***	$0.00	$0.00	$1,968.80
DCC	Office	***$1,381.60***	$0.00	$0.00	$1,381.60
PO	Police	$2,097.60	$0.00	$0.00	$2,097.60
PO	Police	$2,884.20	-$786.60	$0.00	$2,097.60
PO	Police	$2,490.90	-$393.30	$0.00	$2,097.60
PC	Police	***$2,463.20***	$0.00	$0.00	$2,463.20
DS	Police	$2,154.40	$0.00	$0.00	$2,154.40
BIOS	WW	***$2,816.00***	$0.00	$0.00	$2,816.00
BIOS	WW	$2,214.00	-$246.00	$0.00	$1,968.00
BIOS	WW	$2,000.80	$0.00	$0.00	$2,000.80
TOTAL		**$55,885.18**	**-$2,870.22**	**$0.00**	**$53,014.96**
COUNCIL					
CC1		$0.00	$0.00	$0.00	$0.00
CC2		$0.00	$0.00	$0.00	$0.00
CC3		$0.00	$0.00	$0.00	$0.00
CC4		$0.00	$0.00	$0.00	$0.00
CC5		$0.00	$0.00	$0.00	$0.00
CC6		$0.00	$0.00	$0.00	$0.00
CC7		$0.00	$0.00	$0.00	$0.00
TOTAL		**$0.00**	**$0.00**	**$0.00**	**$0.00**
PART-TIME					
MGR.	HHD	$765.60	$0.00	$0.00	$765.60
MSM	HMS	$495.00	$0.00	$0.00	$0.00
EW	Office	$0.00	$0.00	$0.00	$0.00
CEO	Office	$0.00	$0.00	$0.00	$0.00
PPO	POL-PT	$300.00	$0.00	$0.00	$300.00
PPO	POL-Pt	$750.00	$0.00	$0.00	$0.00
TOTAL		**$2,310.60**	**$0.00**	**$0.00**	**$1,065.60**
TOTAL PAYROLL		**$58,195.78**	**-$2,870.22**	**$0.00**	**$54,080.56**

PAYROLL AMOUNTS					
10/31/19					
Pay 470		GROSS PAY	OVERTIME	ETO	BASE PAY
Employee Code	Dept.		PAY	BUYBACK	
FULL-TIME					
MGR.	MSM	$0.00	$0.00	$0.00	$0.00
DPW1	DPW	$2,164.80	$0.00	$0.00	$2,164.80
DPW2	DPW	$1,968.00	$0.00	$0.00	$1,968.00
DPW3	DPW	$2,275.92	-$75.04	$0.00	$2,200.88
DPWS	DPW	***$2,376.80***	$0.00	$0.00	$2,376.80
ENERGY1	Energy	$3,920.22	-$361.02	$0.00	$3,559.20
ENERGY2	Energy	$3,498.08	-$274.40	$0.00	$3,223.68
ENERGYS	Energy	***$3,765.60***	$0.00	$0.00	$3,765.60
ENERGY3	Energy	$3,058.53	-$100.84	$0.00	$2,957.69
ENERGY4	Energy	$2,706.58	-$217.88	$0.00	$2,488.70
ENERGY5	Energy	$2,311.76	$0.00	$0.00	$2,311.76
DCC	Office	***$1,556.00***	$0.00	$0.00	$1,556.00
MGR.	Office	***$3,552.00***	$0.00	$0.00	$3,552.00
CC	Office	***$1,968.80***	$0.00	$0.00	$1,968.80
DCC	Office	***$1,381.60***	$0.00	$0.00	$1,381.60
PO	Police	$2,386.02	-$78.66	$0.00	$2,307.36
PO	Police	$2,530.23	-$432.63	$0.00	$2,097.60
PO	Police	$2,097.60	$0.00	$0.00	$2,097.60
PC	Police	***$2,463.20***	$0.00	$0.00	$2,463.20
DS	Police	$2,423.70	$0.00	$0.00	$2,423.70
BIOS	WW	***$2,816.00***	$0.00	$0.00	$2,816.00
BIOS	WW	$2,435.40	-$270.60	$0.00	$2,164.80
BIOS	WW	$2,000.80	$0.00	$0.00	$2,000.80
TOTAL		**$55,657.64**	**-$1,811.07**	**$0.00**	**$53,846.57**
COUNCIL					
CC1		$0.00	$0.00	$0.00	$0.00
CC2		$0.00	$0.00	$0.00	$0.00
CC3		$0.00	$0.00	$0.00	$0.00
CC4		$0.00	$0.00	$0.00	$0.00
CC5		$0.00	$0.00	$0.00	$0.00
CC6		$0.00	$0.00	$0.00	$0.00
CC7		$0.00	$0.00	$0.00	$0.00
TOTAL		**$0.00**	**$0.00**	**$0.00**	**$0.00**
PART-TIME					
MGR.	HHD	$749.65	$0.00	$0.00	$749.65
MSM	HMS	$585.00	$0.00	$0.00	$0.00
EW	Office	$0.00	$0.00	$0.00	$0.00
CEO	Office	$150.00	$0.00	$0.00	$0.00
PPO	POL-PT	$0.00	$0.00	$0.00	$0.00
PPO	POL-Pt	$975.00	$0.00	$0.00	$0.00
TOTAL		**$2,459.65**	**$0.00**	**$0.00**	**$749.65**
TOTAL PAYROLL		**$58,117.29**	**-$1,811.07**	**$0.00**	**$54,596.22**

OVERTIME HOURS WORKED

Pay Period 10/10/19 to 10/24/19		Pay 470	PAID HOURS			Call-Out	Pay Date 10/31/19
EMPLOYEE NAME	DEPT.	DATE5 WORKED	1.5x	2x	2.2Sx	Sched.	REASON
Chris Kies	BPTF	10/12,13	4	2		S	Labs/Irr/Pump
Frank Lloyd	BPTF						
Jason Riggs	DPW	10/20/2019		2		C	Old Water Tower overflow
Mike Eisenlohr	DPW						
Matt Adams	DPW	10/20/2019		2.00		C	Old Water Tower overflow
Terry Birkman	Energy	10/17,22	6.00			S/C	Outage at BioPure, Outage at 513 Griswald, Downed wire
Andy Van Zoeren	Energy	10/17,19,20	4.50	2.75		S/C	Lab/Irrigation, BioPure Outage
Nathan Gowell	Energy	10/11,17,22	8.00			S/C	Set meter, BioPure outage, Outage 513 Griswald, Dowed Wire
Jed Van Dyke	Energy						
Scott Van Agtmael	Energy	10/11/2019	2.00				Re-connect 614 State St.
Shawn Anderson	Police						
Brian Hintz	Police	10/13,20	20.00			S	Cover Shifts
Kevin Skipski	Police						
Joe Ingalls	Police	10/17/2019	10.00			S	Cover Shift
Elizabeth Mantyck (PT)	Police						
David Malotke (PT)	Police						

OVERTIME HOURS WORKED							Item 9
Pay Period 10/25/19 to 11/07/19		Pay 471	PAID HOURS			Call-Out	Pay Date 11/14/19
EMPLOYEE NAME	DEPT.	DATES WORKED	1.5x	2x	2.25x	Sched.	REASON
Chris Kies	BPTF	11/2,3	2	4		S	LAB/PUMP
Frank Lloyd	BPTF						
Jason Riggs	DPW	11/2/2019	2			C	LOW TOWER WATER PRESSURE
Mike Eisenlohr	DPW						
Matt Adams	DPW						
Terry Birkman	Energy	10/29,30 - 11/4	6.00			s	STUCK CAMERA - MECA MEEETINGS
Andy Van Zoeren	Energy						
Nathan Gowell	Energy	10/27, 11/4	2.00	2.00		S/C	STUCK CAMERA - BIOPURE FUSES
Jed Van Dyke	Energy	10/27, 11/4	2.00	2.00		S/C	STUCK CAMERA - BIOPURE FUSES
Scott Van Agtmael	Energy	11/4/2019	2.00			S	STUCK CAMERA
Shawn Anderson	Police	10/31/2019	2.00			S	LARCENY INVESTIGATION
Brian Hintz	Police	10/31/2019	11.00			S	COVER SHIFT
Kevin Skipski	Police						
Joe Ingalls	Police						
Elizabeth Mantyck (PT)	Police						
David Malotke (PT)	Police						

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Resolution 19-70 Accept bids for Pocket Park construction

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On October 14th, bids were opened for the construction of the Downtown Pocket Park. The City received two bids, from Greenstone General Contracting in the amount of $328,289.85 and Hallock Contracting in the amount $620,505.15. The MEDC, City Engineer and City Staff have reviewed the bids and determined that they meet the specifications, are complete and ready for acceptance by the City. This resolution does not award the contract as the final grant agreement with the State has not been executed, and awarding the contract prior to that execution would place the full burden of the project on the City without grant funding.

It is my recommendation that the Council adopts Resolution 19-70, accepting the bids for the Downtown Pocket Park construction.

Lynne

City of Hart - State Street Pocket Park			#2190300	20-Sep-19
Order of Magnitude Cost Projection				
Site Preparation & Removals	**UNIT**	**QUANTITY**	**UNIT PRICE**	**COST**
Site Preparation & Removals*	LS	1	$ 7,000.00	$ 7,000.00
Salvage ex. Seating, planters & lights	LS	1	$ 2,000.00	$ 2,000.00
				$ 9,000.00
Site Improvements				
Masonry fence column	Ea	2	$ 3,500.00	$ 7,000.00
Masonry entry columns & seat wall	LS	1	$ 10,000.00	$ 10,000.00
Masonry Trellis base	Ea	4	$ 4,500.00	$ 18,000.00
Ornamental metal Trellis ($37.5k)	LS	1	$ 46,750.00	$ 46,750.00
Cast in place concrete stairs/seating	LS	1	$ 6,500.00	$ 6,500.00
Cast in place concrete seat wall - 12" wide	Ft	85	$ 200.00	$ 17,000.00
Cast in place concrete fountain walls/basin	LS	1	$ 7,500.00	$ 7,500.00
Concrete paving - 4" thick	SFt	1275	$ 8.00	$ 10,200.00
Concrete band - 8" wide	Ft	110	$ 15.00	$ 1,650.00
HMA patch	Syd	35	$ 75.00	$ 2,625.00
Brick pavers on aggregate base	SFt	400	$ 12.00	$ 4,800.00
Permeable brick pavers on aggregate base	SFt	425	$ 16.00	$ 6,800.00
				$ 138,825.00
Site Furnishing & Landscape**				
Aluminum fencing - 42" ht	Ft	30	$ 75.00	$ 2,250.00
6' Bench - VS CR-12	Ea	4	$ 2,000.00	$ 8,000.00
Litter receptacle - VS RB-36	Ea	1	$ 1,000.00	$ 1,000.00
24" dia Bistro table - 42" ht	Ea	2	$ 1,000.00	$ 2,000.00
30" dia Bistro table - 42" ht	Ea	1	$ 1,100.00	$ 1,100.00
Trees	Ea	3	$ 400.00	$ 1,200.00
Shrubs	Ea	12	$ 75.00	$ 900.00
Perennials	Ea	160	$ 45.00	$ 7,200.00
				$ 23,650.00
Site Utilities				
Doghouse storm structure	Ea	1	$ 3,500.00	$ 3,500.00
12" storm pipe (plain & perforated)	Ft	153	$ 45.00	$ 6,885.00
12" storm drain inlet	Ea	1	$ 3,500.00	$ 3,500.00
1" Water service (incl. curb stop & box, corp stop & bore)	Ft	280	$ 78.00	$ 21,840.00
Relocate pedestrian light	Ea	1	$ 1,000.00	$ 1,000.00
Pedestrian light (to match existing)	Ea	2	$ 4,500.00	$ 9,000.00
Fountain equipment ($5,235)	LS	1	$ 7,800.00	$ 7,800.00
Lighting/power control	Ea	1	$ 7,500.00	$ 7,500.00
Irrigation	LS	1	$ 2,500.00	$ 2,500.00
				$ 63,525.00
Subtotal				**$ 235,000.00**
Design & Construction Contingency	10%			$ 23,500.00
Engineering & Construction Administration				$ 43,000.00
Grand Total				**$301,500.00**

Res 19-70

Prein&Newhof
Engineers•Surveyors•Environmental•Laboratory
3355 Evergreen Dr. NE Grand Rapids, MI 49525
t. (616) 364-8491 f. (616) 364-6955

Bid Tabulation

Owner: City of Hart				1st		2nd	
Project Title: State Street Pocket Park Improvements				Greenscape General Contracting P.O. Box 133 Lake, Mi 48632		Hallack Contracting Inc. 4223 W. Polk Rd. Hart, Mi 49420	
Bid Date & Time: October 14, 2019 at 10:00 a.m. local time		Project #: 2190300					
Item No.	Description	Quantity	Unit	Unit Price	Total Amount	Unit Price	Total Amount
	Base Bid Proposal Items						
1	Site Prep and Removals	1.0	LS	$15,000.00	$15,000.00	$100,000.00	$100,000.00
2	Salvage Existing Amenities	1.0	LS	$2,500.00	$2,500.00	$19,000.00	$19,000.00
3	Masonry Fence Column	2.0	EA	$5,200.00	$10,400.00	$5,000.00	$10,000.00
4	Masonry Entry Columns & Seat Wall	1.0	LS	$14,800.00	$14,800.00	$50,000.00	$50,000.00
5	Masonry Trellis Base	4.0	EA	$5,800.00	$23,200.00	$12,500.00	$50,000.00
6	Ornamental Metal Trellis	1.0	LS	$38,000.00	$38,000.00	$55,000.00	$55,000.00
7	Cast in Place Concrete Stairs/Seating	1.0	LS	$15,700.00	$15,700.00	$38,500.00	$38,500.00
8	Cast in Place Concrete Seat Walls	85.0	FT	$394.00	$33,490.00	$750.00	$63,750.00
9	Cast in Place Concrete Fountain Walls/Basin	1.0	LS	$12,000.00	$12,000.00	$18,500.00	$18,500.00
10	4" Concrete Paving	1,275.0	SQ.FT	$10.50	$13,387.50	$12.85	$16,383.75
11	8" wide Concrete Band	110.0	LF	$20.00	$2,200.00	$40.00	$4,400.00
12	HMA Patch/Paving	35.0	Syd	$71.42	$2,499.70	$150.00	$5,250.00
13	Brick Pavers on Aggregate Base	400.0	SQ.FT	$20.50	$8,200.00	$45.00	$18,000.00
14	Permeable Brick Pavers on Aggregate Base	425.0	SQ.FT	$37.41	$15,899.25	$50.00	$21,250.00
15	Aluminum Fence, 42" Ht	30.0	FT	$113.00	$3,400.00	$100.00	$3,000.00
16	6' Bench	4.0	EA	$2,200.00	$8,800.00	$2,500.00	$10,000.00
17	Litter Receptacle	1.0	EA	$1,250.00	$1,250.00	$1,500.00	$1,500.00
18	24" dia Bistro Table, 42" Ht	2.0	EA	$2,800.00	$5,600.00	$2,500.00	$5,000.00
19	30" dia Bistro Table, 42" Ht	1.0	EA	$3,200.00	$3,200.00	$2,500.00	$2,500.00
20	Trees	3.0	EA	$1,000.00	$3,000.00	$825.00	$2,475.00
21	Shrubs	12.0	EA	$65.00	$780.00	$500.00	$6,000.00

Prein&Newhof
Engineers•Surveyors•Environmental•Laboratory
3355 Evergreen Dr. NE Grand Rapids, MI 49525
t. (616) 364-8491 f. (616) 364-6955

Bid Tabulation

Owner: City of Hart				1st		2nd	
Project Title: State Street Pocket Park Improvements				Greenscape General Contracting P.O. Box 133 Lake, Mi 48632		Hallack Contracting Inc. 4223 W. Polk Rd. Hart, Mi 49420	
Bid Date & Time: October 14, 2019 at 10:00 a.m. local time		Project #: 2190300					
Item No.	Description	Quantity	Unit	Unit Price	Total Amount	Unit Price	Total Amount
22	Perennials & Grasses	160.0	EA	$25.00	$4,000.00	$20.00	$3,200.00
23	Doghouse Storm Structure	1.0	EA	$6,500.00	$6,500.00	$7,500.00	$7,500.00
24	12" Storm Pipe (Plain & Perforated)	153.0	FT	$45.00	$6,885.00	$112.95	$17,281.35
25	12" Storm Drain Inlet	1.0	EA	$2,800.00	$2,800.00	$2,535.05	$2,535.05
26	1" Water Service (incl. valves, boxes & directional bore)	280.0	FT	$34.28	$9,598.40	$28.50	$7,980.00
27	Relocated Pedestrian Light	1.0	EA	$1,500.00	$1,500.00	$9,000.00	$9,000.00
28	Pedestrian Light	2.0	EA	$5,300.00	$10,600.00	$11,250.00	$22,500.00
29	Fountain Equipment	1.0	LS	$6,800.00	$6,800.00	$5,000.00	$5,000.00
30	Lighting and Power Control	1.0	LS	$36,300.00	$36,300.00	$37,500.00	$37,500.00
31	Irrigation	1.0	LS	$10,000.00	$10,000.00	$7,500.00	$7,500.00
			Total Bid		$328,289.85		$620,505.15

* Denotes correction made by Engineer

RESOLUTION 19-70
Hart City Council
City of Hart, Michigan

ACCEPT BIDS FOR THE DEMOLITION OF THE FORMER DPW BUILDING AND AWARD PROJECT

WHEREAS, the City of Hart has published notice of bid solicitation for the completion of the Downtown Pocket Park and

WHEREAS, the City has received bids from Greenstone General Contracting in the amount of $328,289.85 and Hallock Contracting in the amount $620,505.15; and

WHEREAS, the bids have been reviewed by the MEDC, the City's engineers and City staff been determined to be complete and meet the requirements of the project;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Accept the bids for the Downtown Pocket Park.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regular council meeting held on November 12, 2019.

Ayes: Nays: Absent:

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

_____
Cheri Eisenlohr, Deputy City Clerk

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Resolution 19-71 Accept bids for demolition of former DPW building and award project

---

The City published a notice to accept bids for the demolition of the Water Works building, also known as the former DPW building at 1010 S State St. as a result of the recent collapse of a portion of the rear exterior wall. Bids were received from Ken Adams Excavating in the amount of $14,874.00 and Hallack Contracting in the amount of $20,142.00.

