



City of *Hastings* Michigan

(269) 945-2468
FAX (269) 948-9544

201 E. State Street 49058

Regular Council Meeting
September 25, 2023
Executive Summary

Item #	Summary
9A	Description: Item for unanimous consent Recommended Action: Motion to approve the consent agenda as presented.
10A	Description: Fall Girl's Night Out, Resolution 2023-28 Recommended Action: Motion to approve, under direction of staff, the Hastings Downtown Business Team's request to hold the Fall Girl's Night Out event on Thursday October 5, 2023 from 5:00 PM to 8:00 PM and adopt Resolution 2023-28 staying the necessary Ordinance.
10B	Description: Street Tree Planting Bid Recommended Action: Motion to approve a tree planting bid from Horrocks in the amount of \$17,932.64
16A	Description: Closed Session to accept a legal opinion Recommended Action: Motion to recess to a closed session as permitted by PA 267 of 1976, Section 15.268-8(h) to consider material exempt from disclosure by state or federal statute (to receive privileged attorney-client communication).

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

City Council Agenda
September 25, 2023

1. Regular meeting called to order at 7:00 PM
2. Roll call
3. Pledge to the flag
- * 4. Approval of the agenda
- * 5. Approval of the minutes of the September 11, 2023 workshop and regular meetings
- √ 6. Public Hearings: (None)
7. Public Comment:
8. Formal Recognitions and Presentations: (None)
- √ 9. Items for Action by Unanimous Consent:
 - * A. Consider casting a ballot on behalf of the City of Hastings for George Bosanic, Sue Osborn, and Dave Post to serve three-year terms on the Michigan Municipal League (MML) Liability & Property Pool Board.
- √ 10. Items of Business
 - * A. Consider request from the Hastings Downtown Business Team to hold Fall Girls Night Out and hold sidewalk sales on Thursday, October 5, 2023 from 5:00 PM to 8:00 PM under the direction of staff and consider adoption of **Resolution 2023-28** staying the necessary ordinances.
 - * B. Consider approval of a contract for tree planting from Horrocks in the amount of **\$17,932.64**.
11. Staff Presentations and Policy Discussions (None)
12. City Manager Report:
 - * A. Police Chief Boulter Monthly Report
 - * B. City Clerk/Treasurer Bever Monthly Report
 - * C. Community Development Director King Monthly Report

- √ 13. Reports and Communications:
 - * A. Riverside Cemetery Preservation Advisory Board Minutes August 9, 2023
 - * B. Event Calendar for September 2023
 - * C. Event Calendar for October 2023
 - 14. Public Comment:
 - 15. Mayor and Council comment:
 - 16. Closed Session
 - * A. Consider recessing to closed session at the conclusion of regular business as permitted by PA 267 of 1976, Section 15.268-8(h) to consider material exempt from disclosure by state or federal statute (to receive privileged attorney-client communication).
 - 17. Adjourn
- * Items with enclosures.
- √ Motion under agenda heading requires roll call vote.

Guidelines for Public Comment

Public Comment is welcomed and appreciated. Please follow these simple guidelines to ensure all have an opportunity to be heard.

All comments and questions will be made through the chair. All comments will be made in a courteous and civil manner; profanity and personal attacks will not be tolerated. Please limit the length of your comments to 3 minutes. If you are a member of a group, please appoint a spokesperson to speak on behalf of the group (those speaking on behalf of a group may be provided additional time). Please state your name before offering comment.

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

City Council Workshop Minutes
September 11, 2023

1. Workshop called to order at 6:00 PM by Mayor Tossava in Council Chambers at City Hall.

2. Present at roll call were Barlow, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Motion by Nesbitt, with support from Jarvis, to excuse councilmembers Resseguie, Cary and Bowers. All ayes. Motion carried.

City Staff and Appointees Present: Moyer-Cale, Bever, Boulter, Jordan, Tate, King.

Councilmember Cary arrived at 6:48 PM.

Library Director Hemmerling arrived at 6:55 PM.

3. Pledge to the flag

4. Approval of the agenda

Motion by McLean, with support from Furrow, to approve the agenda as presented. All ayes. Motion carried.

5. Fire Department Assessment by McGrath Consulting Group

Rocco Campanella, Dr. Victoria McGrath, and Mike Stried presented the assessment.

6. Council Questions

Questions from councilmembers Furrow and Jarvis.