The entity that is awarded the project will be responsible for obtaining the necessary demolition permit for this project. The low bid was provided by Ken Adams Excavating in the amount of $14,874.00.

It is my recommendation that the Council adopts Resolution 19-71, accepting the bids for the demolition of the former DPW building and award the project to Ken Adams Excavating in the amount of $14,874.00.

Lynne

RESOLUTION 19-71

City of Hart, Michigan

BIDDING PROCESS AND ACCEPT BID FOR DEMOLITION OF FORMER DPW BUILDING

WHEREAS, the City of Hart owns the brick structure located on parcel 020-344-004-00 which was formerly used for the Public Works Departments; and

WHEREAS, the structure has become unsafe due to portions of the back wall collapsing leaving the interior exposed and an attractive nuisance; and

WHEREAS,the City requested bids for the demolition of the structure and only received bids from Ken Adams Excavating in the amount of $14,874.00

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Quotes were received from Ken Adams Excavating in the amount of $14,874.00 and the original bid from Hallack Contracting in the amount of $20,142.00

Moved by , supported by, and thereafter adopted at the regular City of Hart City Council meeting on November 12, 2019.

Ayes: Nays: Absent:

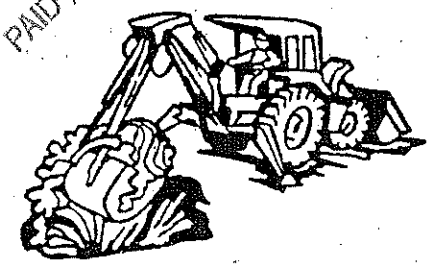
I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.

Cheri Eisenlohr, Deputy City Clerk

CITY OF HART
NOV 18 2019
PAID / RECEIVED

KEN ADAMS EXCAVATING, INC.

P.O. Box 413 • 8770 N. Oceana Dr.
Pentwater, MI 49449
Phone (231) 869-5928 • FAX (231) 869-4620



Date 11/8/19 FAX Number _____

Send To: City of Hart

Address: 404 S. State St.

City, State, Zip Hart, Mich 49420

Person Sending: _____ Number of Sheets: ____

DPW Building
1010 State St.

Demo building, remove cement & footings fill in with sand, topsoil, leveling & seeding $14,599.00

Demo permit $75.00

Abestos check report $200.00

Total Bid $14,874.00

If any unforeseen objects would be an extra charge?

Ken Adams

HALLACK CONTRACTING

CITY OF HART
NOV 08 2019
PAID / RECEIVED

no Bid Change

September 18, 2019

Mr. Brad Whitney
City of Hart

RE: Wastewater Building

Dear Brad,

Hallack Contracting, Inc proposes to perform the following work:

- Demolish building and dispose of debris in a landfill
- Remove concrete to a recycle facility
- Place fill sand and grade to match surrounding terrain
- Place topsoil, seed and mulch disturbed area

The cost for this work will be $20,142.00.

Please contact me if you have any questions.

Sincerely,

Daniel Hallack

Daniel Hallack

4223 West Polk Road • Hart, MI 49420 • 231-873-5081 • Fax 231-873-2889

Equal Opportunity Employer

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Resolution 19-72 Adopt Amendment No. 1 to City of Hart Tax Increment Development Plan and Tax Increment Financing Plan

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The TIFA board has reviewed the current Development Plan and Financing Plan and determined that the projects outlined in the plans have been completed, and with the TIFA having been renewed in 2012 for a fifteen (15) year period to expire in 2027 it is in the best interest of the City and the District to amend the plan providing for additional projects and their estimated costs within the district.

Notice of the intent to amend the plans was sent to the property owners in the TIFA district, published in the newspaper twice the first time being a minimum of 20 days prior to the public hearing, and the City Council has conducted the public hearing at this Council meeting. A copy of the amended plans has been available for review at City Hall and at request.

It is my recommendation that if there have not been any objections filed to the amended Development and Financing Plans that the Council adopts Resolution 19-72, adopting Amendment No. 1 to the City of Hart Tax Increment Development Plan and Tax Increment Financing Plan.

Lynne

RESOLUTION 19-72
Hart City Council
City of Hart, Michigan

ADOPT AMENDMENT NO. 1 TO CITY OF HART TAX INCREMENT DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN

WHEREAS, the City of Hart and the Tax Increment Financing Authority Board have reviewed and drafted the Development Plan and Financing Plan; and

WHEREAS, the City has notified all the property owners in the district and held a public hearing for the intent of hearing comments from members of the district and other interested parties ; and

WHEREAS, all input has been considered for the finalization of the Development Plan and Financing Plan;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Adopt Amendment No. 1 to City of Hart Tax Increment Development Plan and Tax Increment Financing Plan.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regular council meeting held on November 12, 2019.

Ayes: Nays: Absent:

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

_____
Cheri Eisenlohr, Deputy City Clerk

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Resolution 19-73 Authorize a transfer of Energy Department funds from Shelby State Bank Savings account to a _____ account at Shelby State Bank

---

The City of Hart currently has cash reserve funds from the Energy department invested in a Public Funds Premium Savings account with Shelby State bank in the amount of $203,118.30 earning 0.12% interest. Shelby State Bank is currently offering two different options that will provide the City with a greater investment return on their reserves, for Money Market accounts in excess of $25,000 earning 1.5% interest rate for 12 months or a 14-month CD account special for accounts over $1,000 earning 1.35%

If the Council were to choose the CD there would be a penalty if the City needed to access the funds in less than 14 months, the money market account would keep the money accessible, but if the account were to drop below $25,000 there would be a substantial reduction in the earned interest rate. The Energy Department has adequate reserves for current operation and planned projects for the next 14 months which allows the Council flexibility in choosing how they would like to invest these funds.

It is my recommendation that the Council adopts Resolution 19-73 Authorizing the transfer of Energy Department funds from the Shelby State Bank Public Funds Premium Savings Account in the amount$203,118.30 to a 12-month Money Market account at Shelby State Bank.

Lynne

RATE SHEET

September 17, 2019

This Rate Chart contains information about interest rates and annual percentage yields for some of the accounts we offer.

Account Product Name	Minimum Opening Deposit	Minimum Balance to Obtain Annual Percentage Yield	Interest Rate	Annual Percentage Yield
FREEDOM PLUS CHECKING [b]	$ 50.00	$ 1.00 [c]	0.10%	0.10%
FREEDOM ULTRA CHECKING [b]	$ 50.00	$ 2,500.00 [c]		
Daily Balances of:				
$2,500.00-9,999.99			0.10%	0.10%
$10,000.00-19,999.99			0.10%	0.10%
$20,000.00-999,999.99			0.10%	0.10%
MONEY MARKET PERSONAL [b]	$ 1,000.00			
Daily Balances of:				
up to $1,499.99			0.10%	0.10%
$1,500.00-4,999.99			0.10%	0.10%
$5,000.00-9,999.99			0.10%	0.10%
$10,000.00-24,999.99			0.10%	0.10%
$25,000.00-49,999.99			0.25%	0.25%
$50,000.00 and up			0.25%	0.25%
STATEMENT SAVINGS [b]	$ 100.00	$ 0.01 [c]	0.03%	0.03%
PREMIUM SAVINGS [b]	$ 25,000.00			
Daily Balances of:				
up to $24,999.99			0.07%	0.07%
$25,000.00-49,999.99			0.07%	0.07%
$50,000.00-99,999.99			0.12%	0.12%
$100,000.00-999,999.99			0.12%	0.12%
$1,000,000.00 and up			0.12%	0.12%
PREMIUM PUBLIC FUNDS [b]	$ 25,000.00			
Daily Balances of:				
up to $24,999.99			0.07%	0.07%
$25,000.00-49,999.99			0.07%	0.07%
$50,000.00-99,999.99			0.12%	0.12%
$100,000.00-999,999.99			0.12%	0.12%
$1,000,000.00 and up			0.12%	0.12%
SINGLE HEALTH SAVINGS [b]	$ 100.00	$ 1.00 [c]		
Daily Balances of:				
up to $4,999.99			0.03%	0.03%
$5,000.00-9,999.99			0.03%	0.03%
$10,000.00 and up			0.03%	0.03%
FAMILY HEALTH SAVINGS [b]	$ 100.00	$ 1.00 [c]		
Daily Balances of:				
up to $4,999.99			0.03%	0.03%
$5,000.00-9,999.99			0.03%	0.03%
$10,000.00 and up			0.03%	0.03%
30-59 DAY CERTIFICATE [a]	$ 1,000.00		0.03%	0.02%
60-89 DAY CERTIFICATE [a]	$ 1,000.00		0.03%	0.03%
90-181 DAY CERTIFICATE [a]	$ 1,000.00		0.03%	0.03%
182-365 DAY CERTIFICATE [a]	$ 1,000.00		0.05%	0.05%
6 MONTH CERTIFICATE [a]	$ 1,000.00		0.05%	0.05%
12 MONTH CERTIFICATE [a]	$ 1,000.00		0.40%	0.40%
18 MONTH CERTIFICATE [a]	$ 1,000.00		0.55%	0.55%
24 MONTH CERTIFICATE [a]	$ 1,000.00		0.75%	0.75%
30 MONTH CERTIFICATE [a]	$ 1,000.00		0.75%	0.75%
36 MONTH CERTIFICATE [a]	$ 1,000.00		1.25%	1.26%
48 MONTH CERTIFICATE [a]	$ 1,000.00		1.35%	1.36%
60 MONTH CERTIFICATE [a]	$ 1,000.00		1.50%	1.51%
TDOA IRA [a, b]	$ 50.00		0.15%	0.15%
CHRISTMAS CLUB [b]	$ 5.00		0.03%	0.03%
VACATION CLUB [b]	$ 5.00		0.03%	0.03%
SPECIAL 14 MONTH [a]	$ 1,000.00	$ 1,000.00 [c]	1.35%	1.36%

a) A penalty will be imposed for early withdrawal.
b) The interest rate and annual percentage yield may change after account opening.
c) Daily balance. The amount of the principal in the account each day.

Money Market 1.50% OVER #25,000 12 MO.

Portfolio 416946
Printed by: MARY SUE M - HART

SHELBY STATE BANK

11/6/2019 1:05:40 PM
Reporting Institution: 72

Portfolio 416946 - All Names

	Relationship	Date of Birth	Phone Number	Tax Identification
⊕ CITY OF HART (313345)	Portfolio Name		**********	EIN **-*******
⊕ SCOTT HUEBLER (313346)	Portfolio Name		**********	
⊕ MITCH JOHNSON (313347)	Portfolio Name		**********	

407 S STATE ST (153760)
HART MI 49420-1259
Additional Relationships

Savings Summary

	Statement Relationship Code	Ledger	Rate	Maturity Date
⊕ 1436971 - PUBLIC FUNDS PREMIUM SAVINGS		$203,116.30	0.1200%	

(Viewing 1 of 1)

Paid Note Summary

	Loan Amount	Payoff Amount	Payoff Date
961998	$390,855.35	$49,316.25	Aug 29, 2017

Line Summary

	Statement Relationship Code	Principal	Maximum Credit	Available
⊕ 416946		$0.00	$0.00	$0.00

(Viewing 1 of 1)

RESOLUTION 19-73
Hart City Council
City of Hart, Michigan

AUTHORIZE TRANSFER OF ENERGY DEPARTMENT FUNDS FROM SHELBY STATE BANK SAVINGS ACCOUNT TO A _____ ACCOUNT WITH SHELBY STATE BANK

WHEREAS, the City of Hart has cash funds totaling $203,118.30 in a Public Funds Premium Savings account earning 0.12% interest; and

WHEREAS, the Shelby State Bank has notified the City that they currently have an interest rate special for Money Market accounts in excess of $25,000 earning 1.5% interest for 12 months which allows the funds to remain liquid and available without penalty or a 14 month CD account special for accounts over $1,000 earning 1.35% but if necessary to access the funds in less than 14 months would incur a penalty; and

WHEREAS, it is the responsibility of the City to maximize the investment income from reserve funds;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Authorize transferring cash reserves held by the Shelby State Bank for the Energy Department in the amount of $203,118.30 from the Public Funds Premium Savings account to a _____.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regular council meeting held on November 12, 2019.

Ayes: Nays: Absent:

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

_____
Cheri Eisenlohr, Deputy City Clerk

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Resolution 19-74 Authorize Lion's Club to construct a Performance Shelter at the Hart Commons

---

The City of Hart has received a request to permit Lion's Club to purchase materials and construct a 16 X 10 open performance shelter with slanted roof in the Hart Commons the Concerts on the Commons coordinator has submitted supporting documentation to identify the need for the performance shelter to provide shelter from the elements and increase the potential for lighting to expand the uses of the shelter and commons areas.

The Lion's club has solicited a materials estimate and is willing to provide the labor for the construction of the shelter with the only costs associated with the project to the City being the extension of electric service to the shelter to provide additional outlets for performances and the addition of lighting in the shelter to expand the uses and times that the Commons can be utilized.

It is my recommendation that the Council adopts Resolution 19-74 authorizing Lion's Club to construct a 16 x 10 open performance shelter with slanted roof in the Hart Commons and to coordinate with the Hart Energy Department for the installation of the necessary electric infrastructure for the structure.

Lynne

Dear Council Members,

I am presenting you with a proposal for you to consider.
As you may know, I am a Hart Main Street Board member and the Project Manager for Music On The Commons. I have been involved with this event for 4 years now.

This Summer I was approached by a Hart Lions Club member interested in donating towards The Music On The Commons or The Hart Commons Park. They invited me to one of their meetings to hear what I would like to see added to our Music On The Commons concert series, or what could improve the Hart Commons Park itself. I was very honored to be invited to their meeting.

They had shared with me, that they have money to give, and must give it before the end of the year.

I shared with them the ideas I saw most important to the Park space, focusing on a performance shelter. I didn't want to obstruct the beautiful Lake view, so my proposal was a 16x 10 ft pavilion, open on all sides with a slanted top with similar features to match the existing covered table area look. I also expressed my thoughts that having a covered pavilion/ performance space would give the Hart Commons a functional purpose that would be obvious to visitors and passersby.

The musicians I hire are professionals. They have expectations of the area they are to perform in. Keeping their instruments and merchandise safe and dry is their biggest concern. Each year, I set the bar higher so we can get the best performers, thus giving us the reputation for the best in our area. I know Hart deserves only the very best and that is what I strive for. Good music brings people, which helps our local businesses.

This structure would serve a purpose for more than the Music On The Commons. Maybe a Summer play by the Hart Drama Club, an entertainment space for the Hispanic Heritage Festival, a greeting place for Santa, and the Easter Bunny. The possibilities are endless!!

After my initial meeting, I was contacted by the Hart Lions Club, and was told that they were willing to pay for the supplies for the structure and build it as well! It was such a wonderful feeling to know that our community has the support of the Hart Lions Club!
This is such a generous offer!! The Hart Lions Club's only wish is that they are recognized with a plaque of some kind acknowledging their contribution for the pavilion, and the building of it.

With the help of Corvel Toliver, and the Hart Lions Club, I am presenting to you this packet of information on the performance pavilion.

The estimates in this packet do not contain the cost of the essential lighting that would be mounted on the posts of the pavilion, adding electrical outlets, or electrical lines to the lights that will be needed. It also does not include any roll down canvas or its hardware for the sides if it was needed for wind control.

This structure will be a stand alone, being attached to a "base" or stage floor. Because of its having a base, this could be moved if needed, but it would be structurally sound and sturdy enough to be kept up year round.

*continued on page 2

Thank you for taking the time to read and consider this pavilion project. Please contact me with any questions.

Tracey Lipps-
Hart Main Street Board member
Project Manager for Music On The Commons
TIFA Board member

1-231-742-1498
traceylipps@yahoo.com

There are many reasons for a Pavilion/ Performance shelter:

Rain-
Many times, bands will start to set up about 2 hrs ahead of their concert, which means equipment, instruments and merchandise are out in the open. Since it is Michigan, our weather is unpredictable, so an occasional sprinkle or shower is damaging to their equipment. It would help greatly to have a solid covering over their heads to keep everything dry and safe.

Heat-
A covering would also help to protect them from the heat, by providing shade from the hot sun.

Wind-
With this structure, we could have panels that could roll down to help if it was very windy.
This year for our first concert, we had 30 mile an hour wind gusts that prevented the band from setting up/ playing in the Hart Commons. Because the concert location was changed to the Historical district, we lost many attendees, resulting in very poor attendance. Canvas panels would've cut the wind down so they could set up their equipment and merchandise without everything blowing over, thus keeping the concert in The Hart Commons. It is vital to keep concerts downtown in The Hart Commons for businesses to thrive from the increase in traffic in town.

Darkness-
Another great reason for a structure like this, is that it would enable us to install lighting for the band,(a structure that we could mount it to). Since our concerts are 7-9 pm, it does start to get dark before they are done performing. The Hispanic Heritage Festival is later in the season, and I have seen the Mariachi band playing in total darkness. This year The Scottville Clown Band quit short of their 9pm play time. I believe it was too dark for them to read their sheet music.
This structure would be very beneficial to this situation.

Pavilion dimensions:
10' x 16'

Roof: – 2/ 12 Pitch (Different than pictured, it would be a slanted roof)

Platform/ Stage Floor:
16' x 10'
Height- 6 to 8 inches



* There would be an attached stage added to the pavillion.

* The roof would be different from this photo

QUOTE

Store 2767 LUDINGTON
3865 W US 10
LUDINGTON, MI 49431

Phone: (231) 843-9108
Salesperson: KLM0746
Reviewer: KLM0746

QUOTE

2019-10-22 14:49

Prices Valid Thru: 10/29/2019

SOLD TO

Name: **TOLIVER CORVEL**
Phone 1: **(231) 873-5320**
Address: 3284 N 64TH AVE
Phone 2:
Company Name:
City: HART
Job Description: Corvel's pavillion
State: MI Zip: 49420 County: OCEANA

HOME DEPOT DELIVERY #1

MERCHANDISE AND SERVICE SUMMARY

REF # V20

We reserve the right to limit the quantities of merchandise sold to customers

STOCK MERCHANDISE TO BE DELIVERED:

REF #	SKU	QTY	UM	DESCRIPTION	PI	TAX	PRICE EACH	EXTENSION
R17	0000-865-858	22.00	EA	LUS28Z 2"X8" 18GA DBL SHEAR HANGER /	A	Y	$0.88	$19.36*
R16	1001-753-993	13.00	EA	2X8-10FT #2PRIME PT GC /	A	Y	$10.88	$141.44
R19	1003-274-855	2.00	EA	DECKMATE III, GREEN, 2-1/2 IN, 5 LB /	A	Y	$23.87	$47.74
R18	1001-754-837	22.00	EA	5/4X6-16FT PREM PT GC WEATHERSHIELD /	A	Y	$15.77	$346.94
R05	0000-256-276	3.00	EA	4X4-8FT #2 PT GC /	A	Y	$6.98	$20.94
R06	0000-257-974	3.00	EA	4X4-10FT #2 PT GC /	A	Y	$11.88	$35.64
R07	0000-603-740	4.00	EA	2X12-16FT #2/BTR PRIME DOUG FIR /	A	Y	$30.87	$123.48
R08	0000-519-367	2.00	BX	HEADLOK 4 1/2" SCREW-50 PK /	A	Y	$27.98	$55.96
R09	0000-915-556	9.00	EA	2X8-16FT #2/BTR PRIME DOUG FIR /	A	Y	$16.42	$147.78
R10	0000-102-924	4.00	EA	H2.5AZ 18GA ZMAX HURRICANE TIE /	A	Y	$0.65	$2.60
R11	0000-208-230	22.00	EA	H1Z HURRICANE TIE /	A	Y	$0.98	$21.56
R12	0000-477-314	6.00	EA	SIMPSON #9 X 1.5" CONNECTOR SCREW /	A	Y	$11.64	$69.84
R13	0000-161-683	3.00	EA	2X4-16FT STD/BTR KD-HT PRIME SPF /	A	Y	$6.92	$20.76
R14	0000-161-683	7.00	EA	2X4-16FT STD/BTR KD-HT PRIME SPF /	A	Y	$6.92	$48.44
R15	1001-754-002	3.00	EA	2X8-16FT #2PRIME PT GC /	A	Y	$16.37	$32.74

*** CONTINUED ON NEXT PAGE ***

NOT VALID AS MERCHANDISE CARRY-OUT

* Indicates item markdown
Customer Copy

HOME DEPOT DELIVERY #1 (Continued)

REF #V20

S/O - MDSE TO BE DELIVERED: S/O METAL SALES MAN. REF # S21 ESTIMATED ARRIVAL DATE: 11/05/2019

S2121	1001-069-823	75.00	LF	2282526 / Metal Sales Classic Rib 36" Panel - (6 / / Metal Sales Classic Rib 36" Panel - (6 / 12' 5") (ColorFit 40 Metal 29 GA Forest Green (40 Year Warranty) 2282526) [HDQC2:7887600:54438598:001] [QC]	A	Y	$2.15	$161.25
S2122	1002-303-767	250.00	EA	8211226 / Metal Sales 1-1/2" #10 Forest Green Meta / Metal Sales 1-1/2" #10 Forest Green Metal WoodScrew (8211226) [HDQC2:7887600:54438598:002] [QC]	A	Y	$0.06	$15.00
S2123	1001-069-823	2.00	EA	4216626 / 12'6" Metal Sales Metal 29 GA Outside Co / 12'6" Metal Sales Metal 29 GA Outside Corner (Colorfast Forest Green 4216626) [HDQC2:7887600:54438598:003] [QC]	A	Y	$19.55	$39.10
S2124	1001-069-823	4.00	EA	4990926 / 10' Metal Sales Metal 29 GA Residential / 10' Metal Sales Metal 29 GA Residential Extended Eave Trim (Colorfast Forest Green 4002426) [HDQC2:7887600:54438598:004] [QC]	A	Y	$12.53	$50.12

MERCHANDISE TOTAL: $1,400.69

DELIVERY INFORMATION: SCHEDULED DELIVERY DATE: Will be scheduled upon arrival of all S/O Merchandise SCHEDULED DELIVERY
TIME: Will be scheduled upon arrival of all S/O Merchandise

V20	0000-515-663	1.00		Outside Delivery		Y	$79.00	$79.00

DELIVERY SERVICE SUBTOTAL: $79.00

WILL DELIVER MDSE TO: TOLIVER,CORVEL

ADDRESS: 3284 N 64th Ave **CITY:** Hart

STATE: MI **ZIP:** 49420 **COUNTY:** OCEANA **SALES TAX RATE:** 6.000

PHONE: (231) 873-5320 **ALTERNATE PHONE:** (231) 873-5320

$1,479.69

DRIVER SPECIAL INSTRUCTIONS:

END OF HOME DEPOT DELIVERY - REF #V20

TOTAL CHARGES OF ALL MERCHANDISE & SERVICES

Policy Id (PI):
A: 90 DAYS DEFAULT POLICY;

'The Home Depot reserves the right to limit / deny returns. Please see the return policy sign in stores for details.'

ORDER TOTAL	$1,479.69
SALES TAX	$88.78
TOTAL	$1,568.47
BALANCE DUE	$1,568.47

END OF ORDER No. H2767-49961

RESOLUTION 19-74
Hart City Council
City of Hart, Michigan

AUTHORIZE LION'S CLUB TO CONSTRUCT A PERFORMANCE SHELTER AT HART COMMONS

WHEREAS, the City of Hart has received a request to permit Lion's Club to purchase materials and construct a 16 X 10 open performance shelter with slanted roof in the Hart Commons; and

WHEREAS, the Concerts on the Commons coordinator has submitted supporting documentation to identify the need for the performance shelter to provide shelter from the elements and increase the potential for lighting to expand the uses of the shelter and commons areas ; and

WHEREAS, this is a good community project that will benefit the residents;

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

Authorize Lion's Club to construct a 16 x 10 open performance shelter with slanted roof in the Hart Commons and to coordinate with the Hart Energy Department for the installation of the necessary electric infrastructure for the structure.

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regular council meeting held on November 12, 2019.

Ayes: Nays: Absent:

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

_____
Cheri Eisenlohr, Deputy City Clerk

CITY OF HART

407 S. State St., Hart, MI 49420

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

SPECIAL EVENTS PERMIT

DATE OF APPLICATION: 10/30/2018

NAME OF EVENT: Home for the Holidays Lighted Christmas Parade and Community Tree Lighting

DATE OF EVENT: 11/29/2019 TIME: FROM 6:30PM TO 8:30pm

RAIN DATE OF EVENT: Held Rain or Shine

LOCATION AND/OR ROUTE OF EVENT: Hart Public Schools to Johnson St to State St to W Main st to Water st to Johnson St to Hart public schools

DESCRIPTION OF EVENT: Holiday parade and Community tree lighting at Hart Commons
Visit Santa at Hart Historic District Heritage Hall after parade

SPECIAL NEEDS: The above listed street closings for parade

NAME OF ORGANIZATION OR SPONSOR: Silver Lake Sand Dunes Area Chamber of Commerce

ADDRESS: 2388 N Comfort Dr. Hart, MI. 49420

CONTACT PERSON: Scott Beal

PHONE: 231-742-3883 FAX:

EMAIL: Director@thinkdunes.com

X 10/30/2019

SIGNATURE OF EVENT COORDINATOR/SPONSOR DATE

SECTIONS BELOW TO BE COMPLETED BY THE CITY

PLEASE NOTE THAT A 7 - 10 DAY ADVANCE NOTICE WILL BE NEEDED TO SCHEDULE THE LOGISTICS MEETING.

PROOF OF LIABILITY INSURANCE FOR STREET SOLICITATION:

LOGISTICS MEETING NEEDED: YES OR NO

DEPT. ATTENDING: DPW POLICE EMS HYDRO

DATE OF MEETING: FROM TO

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

PERMIT NUMBER: APPROVED BY CITY COUNCIL/CITY MANAGER

DATE OF APPROVAL/DENIAL: YES OR NO

CONDITIONS:

CITY REPRESENTATIVE'S SIGNATURE:

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Ordinance 19-05 Zoning Ordinance Text Amendment Chapter 1259 Signs – First Reading

---

After many iterations and considerable discussion regarding sign regulations within the City of Hart, the planning commission on Nov. 7th held a public hearing and voted to recommend Ordinance 19-05 Zoning Ordinance Text Amendment, Chapter 1259 Signs. This is the first reading of the ordinance if there are no substantial changes to the ordinance it will be in front of the Council for second reading and final approval on November 26th.

It is my recommendation that the Council approves the first reading of Ordinance 19-05.

Lynne

CITY OF HART
ORDINANCE NO. 19-05
ZONING ORDINANCE TEXT AMENDMENT- CHAPTER 1259 SIGNS

At a regular meeting of the Hart City Council held at City Hall on the _____ day of _____, 2019, at _____ p.m.

PRESENT: _____

ABSENT: _____

The following ordinance was offered by _____ and supported by _____:

THE CITY OF HART, COUNTY OF OCEANA, STATE OF MICHIGAN ORDAINS:

ZONING ORDINANCE TEXT AMENDMENT- CHAPTER 1259 SIGNS

Section 1. Chapter 1259 Signs. Chapter 1259 is amended in its entirety, to read as follows:

CHAPTER 1259
Signs

1259.01 Purpose.
1259.02 Definitions.
1259.03 Signs permitted in all districts.
1259.04 Residential districts.
1259.05 Commercial districts.
1259.06 Industrial districts.
1259.07 Design, construction, and location standards.
1259.08 Portable or movable signs.
1259.09 Measurement of signs.
1259.10 Nonconforming signs and signs accessory to nonconforming signs.
1259.11 Sign permits.

1259.01 PURPOSE.

The purpose of this chapter is to provide a framework within which the identification and informational needs of business and industry can be harmonized with the desires and aesthetic standards of the general public. It is intended through the provisions contained in this chapter to give recognition to the legitimate needs of business, industry, and other activities in attaining their identification and informational objectives. Unrestricted signage does not benefit either the private sector or the community at large.

1259.02 DEFINITIONS.

The following words shall have the meanings as set forth below.

(a) "Banner" means a piece of cloth, plastic, or similar material, generally of a long rectangular shape affixed at both ends.

(b) "Community special event sign" means a portable sign which is erected for a limited time that is sponsored by a governmental agency, school or other group which is non-profit and whose purpose is charitable, philanthropic, religious or benevolent.

(c) "Flag" means a piece of cloth or bunting of a square or short rectangular shape affixed at one end.

(d) "Free standing sign" means a sign which is not attached to any other structure.

(e) "Ground sign" means a type of freestanding sign in which the entire bottom is in contact with the ground or is very close to the ground, such as on a constructed foundation or a brick or block base.

(f) "Governmental flag" means a flag bearing the name, logo, or other official design of a nation, state, municipality, nonprofit institution, or nonprofit organization.

(g) "Illuminated sign" means a sign that provides artificial light directly or indirectly from a source of light.

(h) "Institutional bulletin board" means a bulletin board established by a non-profit agency, church, public agency, city, township, county, state, or federal government.

(i) "Marquee sign" means a sign attached to a marquee, canopy, or awning projecting from and supported by a building, above sidewalk level.

(j) "Monument sign." See "ground sign."

(k) "Pole sign" is a type of free standing sign mounted on or more poles, posts or pylons, other than a constructed foundation or base, so that the bottom edge of the sign face is elevated above the average grade.

(l) "Portable sign" means a free standing structure not permanently anchored or secured to either a building or the ground, capable of being moved from place to place.

(m) "Projecting sign" means a double-faced sign attached to a building or wall that extends in a perpendicular manner more than 12 inches, but not more than 48 inches from the face of the wall or building.

(n) "Sandwich board sign" means a temporary sign structure placed on the ground that consists of two (2) back-to-back sign faces that are hinged together at the top and separated at the base a sufficient distance to solidly support the structure in an upright position.

(o) "Temporary yard sign" means a sign that is not permanently affixed to the ground and is of a design and construction that is not intended to be of a permanent nature.

(p) "Wall sign" means a sign attached directly to or painted upon a building parallel to the building wall.

(q) "Window sign" means copy or emblems that are painted or otherwise attached to the window surface.

(r) "Electronic display sign" means a sign or portion of a sign with a fixed or changing display composed of a series of lights that may be changed in color or intensity through electronic means.

1259.03 SIGNS PERMITTED IN ALL DISTRICTS.

The following signs shall be permitted in all districts without requiring a building or sign permit, subject to the requirements stated below.

(a) Wall signs on homes and buildings not exceeding four square feet in surface display area.

(b) Governmental flags.

(c) Traffic or other municipal signs and notices. Private traffic control signs which conform to the Michigan Manual of Uniform Traffic Control Devices.

(d) Institutional bulletin boards not exceeding thirty-two square feet in surface display area.

(e) Park, playground, and other governmental signs.

(f) Community special event signs are permitted in any district, subject to the following restrictions:

(1) One community special event sign located on the lot on which the special event is held. Up to two such signs however may be located off the premises.

(2) The display of such signs shall be limited to the fourteen days immediately preceding the special event which is being advertised.

(2) Such signs shall have a maximum size of thirty-two square feet in area, and a maximum height above ground level of six feet and shall be set back from any side or rear property line a minimum of fifteen feet. The front setback shall be as required for signs in the district in which the sign is to be located.

(4) Such signs shall be removed within forty-eight hours of the conclusion of the special event which is being advertised.

(g) One temporary sign not exceeding thirty-two square feet in surface display area per subdivision development, which shall be removed upon the sale of ninety percent of the lots in the development.

(h) Sandwich board signs: Placement and size to be determined as to not impede traffic, right of way, or vision of traffic.

(i) Temporary yard signs.

(1) Maximum number. Two per lot or parcel. However, within a timeframe from thirty days prior to an election to three days after, there is no restriction on the number of temporary yard signs. During this timeframe, the maximum size of each temporary yard sign is thirty-two square feet and the maximum height is six feet. Signs related to elections are prohibited within one-hundred feet of an entrance to a polling place.

(2) Maximum size. Twelve square feet total for all signs.

(3) Maximum Height. Four feet.

(4) Illumination. Not permitted.

(5) Per Section 1259.07 (c), temporary yard signs are prohibited in public right-of-way.

1259.04 RESIDENTIAL DISTRICTS.

Any sign not expressly permitted is prohibited.

(a) One non-illuminated wall sign identifying a home occupation not exceeding four square feet in surface display area.

(b) One permanent development entry sign, not exceeding thirty-two square feet in surface display area, limited to the name of the development or developer, providing the sign is harmonious in appearance with the existing and intended character of the general vicinity and within the community as a whole.

(c) One wall sign placed on the main building of the apartment development. Such sign shall not exceed thirty-two square feet in surface display area and may be illuminated.

(d) For permitted uses other than dwellings, one ground sign per parcel not exceeding thirty-two square feet and eight feet in height. Such sign shall be setback at least five feet from the edge of the right-of-way line.

1259.05 COMMERCIAL DISTRICTS.

Any sign not expressly permitted is prohibited.

(a) One free standing sign per parcel, unless otherwise stated, subject to the following standards:

(1) Pole sign not exceeding 64 square feet in sign face surface display area. Pole signs shall be located in the front yard. The leading edge of the sign may be placed at the right of way line. The bottom of such signs shall be at least eight feet from the average grade with the top of the sign no higher than 20 feet. This sign may be illuminated.

(2) Ground sign not exceeding 48 square feet in sign face surface display area. Ground signs shall be located in the front yard. The sign and base setback is ten feet from any lot line. The top of the sign shall be no higher than six feet above the average grade. This sign may be illuminated. A second ground sign subject to the same standards is allowed on corner lots, but signs shall be located on separate road frontages. Along Polk Road, ground signs are limited to 90 square feet in sign face surface area and a height no higher than ten feet above the average grade.

(b) Wall signs shall not exceed twenty percent of the building face to which it is attached. Such signs shall not extend more than six inches from the building surface and shall not extend above the cornice or roof line. Wall signs shall be placed only upon the principal building and shall face public streets or parking areas which are on the same premises. These signs may be illuminated.

(c) One temporary banner per building not exceeding sixteen square feet in surface display area.

(d) One flag per lot not to exceed thirty square feet in surface display area. When displayed, such flags shall be affixed to a building or placed in the ground in a permanent mounting. Flags shall be located in a manner that does not interfere with the safe use and operation of motor vehicles or in pedestrian use of public areas, nor create a nuisance to the general public in any way. Advertising flags under this section do not require a sign permit.

(e) One marquee sign per marquee not exceeding twenty percent of the marquee surface to which it is attached. These signs may be illuminated.

(f) One projecting sign per building with the surface display area not exceeding one and one-half square feet for each lineal foot of building frontage up to a maximum of sixty-four square feet. Projecting signs shall be attached directly to a building by means of building mounts or from a mast arm. Projecting signs must project at a ninety degree angle to the building surface to which it is attached and shall not project above the cornice or roof line. The lowest point of a projecting sign, including guy wires and metal framework shall not be less than ten feet above the ground level. Projecting signs shall not extend beyond the minimum required setback line or into and over a public right-of-way, except for projecting signs in the B-2 Zone.

(g) A gasoline service station may, in addition to the above, have one, two-sided, on- premise sign indicating price and grade of fuel not exceeding thirty-two square feet in surface display area. Directional signs over individual doors or bays not exceeding three square feet per sign are also permitted. Customary lettering, insignias or symbols which are a permanent or structural part of the gasoline pump shall also be allowed.

(h) One parking lot directional sign at each point of ingress or egress for the enterprise it is intended to serve. Each sign shall not exceed four square feet in surface display area.

(i) One, double or single sided, on premise electronic display sign in all business and commercial areas.

(j) Window signs shall be permitted.

1259.06 INDUSTRIAL DISTRICTS.

Any sign not expressly permitted is prohibited.

(a) Signs in the D-1 Zone shall be subject to the following regulations:

(1) One free standing sign per parcel, unless otherwise stated, subject to the following standards:

A. Pole sign not exceeding 200 square feet in sign face surface display area. Such signs shall be located in the front yard with the leading edge of the sign at least 20 feet back of the right of way line. The bottom of such sign shall not be any lower than two feet nor any higher than ten feet from ground level. This sign may be illuminated.

B. Ground sign not exceeding 48 square feet in sign face surface display area. Ground signs shall be located in the front yard. The sign and base setback is ten feet from any lot line. The top of the sign shall be no higher than six feet above the average grade. This sign may be illuminated. A second ground sign subject to the same standards is allowed on corner lots, but signs shall be located on separate frontages.

(2) One wall sign per building face, not exceeding two per building, with the surface display area not exceeding twenty percent of the building face to which it is attached. Such signs shall not extend more than six inches from the building surface and shall not extend above the cornice or roof line. Wall signs shall be placed only upon the main building and may only face public streets or parking areas which are on the same premises. These signs may be illuminated.

(3) One marquee sign per marquee not exceeding twenty percent of the marquee surface to which it is attached. These signs may be illuminated.

(4) One directional parking lot sign at each point of ingress or egress shall be permitted for the enterprise it is intended to serve. Surface display area, per sign, shall not exceed four square feet.

(5) One free standing sign identifying the development near the entrance to an industrial complex. Such signs shall not exceed 200 square feet in surface display area. The bottom of these signs shall not be any higher than two feet nor any higher than ten feet from ground level and shall be a minimum of twenty feet from any street right-of-way.

(b) Signs in the D-2 Zone shall be subject to the following regulations:

(1) Freestanding signs shall be setback a minimum of fifteen feet from the front lot line and shall not exceed thirty square feet in area or four feet in height.

(2) Signs attached to the building shall be attached flat to the building and shall not exceed 100 square feet in area.

(c) Window signs shall be permitted.

1259.07 DESIGN, CONSTRUCTION AND LOCATION STANDARDS.

(a) All signs shall be properly maintained and shall not be allowed to become unsightly through disrepair or as a result of the effects of the weather.

(b) Signs may be internally or externally illuminated. The source of the light shall be enclosed and directed to prevent the source of light from shining directly or indirectly onto traffic or adjacent or nearby properties.

(c) Signs shall not be placed in, upon or over any public right-of-way, alley, or other place, except as may be otherwise permitted by the City or Michigan Department of Transportation.

(d) A sign shall not be erected in any place where it may, by reason of its position, shape,

color, or other characteristics, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance.

(e) A sign shall not contain any moving or animated parts except for barber poles.

(f) A sign and its supporting mechanism shall not extend beyond any lot lines of the property on which it is located.

(g) Corner clearance and visibility.

(1) Signs shall not be erected, established or maintained on a corner lot that will obstruct the view of a driver in a vehicle approaching the intersection.

(2) At a street intersection, an unobstructed corner shall mean the triangle formed by a line connecting two points, located on the intersecting right-of-way lines, measured 25 feet from their point of intersection.

(3) At a driveway/street intersection, a sign shall not be erected, established or maintained where it will obstruct vision between a height of three and ten feet within a triangle formed by the intersection of the right-of-way line and a driveway. This triangle is defined by a line connecting two points, one located on the right-of-way line and the other on the edge of the driveway. The two points shall be located 15 feet from the intersection point of the right-of-way line and the edge of the driveway.

1259.08 PORTABLE OR MOVABLE SIGNS.

Any sign, excluding those specifically provided for, not permanently anchored or secured to either a building or the ground, including but not limited to "A" frame, "T" frame, inverted "T" frame, or those mounted on wheeled trailers shall be prohibited.

1259.09 MEASUREMENT OF SIGNS.

(a) The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame of other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the pedestal, poles or other structure necessary to support the sign.

(b) The area of a freestanding or projecting sign that has two or more faces shall be measured by including the area of all sign faces, except if two such faces are placed back-to-back and are of equal size, and are no more than two feet apart at any point the area of the two back-to-back faces shall be counted as one face. If the two back-to-back faces are of unequal size, the larger of the two sign faces shall be counted as the one face.

(c) The height of a sign shall be measured as the vertical distance from the highest point of the sign to the finished grade of the ground immediately beneath the sign excluding any artificially constructed earthen berms.

1259.10 NONCONFORMING SIGNS AND SIGNS ACCESSORY TO NONCONFORMING USES.

(a) Every legal permanent sign which does not conform to the height, size, area or location requirements of this chapter as of the date of the adoption of this chapter, is hereby deemed to be nonconforming.

(b) Nonconforming signs may not be altered, expanded, enlarged, or extended; however, nonconforming signs may be maintained, repaired and restored so as to continue the useful life

of the sign.

(c) For the purposes of this chapter, a nonconforming sign may be diminished in size or dimension or the copy of the sign amended or changed without jeopardizing its status as a legal nonconforming sign.

(d) If a nonconforming sign is damaged or destroyed by fire, explosion, flood, wind or other calamity, the sign may be restored to the condition exactly as it existed immediately prior to the damage or destruction, unless the estimated cost of restoration or replacement exceeds fifty percent of the appraised replacement cost of the entire sign prior to the loss, as determined by the City. If the estimated cost of restoration or replacement exceeds fifty percent of that appraised replacement cost, the right to continue using the nonconforming sign shall thereupon terminate and the sign shall be brought into full compliance with all applicable provisions and requirements of this chapter prior to further use.

1259.11 SIGN PERMITS.

(a) No sign shall be erected, replaced, altered, enlarged, illuminated, changed in purpose, or relocated without first obtaining a sign permit. Permits shall not be required for signs specifically exempted, temporary yard signs, window signs, banners, and the copy of changeable letter signs. Signs exceeding thirty-two square feet in surface display area shall require a building permit prior to erection. An electrical permit shall be required for any sign utilizing electricity.

(b) An application for a sign permit shall be made through the City Clerk by submission of a form provided by the City. The application can be made by the owner of the property or by any other interested party with the owner's consent.

(c) The Zoning Administrator shall review all sign permit applications and issue permits only for those applications fully meeting ordinance requirements. The Zoning Administrator shall, absent extenuating circumstances, render a decision within five full working days of receipt of a completed application submittal.

Section 2. Effective Date. This Ordinance shall be effective seven (7) days after the publication of a summary of its provisions in a local newspaper of general circulation in the City of Hart.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

_____

Cheryl Rabe
City Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Hart City Council at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

_____

Cheryl Rabe
City Clerk

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Presentation of Phase II EAS, BEA, and DCAP for 227 E. Main

---

As part of the City's due diligence related to the purchase of 227 E Main, an environmental review and assessment have been completed by Dixon Environmental Consultants. The Phase II EAS detected contamination on Lot 7 which the City is purchasing a ½ interest. As a result a baseline environmental assessment and due care action plan have been developed for submission to the State of Michigan to protect the City from liability for the contamination. The reports total just under 400 pages of documentation and narration and are available for review at City Hall or on the Forms, Publications, and Links page of the City's website.

Lynne

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY – REMEDIATION AND REDEVELOPMENT DIVISION, PO BOX 30426, LANSING, MICHIGAN 48909-7926,
Phone 517-373-9837, Fax 517-373-2637

FOR DEQ USE ONLY
BEA SUBMITTAL #

Baseline Environmental Assessment Submittal Form

This form is for submittal of a Baseline Environmental Assessment (BEA), as defined by Part 201, Environmental Remediation and Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the purpose of establishing an exemption to liability pursuant to Section 20126(1)(c) and Section 21323a(1)(b) for a new owner or operator of property that is a facility as defined by Section 20101(1)(s) or Property as defined by Section 21303(d). The BEA report must be conducted either prior to or within 45 days after becoming the owner or operator, whichever is earliest. This form and the BEA report must be submitted prior to or within 6 months of becoming the owner or operator whichever is earliest. A separate BEA is required for each legal entity that is or will be a new owner or operator of the property. To maintain the exemption to liability, the owner and operator must also disclose the BEA to any subsequent purchaser or transferee before conveying interest in the property pursuant to Section 20126(1)(c) and Section 21323a(1)(b). An owner or operator of a facility or Property also has due care obligations under Section 20107a and Section 21304c with respect to any existing contamination to prevent unacceptable exposure; prevent exacerbation; take reasonable precautions; provide reasonable cooperation, assistance, and access to authorized persons taking response activities at the property; comply with land use restrictions associated with response activities; and not impede the effectiveness of response activities implemented at the property. Documentation of due care evaluations, all conducted response activities, and compliance with 7a or 4c need to be available to the MDEQ, but not submitted, within 8 months of becoming the owner or operator of a facility and/or Property.

Section A: Legal Entity Information

Name of legal entity that does or will own or operate the property: City of Hart
Address: 407 State Street
City: Hart State: Michigan Zip: 49420
Contact Person (Name & Title):
E. Lynne Ladner, City Manager
Telephone: (231) 873-2488
E-Mail: lladner@cityofhart.org

Contact for BEA questions if different from submitter:
Name & Title: Jennifer L. Knuth, Project Scientist
Company: Dixon Environmental Consulting, Inc.
Address: 1560 North Taylor Avenue
City: Grand Rapids State: Michigan ZIP: 49505
Telephone: (616) 742-5511 Email:jknuth@dixonenv.com

Section B: Property Information

Street Address of Property: 227 East Main Street
City: Hart State: Michigan Zip: 49420
Property Tax ID (include all applicable IDs):
64-020-209-005-00

Address according to tax records, if different than above (include all applicable addresses) :

City: State:
Zip:

Status of submitter relative to the property (check all that apply):

	Former	Current	Prospective
Owner	☐	☐	☒
Operator	☐	☐	☒

County: Oceana
City/Village/Township: City of Hart
Town: 15 N Range: 17 W Section: 17
Quarter: NE Quarter-Quarter: NE

Decimal Degrees Latitude: 43.702451
Decimal Degrees Longitude: -86.361956

Reference point for latitude and longitude:
Center of site ☒ Main/front door ☐
Front gate/main entrance ☐ Other ☐

Collection method:
Survey ☐ GPS ☐ Interpolation ☒

Section C: Source of contamination at the property (check all that are known to apply):

Facility regulated pursuant to Part 201, other source, or source unknown ☒
Part 201 Site ID, if known:

Property - Leaking Underground Storage Tank regulated pursuant to Part 213 ☐
Part 211/213 Facility ID, if known:

Oil or gas production and development regulated pursuant to Part 615 or 625 ☐

Licensed landfill regulated pursuant to Part 115 ☐

Licensed hazardous waste treatment, storage, or disposal facility regulated pursuant to Part 111 ☐

Section D: Applicable Dates (provide date for all that are relevant): MM/DD/YYYY

Date All Appropriate Inquiry (AAI) Report or Phase I Environmental Assessment Report completed: 10/01/2019
Date Baseline Environmental Assessment Report conducted: 11/07/2019
Date submitter first became the owner:
Date submitter first became the operator:
Date submitter first became the operator (if prior to ownership):
Anticipated date of becoming the owner for prospective owners: 11/15/2019
Anticipated date of becoming the operator for prospective operators: 11/15/2019
If former owner or operator of this property, prior dates of being the owner or operator:

Section E: Check the appropriate response to each of the following questions:	YES	NO
1. Is the property at which the BEA was conducted a "facility" as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d)?	☒	☐
2. Was the All Appropriate Inquiry (AAI) completed in accordance with Section 20101(1)(f) and or 21302(1)(b)?	☒	☐
3. Was the BEA, including the sampling, conducted either prior to or within 45 days of the date of becoming the owner, operator, or of foreclosure, whichever is earliest?	☒	☐
4. Is this BEA being submitted to the department within 6 months of the submitter first becoming the owner or operator, or foreclosing?	☒	☐
5. Does the BEA provide sufficient rationale to demonstrate that the data is reliable and relevant to define conditions at the property at the time of purchase, occupancy, or foreclosure, even if the BEA relies on studies of data prepared by others or conducted for other purposes?	☒	☐
6. Does this BEA contain the legal description of the property addressed by the BEA?	☒	☐
7. Does this BEA contain the environmental analytical results, a scaled map showing the sample locations, and the basis for the determination that the property is a facility as defined by Section 20101(1)(s) or the basis for the determination that the property is a Property as defined by Section 21303(d)?	☒	☐

Section F: Environmental Consultant Signature:

I certify to the best of my knowledge and belief, that this BEA and all related materials are true, accurate, and complete. I certify that the property is a facility as defined by Section 20101(1)(s) or a Property as defined by Section 21303(d) and have provided the sampling and analyses that support that determination. I certify that any exceptions to, or deletions from, the All Appropriate Inquiry Rule are described in Section 1 of the BEA report.

Signature: _____ Date: _____

Printed Name: Jennifer L. Knuth

Company: Dixon Environmental Consulting, Inc.

Mailing Address: 1560 North Taylor Avenue City: Grand Rapids State: Michigan ZIP: 49505

Telephone: (616) 742-5511 Email:jknuth@dixonenv.com

Section G: Legal Entity Signature:

With my signature below, I certify that to the best of my knowledge and belief, this BEA and all related materials are true, accurate, and complete.

Signature: _____ Date: _____

(Person legally authorized to bind the legal entity)

Printed Name: E. Lynne Ladner

Title and Relationship of signatory to submitter: City Manager of the City of Hart

Address: 407 State Street City: Hart State: Michigan Zip: 49420

Telephone: (231) 873-2488 E-Mail: lladner@cityofhart.org

Submit the BEA report and this form to the MDEQ District Office for the county in which the property is located. An office map is located at www.michigan.gov/deqrrd.

DUE CARE ANALYSIS AND PLAN
COMMERCIAL PROPERTY
227 EAST MAIN STREET
HART, MICHIGAN

Prepared For:

City of Hart
407 State Street
Hart, Michigan 49420

Prepared by:

Dixon Environmental Consulting, Inc.
1560 North Taylor Avenue
Grand Rapids, Michigan 49505

November 7, 2019

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Figure 1: Project Location Map
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APPENDICES

Appendix A: Soil Data Compared to the Residential Part 201 Generic Cleanup Criteria & Screening Levels/Part 213 Risk-Based Screening Levels and the Recommended Interim Action Screening Levels for the Volatilization to Indoor Air Pathway

Appendix B: Third Party Environmental Disclosure Sheet

Appendix C: Soil Relocation Documentation Form

1.0 INTRODUCTION

Dixon Environmental Consulting, Inc. (DEC) was retained to prepare an initial Due Care Analysis and Plan (DCAP) for the Commercial Property located at 227 East Main Street, Hart, Oceana County, Michigan (hereafter referred as "subject site" or "subject property"). The tax parcel identification number for the 0.65-acre subject site was identified as 64-020-209-005-00. The subject site included a portion of Lot 4, Lot 5, Lot 6 and one-half the ownership interest in Lot 7, Block 4 of the Standard Map of Village of Hart (currently known and the City of Hart). The western portion of the subject site was improved with a commercial building (former restaurant) and an asphalt paved parking area. The eastern portion of the subject site (co-owned with the eastern adjoining property owners, Austin and Brooke Bechtel) was maintained as an unpaved parking area with a small storage shed and a hot tub enclosure/retaining wall. A Project Location Map and a Human Health Risk Exposure Pathway Diagram are included as Figures 1 and 2, respectively.

1.1 Reason for Conducting this Due Care Analysis and Plan

Environmental due diligence activities were previously conducted at the subject site to support a pending property transaction. The due diligence activities identified the subject property was a "facility" or "site" as defined under Part 201 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act 451 of 1994, as amended (Part 201). A Baseline Environmental Assessment (BEA) was completed on November 7, 2019. The BEA identification number was not available as of the completion of this report. The BEA relied upon data presented in an October 22, 2019 Phase II Environmental Site Assessment (ESA). The 2019 Phase II ESA data was also used for characterization and the due care analysis provided in this document. This DCAP was prepared for the City of Hart to support initial compliance and review with Section 324.20107a relating to the documented hazardous substance concentration at the subject site. A brief summation of the obligations is included below.

1.2 Section 324.20107a Obligations

Under the Section 324.20107a, an owner/operator of a "facility" or "site" has an affirmative obligation to conduct all of the following:

- Undertake measures as are necessary to prevent exacerbation of the hazardous substances.
- Exercise due care by undertaking response activity necessary to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the facility in a manner that protects the public health and safety.

- Take reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that foreseeably could result from those acts or omissions.
- Provide reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility. Nothing in this subdivision shall be interpreted to provide any right of access not expressly authorized by law, including access authorized pursuant to a warrant or a court order, or to preclude access allowed pursuant to a voluntary agreement.
- Comply with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.
- Not impede the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

1.3 Part 10 Responsibilities

Rules were established to support compliance with Section 324.20107a. Part 10 - Compliance with Section 324.20107a of Part 201 (Part 10) identifies additional owner/operator obligations. The Part 10 obligations include the following:

- Comply with Section 20107a and other laws and regulations (R299.51003 and R299.51005).
- Comply with Section 20107a(1)(a) - not exacerbate response activity costs (R299.51007).
- Comply with Section 20107a(1)(b) - discarded or abandoned aboveground containers (R299.51009).
- Comply with Section 20107a(1)(b) - belowground containers (R299.510011).
- Evaluate unacceptable exposure and conduct mitigation activities, if necessary (R299.51013).
- Notify the Michigan Department of Environment, Great Lakes and Energy (EGLE) of discarded or abandoned containers (R299.51015).
- Notify the EGLE and affected property owners of migrating contamination (R299.51017).
- Mitigate potential fire/explosion hazards and notify the local fire department (R299.51019).

1.4 Section 324.20120c Obligations

The owner/operator documentation duty relating to relocation of contaminated soil is outlined in Section 324.20120c. If an owner/operator relocates contaminated soil, the following must be documented and also conveyed to any future purchaser or other person to which the facility is transferred:

- The facility from which the soil was relocated.
- The facility to which the soil was relocated.
- The volume of soil relocated.
- A summary of the basis for the owner's or operator's determination that the relocation did not cause any exacerbation under Section 20107a(1).

This DCAP included a review of the Section 324.20107a Obligations, the Part 10 Responsibilities (hereafter collectively referred to as DCOR), site conditions and intended use. Due care compliance is a continuing obligation for an owner/operator of a "facility" and updated documentation and analysis may be necessary. If any additional hazardous substance information is revealed in the future or the site use or plans change, then further due care analysis and documentation may be necessary.

1.5 Reliance

The City of Hart may use and rely on the results and conclusions of this DCAP. No other parties may use or rely on this information without client approval and written authorization from DEC.

2.0 DETAILED CHARACTERISTICS OF THE PROPERTY

2.1 Use of the Subject Site

City of Hart intends to raze and remove the existing building structure after acquiring the subject site. Following the demolition activities, the subject property will be prepared for redevelopment of a mixed use, main-floor retail and upper-level residential building structure, consistent with the uses permitted by the current commercial zoning ordinance.

2.2 Property Characteristics and Historical Use

The rectangular shaped, 0.65-acre subject property is located at 227 East Main Street, Hart, Oceana County, Michigan. More specifically, the subject site is located in the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 15 North, Range 17 West (City of Hart).

According to the City of Hart Zoning Map dated June 19, 2017, the subject site is zoned "B-1," which is referenced as "Central Business District." The adjacent properties were utilized for residential or commercial purposes.

On October 1, 2019, Dixon Environmental Consulting, Inc. (DEC) completed a Phase I Environmental Site Assessment (ESA) for the subject property. Based on the information reviewed, the subject site was originally platted as a portion of the Standard Map of the Village of Hart in April 1895. The 1900 fire insurance map depicted two residential houses and two outbuildings on the eastern (Lot 7) and central (Lot 6) portions of the subject site. The western portion of the subject site (Portion of Lot 4/Lot 5) was vacant and no operations were identified. The western portion of the subject site remained vacant until the construction of a poultry market (northern portion of the current building) in 1946.

The west-central portion of the subject site (Lot 5) was purchased by William D. and Barbara A. Walker in May 1964. During the Walker's ownership, the commercial building was renovated and operated as Walker's Restaurant/Fine Dining & Cocktails. The central and eastern portions of the subject site (Lots 6 and 7) were acquired in March 1968 and August 1971, respectively. The historical residential houses and outbuildings were demolished/removed and a paved parking area was constructed on the central portion of the subject site. The eastern portion of the subject site was maintained as an unpaved parking area. In addition, three underground storage tanks (USTs) were installed in the mid-1970's. The USTs were installed on the northeastern portion of the subject site, but were operated by the gasoline filling station/automobile repair facility at the eastern adjoining property. Additional details pertaining to the USTs at the subject site are included

below. One-half of the property interest in Lot 7 was later sold to the owners of the eastern adjoining property, Nicholas and Karol Greiner, in August 1983. The remaining portion of the subject site (eastern six feet of Lot 4) was acquired for the construction of a bar entrance in May 1997. Walker's Restaurant/Fine Dining & Cocktails was operated at the subject site by the Walker Family from the mid-1960's through the early 2000's.

The entire subject site was acquired by Carmbob, LLC in February 2003. During Carmbob, LLC's ownership, the restaurant was operated as Walker's Fine Dining, Inc. The restaurant ultimately closed in 2012 and the subject property was transferred to the current owners, Gene and Luann Moorman. Gail Salazar temporarily acquired the subject site under an unrecorded Land Contract Agreement in December 2012. The restaurant was partially renovated, however, Ms. Salazar defaulted on the Land Contract Agreement and the Moorman's reacquired the subject site in July 2019. At the time of the site reconnaissance, the restaurant was vacant/partially renovated and no operations were conducted.

The one-half ownership interest in Lot 7 (eastern portion of the subject site) was retained by the adjoining property owners, Nicholas and Karol Greiner, through the early 2000's. The Michigan Department of Licensing and Regulatory Affairs, Storage Tank Division (STD) file indicated the three USTs were removed by Boonstra Oil Co., Inc. in the mid or late 1980's. The eastern portion subject site was subsequently maintained as an unpaved parking area. The one-half interest in Lot 7 and the eastern adjoining property were conveyed to Austin and Brooke Bechtel in May 2016. During the Bechtel's ownership, a second level residential addition was constructed above the former gasoline filling station/automobile repair facility at the eastern adjoining property. The unpaved parking area was improved with chipped stone and a hot tub enclosure/retaining wall was installed on the southeastern portion of the subject site.

The Phase I ESA for the subject site revealed no evidence of recognized environmental conditions (RECs) in connection with the subject property, except the following:

- A gasoline filling station was historically operated at the eastern adjoining property. The STD records indicated three USTs were operated by the gasoline filling station. The USTs included a 2,000-gallon gasoline UST, a 1,000-gallon gasoline UST and a 500-gallon gasoline UST. Based on the site observations and interviews, the USTs were installed along the western side of the former filling station, on the northeastern portion of the subject site. The USTs were installed in the mid-1970's and were removed in the mid-1980's or late 1980's. Although the filling station owner at that time (Nicholas Greiner) indicated the USTs were removed, no documentation or confirmation soil/groundwater testing was conducted. Due to the

lack of documentation and sampling, the potential exists for additional USTs to exist and/or residual environmental impact to be present at the subject site. The material threat of abandoned USTs and/or residual environmental impact at the subject site was identified as an REC.

- Based on the historical Sanborn Fire Insurance map review, the operations near the subject site included three automobile repair facilities. The automobile repair facilities were located at the adjoining properties to the northeast, east and northwest. Automobile repair operations involve the use/handling of various hazardous substances including oil, fuels, lubricants and antifreeze. The operations at the northwestern adjoining property included a gasoline UST in the East Main Street right-of-way (located along the northern property boundary of the subject site). The material threat of migrating contamination from the adjoining automobile repair facilities was identified as an REC.

2.3 Land Use Category

A review was conducted of the Michigan Department of Environment, Great Lakes and Energy's Land Use categories to characterize the subject site for exposure assumptions. Based on the subject property's zoning, future intended use, and the zoning and observations of operations at adjoining and nearby properties, the land use of the subject site was Residential. The Residential Risk-Based Screening Levels were applicable, and therefore, were utilized for the due care analysis of the subject site.

3.0 FACILITY DOCUMENTATION AND PATHWAY ANALYSIS

3.1 "Facility" Documentation

Subsurface sampling activities were conducted by Dixon Environmental Consulting, Inc. (DEC) in October 2019 to further assess the soil and groundwater conditions at the subject site. The chemical analysis results were compared to the Residential Part 201 Generic Cleanup Criteria (GRCC) as defined in Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201). The groundwater chemical analysis results identified a volatile organic compound (VOC) that exceeded the GRCC. The soil chemical analysis results did not exceeded the GRCC. The soil and groundwater data from the 2019 subsurface investigation was used for this site characterization and due care pathway analysis.

3.2 Human Health Pathway Analysis

The chemical analysis results were reviewed to assess potential human health exposure pathways to the hazardous substances identified in the subsurface investigation. The hazardous substance human health exposure pathways were identified as the Drinking Water Pathway (DWP), the Dermal Contact/Ingestion Pathway (DCIP), the Volatilization to Indoor Air Pathway (VIAP), the Ambient Air Inhalation Pathway (AAIP) and the Flammability Pathway. More specifically, the detectable soil/groundwater concentrations were compared to the various promulgated Risk-Based Screening Levels (RBSLs) for Residential land use as defined under Part 201. The detectable analytical data were also compared to the Media-Specific Volatilization to Indoor Air Interim Action Screening Levels Recommended Interim Action Screening Levels (RIASLs) for Volatilization to Indoor Air Pathway dated August 2017 established by the Michigan Department of Health and Human Services (MDHHS) and the EGLE. Tables comparing the detectable soil and groundwater data to the various Residential screening levels are included in Appendix A.

The analysis did not identify hazardous substance concentrations that exceed the human health risk pathways. The analysis did, however, identified a single concentration of the VOC, 1,2,4-trimethylbenzene, that exceeded the groundwater surface water interface criteria (GSI). The GSI criteria is not considered a human health risk pathway.

Notification should be provided to third parties conducting subsurface activities at the subject site. A Third Party Environmental Disclosure Form, included as Appendix B, shall be provided to companies engaging in subsurface work activities (i.e., contractors/sub-

contractors/utility workers/easement holders, etc.) at the subject site. In addition, the owner shall notify any tenants/employees working in the soil/groundwater of the environmental conditions to promote awareness, as a precautionary measure.

4.0 DUE CARE OBLIGATIONS AND RESPONSIBILITIES

The owner/operator of a "facility" or "site" has certain Due Care Obligations and Requirements (DCOR) as outlined in Section 324.20107a of Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201). Compliance with the obligations is further supported with Rules established by the Michigan Department of Environment, Great Lakes and Energy (EGLE) (formerly known as the Michigan Department of Environmental Quality [MDEQ]) Part 10 - Compliance with Section 324.20107a of Part 201 (Part 10). A summation of the DCOR is included in the following sections.

4.1 Obligations defined under Section 324.20107a

The Part 201 rules identified certain obligations for owners/operators of contaminated properties. The obligations are presented in a standard font below and the assessment of each obligation is summarized after the obligation in an *italicized* font.

> Undertake measures as are necessary to prevent exacerbation of the hazardous substances.

The activities proposed by the City of Hart to raze the subject building and prepare the subject site for redevelopment will not exacerbate the existing contamination identified at the subject property. The future site redevelopment plans proposed by others, however, should be reviewed by an environmental professional to ensure they do not exacerbate the documented contamination.

> Exercise due care by undertaking response activities necessary to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the facility in a manner that protects the public health and safety.

A review of the various exposure pathways was conducted. The exposure pathway analysis did not identify complete human health risk pathways based on the intended use, the site conditions and no groundwater use.

> Take reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that foreseeably could result from those acts or omissions.

An owner/operator must consider the protection of tenants/employees, utility workers, contractors and easement holders that may come into contact with the hazardous substances identified in the soil/groundwater at the subject site. A Third Party Environmental Disclosure Form was provided and should be provided to companies engaging in subsurface work activities (i.e., utility workers/contractors) at the subject site, as necessary. In addition, the owner/operator should notify employees/tenants of the environmental conditions to promote awareness, as a precautionary measure. Employees/tenants should refrain from conducting any subsurface work activities without proper awareness and/or health and safety training, as necessary. Companies that engage employees to conduct certain subsurface work can use the notification and this Due Care Analysis and Plan (DCAP) to assess employee's health and safety concerns. Companies may develop and implement a Health and Safety Plan to support compliance with Michigan Occupational Safety and Health Administration (MiOSHA) or Occupational Safety and Health Administration (OSHA) construction standards. The Third Party Environmental Disclosure Sheet is included as Appendix D of this document.

> Provide reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility. Nothing in this subdivision shall be interpreted to provide any right of access not expressly authorized by law, including access authorized pursuant to a warrant or a court order, or to preclude access allowed pursuant to a voluntary agreement.

No additional response activities are proposed at the subject site.

> Comply with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.

No environmental land use or resource restrictions currently exist or are proposed for the subject site.

> Not impede the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

No environmental land use or resource restrictions currently exist or are proposed for the subject site.

4.2 Responsibilities outlined in Part 10 - Compliance with Section 324.20107a of the Act

The EGLE/MDEQ has identified certain responsibilities for owners/operators of contaminated properties to support compliance with Part 201. The responsibilities are identified in a normal font. The assessment of each responsibility is summarized in the following paragraph in an italicized font.

Comply with Section 20107a and other laws and regulations (R299.51003 and R299.51005).

The owner/operator shall undertake appropriate response activities and provide notices to comply with DCOR, as necessary. The owner/operator shall maintain documentation of compliance with DCOR, and shall provide said documentation to the EGLE upon request. The owner/operator shall also comply with laws and regulations applicable to hazardous substance use, storage and management. This includes but is not limited to air pollution control, hazardous waste management, solid waste management, abovegrade storage tank regulations, etc.

Comply with Section 20107a(1)(a) - not exacerbate response activity costs (R299.51007).

The intended use of the subject site will not exacerbate response activity costs. If redevelopment plans are proposed, or the site uses change, the plans should be reviewed by an environmental professional to document exacerbation principles are considered and addressed relating to the proposed changes.

Comply with Section 20107a(1)(b) - discarded or abandoned aboveground containers (R299.51009 and R299.51015).

No discarded or abandoned aboveground containers (as defined under the Part 201 Rules) were identified or known to exist at the subject property.

Comply with Section 20107a(1)(b) - belowground containers (R299.510011).

A Ground Penetrating Radar (GPR) survey was conducted on October 10, 2019 by Diamond Concrete Sawing of Grand Rapids, Michigan. Based on the results of the GPR Survey, no regulated belowground containers or underground storage tanks (USTs), as

defined by Part 211 or 201, exist on the subject property. The GPR Survey area is depicted on Figure 2.

Evaluate unacceptable exposure and conduct mitigation activities, if necessary (R299.51013).

A review of the various exposure pathways, site operations and natural resource use were conducted. The chemical analytical results did not identify hazardous substances concentrations that exceeded the human health risk pathways.

Notify the EGLE and affected property owners of migrating contamination (R299.51017).

Based on the current information and analysis, no notification to adjoining property owners or the EGLE is required.

Mitigate potential fire/explosion hazards and notify the local fire department (R299.51019).

Based on the chemical analysis results, no flammable or explosive conditions were identified. No notification to the local fire department is required.

4.3 Compliance with Section 324.20120c

Section 324.20120c of the Part 201 relates to documentation duties for the relocation of contaminated soil. More specifically, Section 324.20120c requires that the owner/operator document: 1) the facility from which the soil was relocated, 2) the facility to which the soil was relocated, 3) the volume of soil relocated and 4) a summary of the basis for the owner's/operator's determination that the relocation did not cause any exacerbation under Section 20107a(1).

The western portion of the subject site was improved with a commercial building (former restaurant) and an asphalt paved parking area. The eastern portion of the subject site was maintained as an unpaved parking area with a small storage shed and a hot tub enclosure/retaining wall. The City of Hart intends to raze the existing building structure and prepare the site for mixed use redevelopment. If soil relocation work is required as part of the redevelopment activities, the owner/operators are advised that certain documentation duties are required. The date of the relocation activities, contractor conducting the work, person documenting the excavation activities, equipment used, source location, deposition

location and the volume shall be documented and maintained with this DCAP. A Soil Relocation Documentation Form is included as Appendix C. If the plans change and off-site soil relocation work is required, an environmental profession should review the proposed plans to verify compliance with the due care duties outlined with Section 324.20120c of Part 201.

5.0 SUMMARY AND CONCLUSIONS

A subsurface investigation was previously conducted and qualified the subject site as a "facility" or "site" under Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201). The owner/operator of a "facility" or "site" has an affirmative obligation to comply with the due care responsibilities outlined in Section 324.20107a and the Due Care Rules associated with Part 201 (Compliance with Section 324.20107a of the Act [Part 10]). This Due Care Analysis and Plan (DCAP) was prepared to support the initial requirements of Part 201 and Part 10. This DCAP included the review and presentation of the existing environmental information, the development plans, an analysis of the appropriate land use category (based on the intended use of the subject site and adjoining properties) and correlation with the requirements specified in Part 201. A summation of the owner's responsibilities is included below.

5.1 Exposure Pathway Summary and Notification

A human health exposure analysis was conducted. The analysis included a comparison of the chemical analytical results to the various promulgated Risk-Based Screening Levels (RBSLs) for Residential land use as defined under Part 201 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act 451 of 1994, as amended (Part 201) and the Michigan Department of Environment, Great Lakes and Energy (EGLE) (formerly known as the Michigan Department of Environmental Quality [MDEQ])/Department of Health and Human Services Media-Specific Volatilization to Indoor Air Interim Action Screening Levels (Recommended Interim Action Screening Levels) for the Volatilization to Indoor Air Pathway. In addition, a review of the proposed site uses, availability of the municipal water system and professional judgement were also conducted. **Based on the analysis/review, no unacceptable human health risk exposure pathways currently exist at the subject site.**

An owner/operator must consider the protection of tenants, employees, utility workers, contractors and easement holders that may come into contact with the hazardous substances identified in the soil/groundwater at the subject site. Although no subsurface work is currently planned, a Third Party Environmental Disclosure Form shall be provided to companies engaging in subsurface work activities (i.e., utility workers/contractors) at the subject site. In addition, the owner shall notify employees/tenants of the environmental conditions to promote awareness, as a precautionary measure. Employees/tenants shall refrain from conducting any subsurface work activities without proper awareness training and/or health and safety. Companies that engage employees to conduct certain

subsurface work can use the notification and the DCAP to assess employee's health and safety concerns. Companies may develop and implement a Health and Safety Plan to support compliance with Michigan Occupational Safety and Health Administration (MiOSHA) and/or Occupational Safety and Health Administration (OSHA) construction standards. This document is not intended to provide compliance objectives for rules/laws that may be applicable under MiOSHA and/or OSHA. The Third Party Environmental Disclosure Sheet is included as Appendix B of this document.

5.2 Additional Due Care Considerations

Based on future redevelopment plans, soil may be proposed for relocation off the subject site. The specific details pertaining to the redevelopment were not available as of the completion of this report. The owner/operators are advised that certain documentation duties are required if conducting such activities (See Section 4.3 for additional details). The relocation documentation, if necessary, shall be maintained with this DCAP. A Soil Relocation Documentation Form is included as Appendix C. If off-site soil relocation work is required, an environmental professional should review the proposed plans to verify compliance with the due care duties outlined with Section 324.20120c of Part 201.

Precautionary measures and special considerations were reviewed to support general due care duties relating to the impacted media at the subject site. The owner/operator maintains a duty to not exacerbate the existing contamination documented at the subject property. As such, any future redevelopment activities and/or soil relocation activities should be reviewed by an environmental professional. The plans should take careful consideration not to exacerbate the existing contamination. In addition, if any future redevelopment plans include soil relocation, the activities should be reviewed and shall comply with Section 324.20120c of Part 201.

This DCAP is an initial review of the site conditions and intended use of the subject property. The DCAP is considered a "living document." If any additional hazardous substance information is revealed in the future or the site use or plans change, then further due care analysis and documentation may be necessary. The DCAP can be reviewed and amended with the additional information, as necessary. In addition, the DCAP document shall be maintained and available upon request to the EGLE/MDEQ.

If you have any questions or comments regarding this project, please contact us at (616) 742-5511.

REPORT PREPARED BY:

DIXON ENVIRONMENTAL CONSULTING, INC.

Jennifer L. Knuth
Project Scientist

James E. Dixon, P.E.
Principal Engineer

6.0 REFERENCES

Instructions for Preparing and Disclosing Baseline Environmental Assessments and Section 7a Compliance Analysis to the Michigan Department of Environmental Quality dated March 11, 1999.

Administrative Rules for Part 201 of the Natural Resources and Environmental Protection Act 1994 PA 451, as amended.

Remediation and Redevelopment Division (RRD) Cleanup Criteria Requirements for Response Activity effective June 25, 2018.

Michigan Department of Environment, Great Lakes and Energy (formerly known as the Michigan Department of Environmental Quality) Department of Health and Human Services Media-Specific Volatilization to Indoor Air Interim Action Screening Levels (Recommended Interim Action Screening Levels) (dated August 2017).

Information available from the Department of Environment, Great Lakes and Energy (Formerly Michigan Department of Environmental Quality [MDEQ]), Remediation and Redevelopment Division Freedom of Information Act Request.

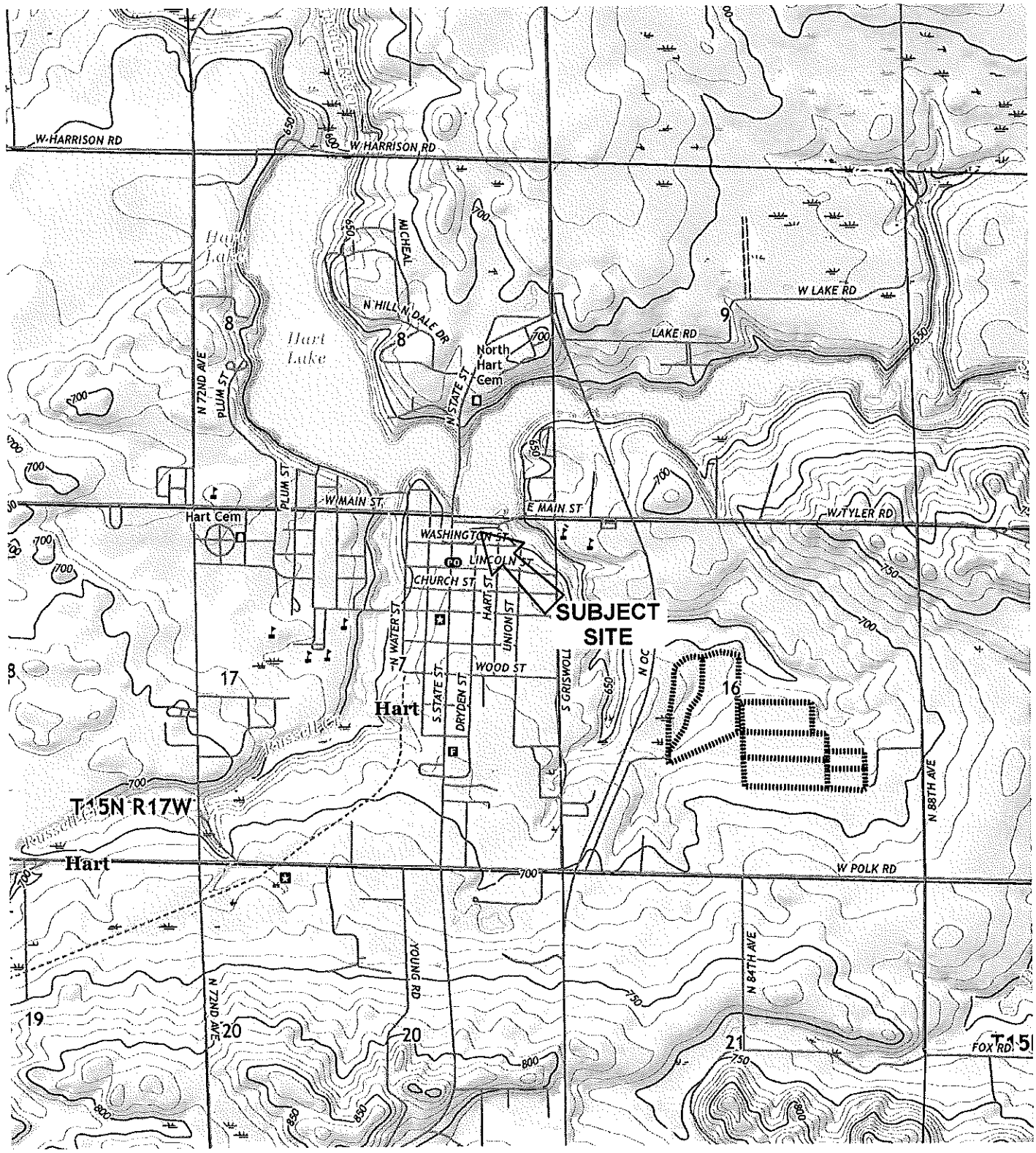
Phase I Environmental Site Assessment, Commercial Property, 227 East Main Street, Hart, Michigan, completed by Dixon Environmental Consulting, Inc. on October 1, 2019.

Phase II Environmental Site Assessment, Commercial Property, 227 East Main Street, Hart, Michigan, completed by Dixon Environmental Consulting, Inc. on October 22, 2019.

Baseline Environmental Assessment, Commercial Property, 227 East Main Street, Hart, Michigan, , Michigan, Completed by Dixon Environmental Consulting, Inc. on November 7, 2019 (Identification number was not available as of the completion of this report).

FIGURES

PROJECT LOCATION MAP
HUMAN HEALTH RISK EXPOSURE PATHWAY DIAGRAM



USGS 7.5 MINUTE QUADRANGLE MAPS: HART, MICHIGAN AND MEARS, MICHIGAN



OCEANA COUNTY, MICHIGAN

PROJECT NUMBER: 19-08-008D | DATE: 11/7/2019

APPROXIMATE SCALE: 1" = 2,000'

0' 1,000' 2,000' 4,000'

1560 North Taylor Avenue Grand Rapids, MI 49505

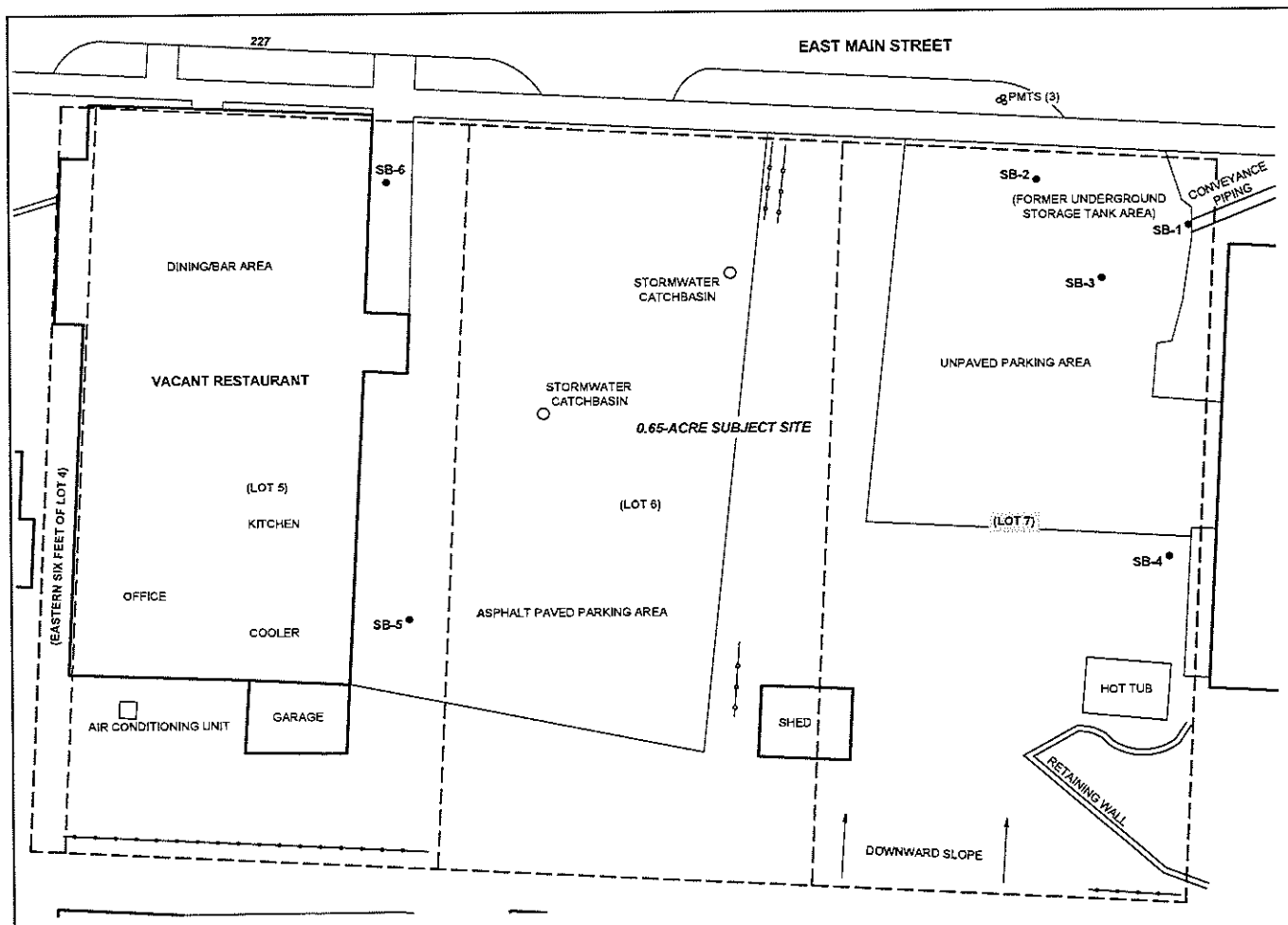
DIXON ENVIRONMENTAL CONSULTING, INC.

DUE CARE ANALYSIS AND PLAN

FIGURE 1 - PROJECT LOCATION MAP

NORTH

COMMERCIAL PROPERTY
227 EAST MAIN STREET
PARCEL NUMBER: 64-020-209-005-00
HART, MICHIGAN



DUE CARE NOTES:

THE RESULTS OF THE DUE CARE ANALYSIS AND PLAN DID NOT IDENTIFY POTENTIALLY COMPLETE OR COMPLETE HUMAN HEALTH RISK PATHWAYS BASED ON THE ANALYTICAL RESULTS FROM THE SOIL AND GROUNDWATER SAMPLES COLLECTED FROM THE SUBJECT SITE.

THE SUBJECT PROPERTY, HOWEVER, IS A "FACILITY" OR "SITE" AS DEFINED UNDER PART 201 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, MICHIGAN PUBLIC ACT 451 OF 1994, AS AMENDED (PART 201).

SINCE THE PROPERTY IS A "FACILITY" OR "SITE", NOTIFICATION SHALL BE PROVIDED TO CONTRACTORS, UTILITY WORKERS, OR OTHER PERSONS WORKING IN SUBSURFACE SOIL/GROUNDWATER TO ADVISE THAT ADDITIONAL CONSIDERATION MAY BE NECESSARY TO MAINTAIN COMPLIANCE WITH MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (MIOSHA) AND/OR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) CONSTRUCTION STANDARDS. THE INFORMATION PRESENTED IN THIS DISCLOSURE MAY ASSIST IN DEVELOPING SUCH A PLAN, HOWEVER, THIS DOCUMENTATION IS NOT A SITE SPECIFIC HEALTH AND SAFETY PLAN.

NO SOIL SHALL BE EXCAVATED AND RELOCATED OR REMOVED FROM THE PROPERTY WITHOUT PROPERTY OWNER'S PRIOR REVIEW AND APPROVAL. RELOCATION IS NOT DEFINED AS AN ACTIVITY WHERE THE EXCAVATED MATERIAL IS RETURNED TO THE SAME EXCAVATION/TRENCH AS BACKFILL. RELOCATED SOIL SHOULD BE DOCUMENTED ON THE SOIL RELOCATION DOCUMENTATION FORM INCLUDED AS APPENDIX C OF THE DUE CARE ANALYSIS AND PLAN.

NO DEWATERING ACTIVITIES SHALL BE CONDUCTED WITHOUT PROPERTY OWNER'S PRIOR REVIEW AND APPROVAL.

LEGEND

- SB-1 ● BORING LOCATION (10/15/2019) [ANALYTICAL RESULTS DID NOT EXCEED A HUMAN HEALTH RISK PATHWAY]
- SUBJECT SITE BOUNDARY
- LOT LINE
- BUILDING STRUCTURE
- GUARD RAIL
- FENCE

DIAGRAM NOTES:

THIS DIAGRAM IS NOT A LEGAL SURVEY.

THE DETAILS DEPICTED ON THIS DIAGRAM ARE APPROXIMATE LOCATIONS BASED ON THE AVAILABLE AERIAL PHOTOGRAPHS, STANDARD HISTORICAL RESOURCES AND/OR FIELD OBSERVATIONS.

PROJECT NUMBER: 19-08-008D | DATE: 11/7/2019

APPROXIMATE SCALE: 1" = 20'

0' 10' 20' 40'

DIXON ENVIRONMENTAL CONSULTING INC. 1360 North Taylor Avenue Grand Rapids, MI 49505

DUE CARE ANALYSIS AND PLAN

FIGURE 2 - HUMAN HEALTH RISK EXPOSURE PATHWAY DIAGRAM

NORTH

COMMERCIAL PROPERTY
227 EAST MAIN STREET
PARCEL NUMBER: 64-020-209-005-00
HART, MICHIGAN

APPENDIX A

SOIL/GROUNDWATER DATA COMPARED TO THE RESIDENTIAL PART 201 GENERIC CLEANUP CRITERIA & SCREENING LEVELS/PART 213 RISK-BASED SCREENING LEVELS AND THE RECOMMENDED INTERIM ACTION SCREENING LEVELS FOR THE VOLATILIZATION TO INDOOR AIR PATHWAY

Due Care Analysis and Plan

Soil Data Compared to the Residential Part 201 Generic Cleanup Criteria and Screening Levels/ Part 213 Risk-Based Screening Levels and the Recommended Interim Action Screening Levels for the Volatilization to Indoor Air Pathway
227 East Main Street, Hart, Michigan

Constituent		Inorganic Metallic Constituent
		lead
CAS Number		7439921
Human Health Risk Pathways		
EGLE Part 201 Document		
Drinking Water Protection Criteria		7.00E+05
Direct Contact Criteria		4.00E+05
Particulate Soil Inhalation Criteria		1.00E+08
Infinite Source Volatile Soil Inhalation Criteria (VSIC)		NLV
Finite VSIC for 5 Meter Source Thickness		NLV
Finite VSIC for 2 Meter Source Thickness		NLV
Soil Volatilization to Indoor Air Inhalation Criteria		NLV
MDHHS/EGLE Volatilization to Indoor Air Pathway		
Recommended Interim Action Screening Levels		NA
Non-Human Health Risk Pathways		
EGLE Part 201 Document		
Statewide Default Background Levels		21,000
Groundwater Surface Water Interface Protection Criteria		2.50E+06*
Soil Saturation Concentration Screening Levels		NA
Sample ID (Interval or Depth)	Date Sampled	
SB-1 (11.0-11.5')	10/15/2019	5,000
SB-2 (11.0-11.5')		3,600

Notes:
NLV - Not Likely to Volatilize.
NA - Not Applicable/Not chemically analyzed for specified parameter.
Results in compared to the Michigan Department of the Environment, Great Lakes and Energy (EGLE) (Formerly known as the Michigan Department of Environmental Quality) Residential Land Use Exposure Pathway Cleanup Criteria as outlined in the Remediation and Redevelopment Division (RRD): Residential and Nonresidential Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels, tables last updated June 25, 2018 (Part 201) [EGLE Part 201 Document] or the Recommended Interim Action Screening Levels (RIASL) for Volatilization to Indoor Air Pathway (VIAP) dated August 2017 established by the Michigan Department of Health and Human Services (MDHJS) and the EGLE.
* - GSI-Acute chemical specific values derived from calculations involving the receiving surface water body quality parameters, hardness 150mg/L and pH 7.0. See RRD Operational Memorandum No. 5.
No detectable concentrations of polynuclear aromatic hydrocarbons or volatile organic compounds were encountered in the soil samples.
Samples collected by Dixon Environmental Consulting, Inc.

Due Care Analysis and Plan

Groundwater Data Compared to the Residential Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels and the Recommended Interim Action Screening Levels for the Volatilization to Indoor Air Pathway
227 East Main Street, Hart, Michigan

Hazardous Substance	Chemical Abstract Service Number	Human Health Risk Pathways				Non-Human Health Risk Pathways		Sample Collection Dates					
		EGLE Part 201 Human Health Risk Pathways			MDHHS/EGLE VIAP	EGLE Part 201 Pathways		10/15/19	10/15/19	10/15/19	10/15/19	10/15/19	10/15/19
								Sample Identification (Sample Interval)					
		Drinking Water Criteria	Groundwater Volatilization to Indoor Air Inhalation Criteria	Flammability and Explosivity Screening Level	Groundwater RIASL	Groundwater Surface Water Interface Criteria	Water Solubility	SB-1 (12.6')	SB-2 (12.8')	SB-3 (12.7')	SB-4 (11.9')	SB-5 (11.5')	SB-6 (13.2')
Inorganic Metallic Constituents (µg/L)													
cadmium	7440439	5.0	NLV	ID	NA	2.5*	NA	< 1.0	< 1.0	< 1.0	< 1.0	< 1.0	< 1.0
chromium (total)~	varies	100	NLV	ID	NA	11	NA	< 10	< 10	< 10	< 10	< 10	< 10
lead	7439921	4.0	NLV	ID	NA	14*	NA	< 3.0	< 3.0	< 3.0	< 3.0	< 3.0	< 3.0
Polynuclear Aromatic Hydrocarbons (PNAs) (µg/L)													
PNAs	-	-	-	-	-	-	-	BDL	BDL	BDL	BDL	BDL	BDL
Volatile Organic Compounds (VOCs) (µg/L)													
1,2,4-trimethylbenzene	95636	63	56,000	56,000	440	17	55,890	< 1.0	37	< 1.0	< 1.0	< 1.0	< 1.0
1,3,5-trimethylbenzene	108678	72	61,000	ID	310	45	61,150	< 1.0	14	< 1.0	< 1.0	< 1.0	< 1.0
Remaining VOCs	-	-	-	-		-	-	BDL	BDL	BDL	BDL	BDL	BDL

Notes:
BDL - Below the respective method detection limits.
NLV - Not Likely to Volatilize.
ID - Insufficient data to develop criterion.
NA - Not Applicable/Not chemically analyzed for specified parameter.
VIAP - Volatilization to Indoor Air Pathway.
~ - Chromium (total) results were compared to the hexavalent chromium cleanup criteria.
Samples collected by Dixon Environmental Consulting, Inc.

Results in bold Exceed a Michigan Department of the Environment, Great Lakes and Energy (EGLE) (Formerly known as the Michigan Department of Environmental Quality) Residential Land Use Exposure Pathway Cleanup Criteria as outlined in the Remediation and Redevelopment Division (RRD): Residential and Nonresidential Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels, tables last updated June 25, 2018 (Part 201) [EGLE Part 201 Document] or the Recommended Interim Action Screening Levels (RIASL) for Volatilization to Indoor Air Pathway dated August 2017 established by the Michigan Department of Health and Human Services (MDHHS) and the EGLE.
* - GSI-Acute chemical specific values derived from calculations involving the receiving surface water body quality parameters, hardness 150mg/L and pH 7.0. See RRD Operational Memorandum No. 5.
Blue Box indicates that Analytical Results Exceeded the Nonresidential Exposure Pathway Criteria.

APPENDIX B

THIRD PARTY ENVIRONMENTAL DISCLOSURE SHEET

Third Party Environmental Disclosure Sheet
Commercial Property
227 East Main Street
Hart, Michigan

The subject property is a "facility"or "site" under Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201).

A subsurface investigation was conducted in October 2019. The analytical data identified a concentration of the volatile organic compound, 1,2,4-trimethylbenzene, exceeding a residential risk-based screening level as defined in Part 201. Specifically, 1,2,4-trimethylbenzene exceeded the groundwater surface water interface criteria. A general characterization of environmental conditions and potential human exposure pathways is discussed in a Due Care Analysis and Plan (DCAP), which can be made available upon request.

The review concluded that no unacceptable human health risk exposure pathways exist under the current site conditions/use. However, there exists some potential human health exposure pathway risk relating to subsurface contractors/sub-contractors/utility workers, etc. working during the redevelopment activities. Parties conducting subsurface work activities (e.g., excavation/soil relocation/dewatering) should review/verify the scope of any subsurface soil/groundwater disturbance project with the owner and be advised of the following:

- No soil shall be relocated or removed from the property without property owner's prior review and approval. Relocation is not defined as an activity where the excavated material is returned to the same excavation/trench as backfill.

- No dewatering activities shall be conducted without property owner's prior review and approval. Dewatering activities should be reviewed and avoided, if possible.

- Contractors, utility workers, or other persons working in subsurface soil/groundwater are advised that additional consideration may be necessary to maintain compliance with Michigan Occupational Safety and Health Administration (MiOSHA) and/or Occupational Safety and Health Administration (OSHA) construction standards. The information presented in this disclosure may help in developing such a plan, however, this documentation is not a site specific Health and Safety Plan.

APPENDIX C

SOIL RELOCATION DOCUMENTATION FORM

Soil Relocation Documentation Form	
Date:	
Person Observing Relocation Activities:	
Contractor Conducting Work Activities:	
Equipment Used:	
Soil Type (i.e., sand, clay, gravel, etc.):	
Source Area (location, volume, surface area and depth and attach map/diagram as necessary):	
Deposition Area or Landfill * (Owners approval is necessary prior to conducting.) (Landfill utilized and tons deposited):	
Unusual Odors or Visual Indications of Environmental Impact (i.e., color, debris, sheen, staining, etc.):	

City of Hart

Memo

To: Mayor and City Council

From: Lynne Ladner

cc:

Date: 11/8/19

Re: Presentation of Downtown Planning Summary as drafted for the RRC Certification Program

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As part of the Redevelopment Ready Community (RRC) program, the City is required to have an adopted Downtown Development Plan (DDP) or a Downtown Planning Summary (DPS). The DDP is a plan similar to the master plan that is developed with specific required steps and input from the community. The DPS is a summary document that collects the information that is traditionally in the DDP from other plans that have already been adopted by the City such as the Master Plan, Zoning Ordinance, Public Participation Guide, etc. The planning commission has had the DPS presented to them, and the MEDC, which administers the RRC program has reviewed the DPS and approved it as complete for their requirements. The DPS does not need formal adoption, as it is a summary of other documents.

Lynne

City of Hart
2019 Downtown
Planning Summary Report

October 25, 2019 Draft

THE DOWNTOWN PLAN

The City of Hart's Downtown Plan Summary is a compilation of relevant goals, principles, and strategies established during recent planning efforts that relate to Hart's downtown core. This report summarizes a community-driven vision and plan for the future of downtown Hart. In 2017, the City of Hart Master Plan set an ambitious path for downtown revitalization and prosperity. The primary objective of Hart's downtown planning efforts is to build on the success of the past and serve to guide decisions over the next ten years to benefit and improve the historic downtown area and adjoining neighborhoods.

Hart's downtown planning efforts have established priorities for public action and serve as a guide for private sector decisions. These guidelines and recommendations serve as tools to evaluate new development proposals, attract and retain new businesses, create a tourist destination, direct capital improvements, and guide public policy in a manner that ensures Hart continues to be the community that its residents desire. This report contains maps, pictures, and summary information to outline the downtown planning efforts in a consolidated executive summary.

This summary document includes the following:

- City History and Context- page 2
- Hart Main Street- page 2
- Downtown Character and Land Use- page 2
- Complete Streets- page 5
- Downtown Parks- page 7
- Capital Improvements- page 7
- Placemaking- page 9
- Trail Town- Downtown Connection- page 10
- Future Land Use Plan- page 11
- Downtown Goals, Principles, and Implementation- page 13
- Economic Development Strategy- page 15

CITY HISTORY AND CONTEXT

Hart is the only city in Oceana County and is the county seat. The City was established around the fruit farming industry and is the home to several large fruit storage and processing facilities. Just east of US-31, Hart is only seven miles from Lake Michigan and close to Silver Lake State Park.

The City is an employment and service center to the greater Hart community and is the home of businesses that are vital to everyday living, including grocery stores, restaurants, retail stores, financial services, packaging, processing, and industrial uses. A Michigan State Police Post and the County Road Commission facilities are also located in the City along with Oceana County offices. The Oceana Medical care facility is in the northeast portion of the City. Most of the community is walkable, with easy access to parks and the downtown area by foot or bicycle.

HART MAIN STREET

The City of Hart is a certified Master Level Mainstreet Community. Hart Main Street's mission is to work with both the public and private sectors to restore the vitality once common in the downtown district by enhancing our community identity and heritage, fostering a center of activity, and ensuring economic stability through concentrated efforts in organization, promotion, design, and business development.

The Hart Mainstreet program offers a number of resources for business, hosts several events for the City and has a number of committees, all with the purpose of promoting the City of Hart, attracting new businesses to the city and revitalizing the core of the city to ensure it is a destination enjoyed by many both locally as well as tourists to the area.

DOWNTOWN CHARACTER & LAND USE

Downtown Hart is distinctive mainly due to the unique characteristics that set it apart from other commercial districts in the city. To better understand downtown's unique aspects, an analysis was conducted to evaluate various character areas within the city. Studying these characteristics allowed distinct character areas in the City to be grouped based on common characteristics, including land use, the orientation of buildings, height/bulk of buildings, and provision of parking.

The downtown area includes a mix of land uses and is compact, vibrant, and walkable. The downtown area is very active with commercial uses, public space, and recreational opportunities. The downtown is pedestrian-oriented, although individuals may arrive by other modes of transportation, including bicycles and cars.

Downtown Hart contains many elements that reflect a strong sense of history. Some brick storefronts in the downtown core date back to the 1800s. Others reflect architecture from the early 1900s. City Hall is located downtown, in addition to the post office, library, county buildings, and parks. These facilities are centrally located and generate activity which contributes to downtown vitality.

Hart's compact traditional downtown layout lends itself well to pedestrian traffic. Residents and visitors can comfortably navigate the downtown area to shop, dine, and interact.



Figure 1 Downtown Building Character

Downtown Character Analysis Summary

- Buildings- Drawn to the street.
- Uses- Retail, services, accommodations, restaurants, arts & entertainment, and attached dwellings and apartments.
- Scale- Compact, walkable urban scale.
- Blocks and Streets- Smaller blocks on an urban grid and compact scale.
- Streetscape- Sidewalks, crosswalks, planters, streetlights, street trees, and benches.
- Public Space- Small parks and common areas.
- Parking- On-street parallel parking and behind buildings.

Existing Character Areas

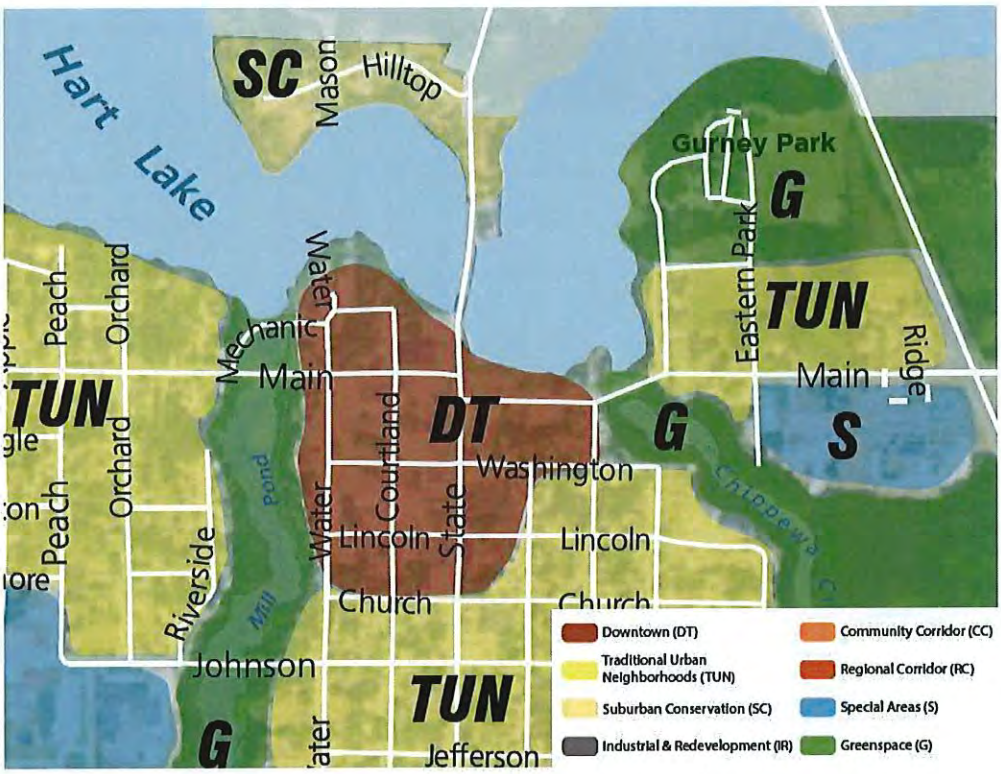

Figure 2 Character Area Map- Downtown Focus

COMPLETE STREETS

Planning downtown Hart's transportation system involves more than just moving vehicles efficiently and safely. A transportation system needs to meet the needs of all types of users – motorists, pedestrians, bicyclists, and disabled residents and visitors. This approach is often referred to as planning for "complete streets," harmonizing streets with their surroundings while interconnecting transportation networks to meet the mobility needs of all users. Whenever possible, the City of Hart implements context-sensitive street design solutions to accommodate all users and ability levels by installing ADA compliant curbs and ramps, pedestrian-friendly crosswalks, sidewalks of appropriate width and distance from the roadway, and on-street bicycle facilities where feasible and appropriate.



Figure 3 Painted "Sharrow"

While much of the downtown contains sidewalks, there can be stronger connections made to and from adjacent neighborhoods as well as connections to facilities such as the Hart-Montague Trail, the fairgrounds, local schools, and employment centers. Generally, existing sidewalks are concentrated in established neighborhoods. However, some areas of the City are void of sidewalks or trails, and priority areas should be addressed in capital improvement planning.

The Master Plan recommends that all residential neighborhoods contain sidewalks or trail links to critical facilities. In addition to a comprehensive sidewalk and trail system, signs and trail markings are essential to guide cyclists and pedestrians downtown. Plans for street trees and street furniture will also help make travel more accessible, comfortable, and enjoyable.

Concerning parking and traffic calming, there are several curb extensions on State Street in downtown Hart, north of Church Street. Curb extensions narrow the travel width and create a visual indicator that naturally slows traffic by design. Further, the extensions shorten the distance pedestrians must travel across a street, lessening the time exposed to traffic. Curb extensions can also provide additional open space for bike racks, planters, benches, trees, and other downtown amenities. Along with curb extensions north of Church Street, on-street parking has eliminated the two outside lanes of the four-lane cross-section. The City owns State Street for another block south of Church Street as well. Similar traffic calming, on-street parking, and pedestrian accommodations could be extended further south from Church Street, especially as downtown businesses grow.



Figure 4 Curb Extension and Bike Rack

High visibility crossings are recommended for critical intersections in the City. Many crossings in the City have parallel stripes that have faded over time. Other eye-catching types of crosswalks have been shown to improve driver-yielding behavior. Further, accessible curb ramps are required by the Americans with Disabilities Act (ADA) at all crosswalks.

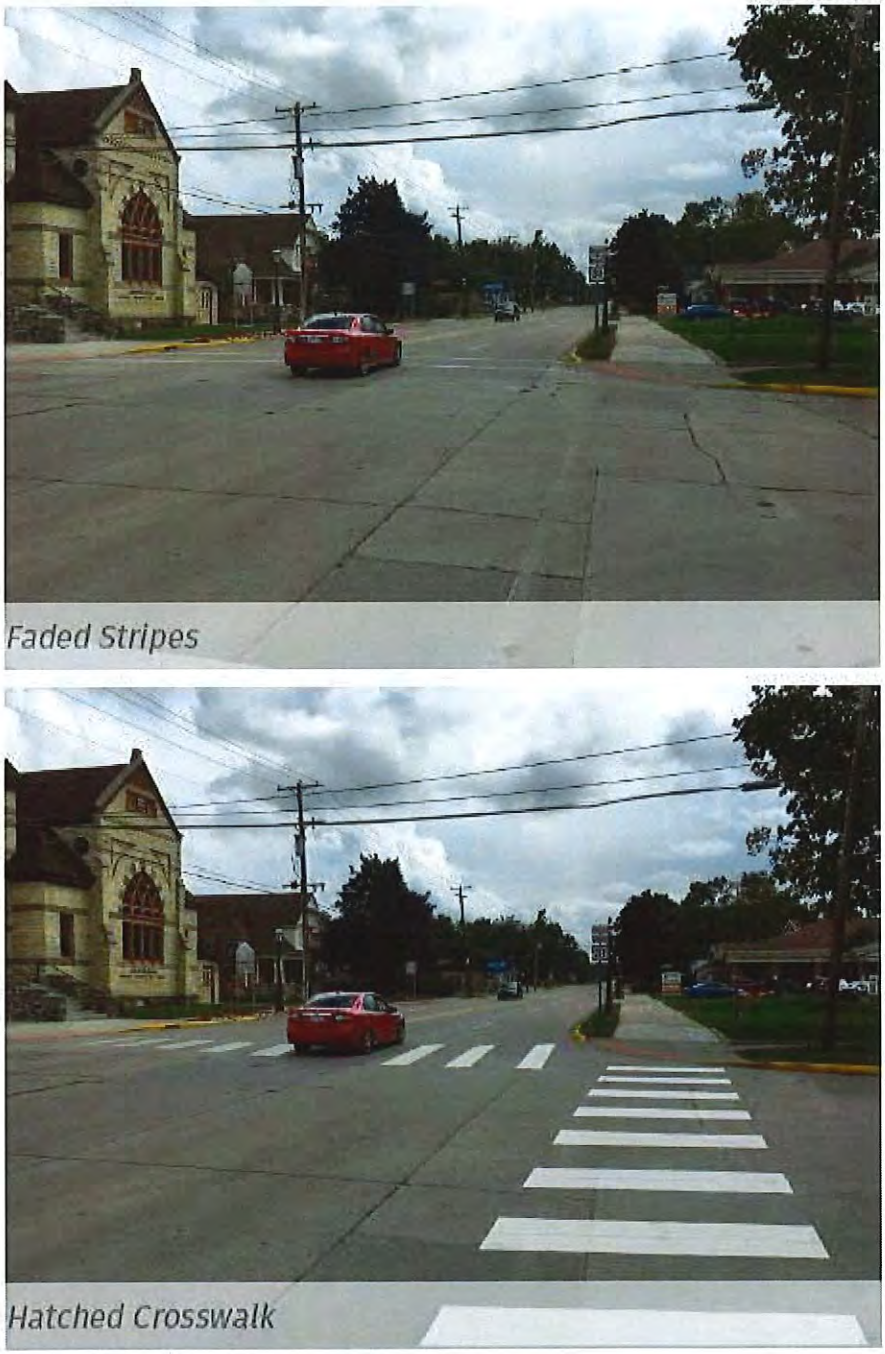

Figure 5 Potential Crosswalk Improvements

DOWNTOWN PARKS

Downtown Hart boasts some of the region's most attractive parks and recreation facilities. These facilities are discussed below and within the City of Hart Parks and Recreation Master Plan.

Hart Commons Park

Hart Commons is located in the center of the downtown business district and is the location for all community events, such as concerts, parades, sale days, and holiday celebrations. Hart Commons park is the primary gathering place in the community.



Figure 6 Hart Commons Park

Veteran's Memorial Park

Veterans Park is located just across the bridge dividing Hart Lake. The Park provides parking for users, boardwalk for fishing, and a substantial maintained lawn area. The Park is foremost a memorial for veterans with a granite memorial, flag poles, commemorative bricks, and a historic US Air Force jet. The park is also used for fishing access to Hart Lake and the bridge. The parking area also serves as a boat launch for kayaks and canoes. The boat launch area has experienced erosion problems, and currently, fabric and gravel are being used to retain the soil.

Downtown Pocket Park

The Downtown Pocket Park is a green strip between S. State Street and the parking area which accesses an alley and S. Courtland Street. Through Community Development Block Grant (CDBG) and City funding, the park will be a family-oriented area that will include a fountain, hard-scaping, play areas, seating, and landscaping. The park will be within a unique space tucked between two existing main street buildings, and it is currently under design after significant public input.

CAPITAL IMPROVEMENTS

The City's 6-year Capital Improvement Program includes nine main categories: public works, parks, police, hydroelectric, water pumping and distribution, sewer collection, BioPure treatment, City buildings, and the historic district. (*insert link when online*) As a part of the CIP process, projects are developed by the City Manager and department heads on an annual basis to meet the goals of City Council, to improve upon the delivery of service, to upgrade aging facilities and infrastructure, and to expand public facilities and parks. Capital projects are based on the needs and goals outlined in the Master Plan.

When projects are developed, they are prioritized into high and moderate classifications. High priority projects are critical to the delivery of public services. Moderate priority projects are important for long-term community sustainability.

1. Public Works. Projects under public works include the design, planning, and construction of streets, sidewalks, and general infrastructure for community facilities.

2. Parks. The City sets aside funds for improvement projects for all five City parks (Veteran's Memorial Park, Downtown Pocket Park, Hart Commons, John Gurney, and Pointe Park) including design, planning, and construction of parking areas, walking paths, bridges, and structures. These capital projects are based on the recommendations of the Parks & Recreation Plan.

3. Police. Capital expenditures for the police department primarily include vehicles and equipment. These items are replaced on a rolling schedule (at least one new vehicle every two years).

4. Hydro Electric. Improvements to the City's hydroelectric system are necessary to ensure long-term provision of electrical power to area residents and businesses. Expenditures for the hydro-electric system typically include electric improvements, meter reading technology, new vehicles, and the reuse and refurbishment of decommissioned infrastructure.

5. Water Pumping and Distribution. In order to ensure the long-term provision of water service to existing and future residents and businesses, expenditures such as meter reading technology, repairs and maintenance, rehabilitation and repairs of wells, construction of water transmission mains, and the design, planning, and construction of boost stations are needed. These projects are commonly identified in Water System Reliability Studies conducted by the City.

6. Sewer Collection. Similar to the water pumping and distribution system, the City depends on a well-functioning sewer collection system to ensure the health and safety of its residents and businesses. Common expenditure items under this category include the design, planning, and construction of sewer transmission mains, purchase of new equipment, and the construction or repair to lift stations.

7. BioPure Treatment. The BioPure system treats wastewater at the City's sewage treatment facility. Aeration of wastewater at and irrigation are key components of the system process, and expenditures will commonly be earmarked for the maintenance and repair to these systems.

8. City Buildings. Intermittent improvements are required to keep City buildings in well-functioning and safe conditions. Expenditures commonly include efficiency improvements such as energy-efficient windows, roof and siding maintenance, and the design, planning, and construction of new City buildings.

9. Historic District. The Hart Historic District is listed on both the National and State registries and includes structures dating back to as early as the 1880s. The district includes the areas of

State Street (from Lincoln to Main), Washington Street (from Water to Dryden), Main Street (from 222 Main St. to Water), and Courtland Street (from Main to Washington). Due to this area's character and age, infrastructure investments such as sidewalks, curbs, and lighting are the greatest need.

The City has developed an annual CIP planning process to promote transparency and public involvement. The process ensures that the public is consulted to better understand how capital improvements such as roads, emergency service vehicles, and other major items are planned for, procured, and financed by the City. With a more informed public, there can be greater public involvement in the CIP planning process.

The CIP plays a significant role in the implementation of the Master Plan by providing the link between planning and budgeting for capital projects. The CIP process precedes the budget process and is used to develop the capital project portion of the annual budget. The model process includes a kick-off meeting, project development, ranking, Planning Commission advisory review, and City Council approval.

Downtown CIP Projects include the following in the six-year program:

1. Veteran's Memorial Park Improvements
    - $60,000 (engineering)
    - $800,000 (construction)
2. Pocket Park- $100,000 (stormwater, electrical, lighting, irrigation, pavers, sidewalk, landscaping, seat walls)
3. Street Light Update Program- $30,000
4. Street Resurfacing- $500,000

PLACEMAKING

The City of Hart has taken proactive steps to foster redevelopment within its downtown. The City has prepared for new investment and redevelopment through its improvements and upgrades to utilities, infrastructure, streets, sidewalks, street trees, benches, banners, light fixtures, and parks, as well as providing clear guidance on development processes and procedures (see development review guidebook). The City strives to be business-friendly to encourage private investment.

However, this goal is balanced with the preservation of natural resources, environmentally sensitive areas, neighborhoods, and its historic downtown area. Together, this balance will preserve what makes the City of Hart unique while opening the doors for economic opportunities. Collectively, these investments seek to create quality places where people want to live, work, play, and learn. Downtown form-based elements are incorporated within the Zoning Ordinance, B-1 Central Business District, and both public places and private commercial buildings collectively create special and unique places in the City of Hart.

TRAIL TOWN- DOWNTOWN CONNECTION

The City of Hart is bisected by the US Bicycle Route 35, a 500-mile route that runs from Indiana through Michigan to Sault Ste. Marie, Canada, generally following the Lake Michigan shoreline and through the eastern Upper Peninsula. Within the City limits, the southern portion is an off-road multi-use trail, known as the Hart-Montague Trail. North of Wood Street, Route 35 continues north with an on-road bicycle route designation.

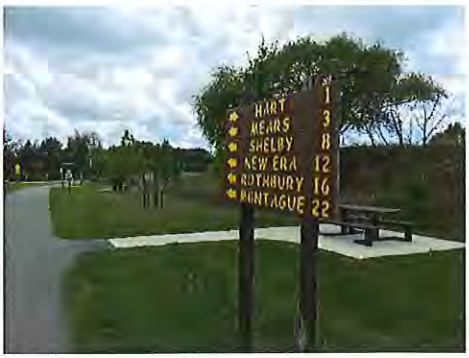

Figure 7 Trail Signage

"Trail Towns" are communities that capitalize on long-distance trail planning opportunities for tourists, distance travelers, athletes, and local recreational users. The City of Hart's effort to support the Hart-Montague trail and build from the benefits of the facility is consistent with many national and state-wide Trail Town planning efforts. Not only are trails a recreational benefit to residents, but they can serve as an economic driver. Some of the benefits of embracing the Trail Town best practices are:

- The City's status as a tourist destination increases.
- There are additional opportunities for residents.
- Local businesses, services, and accommodations benefit from use, promotion, and marketing.
- New business opportunities are created.
- Alternative forms of transportation are supported.

Capitalizing on the trail as an economic asset can significantly benefit the downtown business community. Trail users should be directed to downtown through attractive and descriptive wayfinding signage which illustrates and advertises local downtown businesses, services, and destinations (see trail connection and business map).

As a trail-oriented community, the City of Hart should continue to embrace Trail Town recommendations and projects.

1. Increase the use of the informational kiosk with local City mapping and business information.
2. Increase wayfinding through the use of signage, logos, common graphics, street paint, sharrows, and bike lanes. A combination of these elements will improve connections from the Wood Street terminus to downtown, community facilities, and John Gurney Park.
3. Cooperatively work with neighboring communities to promote the entire trail corridor as a tourist destination.
4. Continue to improve upon trailhead amenities.



Figure 8 Trail Information Kiosk

FUTURE LAND USE PLAN

The future land use plan for the downtown serves as a guide to assist local officials with decisions regarding day-to-day planning, zoning, and public improvement issues. The future land use plan is a long-term vision, and certain land use decisions will depend on site-specific conditions at the time an application is received. Additionally, downtown zoning requirements are based on the future land use category descriptions and intent.

The key to this section is that there is an important relationship between land use planning and zoning. Planning is guiding land uses from a policy standpoint, while zoning is the act of regulating the use of these lands by law or ordinance. The following paragraphs address future land use categories as found in the downtown.

Downtown Commercial/Mixed Use

This land use designation encompasses the older, traditional commercial core of the City. Retail, service, and residential land uses are appropriate in this area. However, some additional land uses may be acceptable if they complement the downtown core and provide an activity that is not readily available. In traditional downtown fashion, non-residential land uses (primarily retail and services) should occupy storefronts, while residential and office land uses should be located on upper floors. Further development of this area based on the principles of the Hart Main Street program is highly encouraged.

Mixed use and commercial buildings should fit within the historic context of the downtown area, with facades extending along most of the lot width and established up to the right-of-way, higher levels of window transparency, brick construction, projecting architectural elements and building articulation, and signs that balance the need for advertising with the historic nature of the downtown area. These design elements can be observed in the City of Hart and many other successful Main Street ® communities.

Recreational

This designation includes areas planned for or currently utilized as public parks and other recreational or public lands. These areas are to be utilized for both active and passive recreational purposes and can be located in any area of the City. Large scale active recreational areas should be located in close proximity to the major arterial transportation routes in the City.

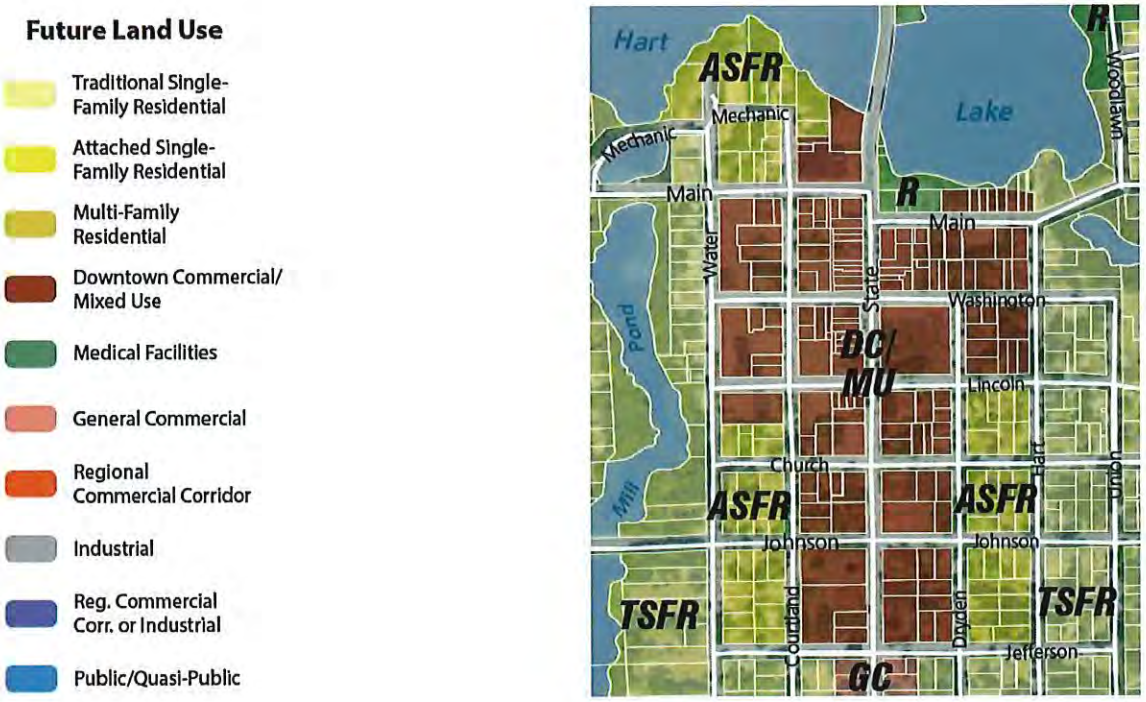

Figure 9 Master Plan Future Land Use Map- Downtown Focus

DOWNTOWN GOALS, PRINCIPLES, AND IMPLEMENTATION

Through public input and deliberation by the Planning Commission and City Council, goals and planning principles were developed to guide decisions concerning growth, preservation, and investment within the City of Hart. Goals and planning principles, along with the conceptual land use vision provided by the Future Land Use Map, will allow Hart to achieve its future vision of the City.

- Goals. The ends toward which the planning effort is directed; the vision of the desired future of the City.
- Principles. Protocol to guide decisions and achieve desired outcomes. Description of the City's intent regarding land use-related issues.

Downtown Goals

- Continue to build a strong downtown that serves as a hub of community activity that provides a unique and beautiful backdrop for area events, social interaction, and commerce, while maintaining its historic nature.
- Develop a cost-effective, consolidated infrastructure system.

Downtown Principles

1. Continue to support the Main Street Program and implement the Michigan Main Street Four-Point Approach and focus on design, economic restructuring, promotion, and organization.
2. Continue to facilitate the rehabilitation of existing downtown structures and protect historic buildings with incentives, and as necessary, enforcement actions.
3. Promote infill development that matches and complements the existing classic main street design.
4. Work with anchor downtown businesses to strengthen their position in the community and cross-promote with other businesses.
5. Continue to monitor marketing opportunities, as outlined in the 2012 Downtown Marketing study. Recruit uses that complement the rural and recreational nature of the area, such as restaurants and retail.
6. Support the volunteer-based Main Street program efforts (Main Street Four-Point Approach #4).
7. Preserve the historic nature of the downtown business district.
8. Expand on-street parking opportunities and streetscaping.
9. Continue to prepare short and long-term capital improvement programs covering major infrastructure and facility needs. Consider the Master Plau during the annual CIP planning process and capital project development and prioritization.
10. Consider traffic calming measures as opportunities arise, particularly in neighborhoods and downtown.

11. Encourage neighborhood and development connectivity for streets and non-motorized transportation to ensure a more efficient and convenient transportation network.

Downtown Actions

1. Determine a strategy to help existing businesses expand and recruit new businesses to respond to today's market (Main Street Four-Point Approach #2). Responsibility: Main Street, Chamber, City Council, City, Manager. Timing: Short-Term.

2. Market the downtown's unique characteristics to residents, visitors, investors, and business owners (Main Street Four-Point Approach #3). Prepare and marketing, branding, and signage plan to promote City businesses and attract visitors to downtown businesses and to attract new residents; include information in regional publications and focus on City events, historic district, and recreational opportunities. Responsibility: Main Street, Chamber, City Council. Timing: Mid-Term.

3. Identify key structures to protect and renovate and search for State and Federal historic preservation grants for long-term protection. Responsibility: City Council, Planning Commission, Staff. Timing: Mid-Term.

4. Assess downtown zoning districts and the City's ability to allow and incentivize redevelopment of existing vacant or underused structures. Investigate the possibility of amending the zoning ordinance to accommodate redevelopment and revise regulations as necessary. Responsibility: City Council, Planning Commission, Staff. Timing: Short-Term.

5. Extend on-street parking on State Street south of Church Street. Responsibility: City Council, Staff. Timing: Mid-Term.

6. Review and revise anti-blight regulations and revise as necessary. Initiate an anti-blight code enforcement program with initial focus on the downtown core. Begin with an educational process and follow with notice of violation or non-compliance after sufficient time is given to landowners and occupants. Allow for the ability to clean up blighted areas and recover the cost from landowners. Responsibility: Staff. Timing: Ongoing.

7. Mark "neighborhood walk and bike tours" in designated areas to promote physical activity and to provide an interpretive history of the City of Hart. If possible, tie these walks into the Hart/Montague Rail Trail. Responsibility: Staff. Timing: Mid-Term.

8. Identify key areas and opportunities to improve bicycling and pedestrian accommodations to ensure safe travel. Investigate crosswalk striping, signage, signals, bump-outs, and other methods to calm traffic around bike and pedestrian facilities and create awareness of nonmotorized transportation. Responsibility: City Council, Planning Commission, Staff. Timing: Mid-Term.

9. Develop a sidewalk improvement program and ensure connections between developments. Responsibility: City Council, Planning Commission, Staff. Timing: Mid-Term.

ECONOMIC DEVELOPMENT STRATEGY

The Economic Development Strategy (*insert link when online*) was a collaborative planning project between the MEDC's Redevelopment Ready Communities program and the City of Hart. The result of this project is an economic roadmap to assist with job creation, marketing, and branding along with redevelopment and investment strategies for the community. These actions will both strengthen and diversify the local economy.

Downtown Objectives

1. Consider traffic calming measures as opportunities arise, particularly in neighborhoods and downtown.
2. Continue utilizing Hart Mainstreet as an advocate to draw tourism and investment in Downtown Hart.
3. Continue utilizing Hart Mainstreet as an advocate to draw tourism and investment in Downtown Hart.
4. Identify additional events to attract tourists and residents from out-side of the area to the City of Hart.
5. Create a targeted marketing campaign to attract businesses, tourists and new potential residents to Hart.

Downtown Actions

1. Enhance streetscaping with landscaping, lighting, signage, wayfinding and sidewalk improvements.
2. Continue working with developers and property owners to develop and redevelop downtown buildings and sites into multi-story, mixed-use developments.
3. Promote the improvement and restoration of facades in the downtown area through utilization of façade improvement programs, micro-loans and SBA lending sources.

TIFA

CANDIDATE INFORMATION

NAME Scott Hegg

POSITION/TITLE OWNER

EMPLOYER Heggs Furniture

NUMBER OF YEARS WITH PRESENT EMPLOYER 20+

HOME ADDRESS 112 E MAIN

CITY HART STATE MI ZIP 49420

TELEPHONE 231-937-9063 EMAIL ScottQ Heggsfurniture.com

YEARS IN OCEANA COUNTY 40+

EDUCATIONAL BACKGROUND

Hart High 1988.

BSEE ITT 1991

WORK HISTORY

KNOWLEDGE OF HART ~~MAIN STREET~~ TIFA

Over Site of Down town Development & Improvements.

COMMUNITY ACTIVITIES

Board Candidate Questionnaire

---

1. Why do you want to be a board member?

I have a vested interest in the city of Hart - with my building/ home/ business.

2. What talents do you feel you could contribute to the success of ~~Hart Main Street~~ TIFA, what committees would you be interested in serving on?

Business sense

3. What do you believe are the two most significant issues or problems facing ~~the Hart Main Street~~ TIFA Program?

Drainage issues / infastructure

Needs to be more business/ friendly environment