7. Open public discussion

8. Adjourn

Motion by McLean, with support from Jarvis, to adjourn at 6:50PM. All ayes. Motion carried.

Read and Approved:

David J. Tossava, Mayor

Christopher R. Bever, City Clerk

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

City Council Minutes
September 11, 2023

1. Regular meeting called to order at 7:00 PM by Mayor Tossava in Council Chambers at City Hall.
2. Present at roll call were: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Motion by Nesbitt, with support from Jarvis, to excuse councilmembers Bowers and Resseguie.
All ayes. Motion carried.

City Staff and Appointees Present: Moyer-Cale, Bever, Boulter, Jordan, Tate, King and Hemerling.
3. Pledge to the flag
4. Approval of the agenda

Motion by Jarvis, with support from Cary, to approve the agenda as presented.
All ayes. Motion carried.
5. Approval of the minutes of the August 28, 2023 regular meeting

Motion by Nesbitt, with support from Barlow, to approve the minutes as presented.
Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.
Nays: None.
Absent: Bowers and Resseguie.
Motion carried.
6. Public Hearings: (None)
7. Public Comment:

Joel Ibbotson, Rutland Township
8. Formal Recognitions and Presentations: (None)
9. Items for Action by Unanimous Consent:
 - A. Receive and place on file one invoice totaling **\$69,240** as detailed in attachment.

Questions from councilmembers Furrow and Cary.

Motion by Nesbitt, with support from Jarvis, to approve one invoice totaling **\$69,240**.

Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Nays: None.

Absent: Bowers and Resseguie.

Motion carried.

10. Items of Business:

- A. Consider approval for FleetMod to upgrade the Fire Chief's vehicle to a rescue truck in an amount not to exceed **\$11,581**.

Questions from councilmembers Jarvis and Cary.

Motion by Nesbitt, with support from Furrow, to approve the upgrade to the Fire Chief's vehicle to a rescue truck in an amount not to exceed **\$11,581**.

Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Nays: None.

Absent: Bowers and Resseguie.

Motion carried.

- B. Consider approval of the purchase of water service materials for the Lead Line Replacement Program from East Jordan Iron Works in the amount of **\$6,715.20**.

Questions from councilmember Cary.

Motion by Barlow, with support from McLean, to approve the purchase of water service materials for the Lead Line Replacement program from East Jordan Iron Works in the amount of **\$6,715.20**.

Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Nays: None.

Absent: Bowers and Resseguie.

Motion carried.

- C. Consider approval of the purchase of water service materials for the Lead Line Replacement Program from ETNA Supply in the amount of **\$45,306.30**.

Questions from Mayor Tossava.

Motion by Jarvis, with support from McLean, to approve the purchase of water service materials for the Lead Line Replacement program from ETNA Supply in the amount of **\$45,306.30**.

Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Nays: None.

Absent: Bowers and Resseguie.

Motion carried.

- D. Consider approval of a proposal for construction services for the West State Road Small Urban Program project from ROWE Professional Services Company in an amount not to exceed **\$30,500**.

Motion by Furrow, with support from Nesbitt, to approve a proposal for construction services for the West State Road Small Urban Program project from ROWE Professional Services Company in an amount not to exceed **\$30,500**.

Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Nays: None.

Absent: Bowers and Resseguie.

Motion carried.

- E. Consider approval of a proposal from Prein and Newhof to perform a Water Reliability Study in an amount not to exceed **\$17,800**.

Motion by Cary, with support from McLean, to approve a proposal from Prein and Newhof to perform a Water Reliability Study in an amount not to exceed **\$17,800**.

Ayes: Barlow, Cary, Furrow, Jarvis, McLean, Nesbitt, and Tossava.

Nays: None.

Absent: Bowers and Resseguie.

Motion carried.

11. Staff Presentations and Policy Discussions: (None)

12. City Manager Report:

Comments from City Manager Moyer-Cale.

Questions from Mayor Tossava and councilmembers Jarvis and Cary.

- A. Public Services Director Tate presented his monthly report.
- B. Fire Chief Jordan presented his monthly report.
- C. Library Director Hemerling presented her monthly report.
- D. Assessor Rashid presented her monthly report.

13. Reports and Communications:

- A. Draft Library Board of Trustees Minutes for August 28, 2023
- B. YMCA Updates for August 23, 2023
- C. Event Calendar for September 2023

Motion by Furrow, with support from McLean, to approve and place items A-C on file.
All ayes. Motion carried.

14. Public Comment:

Shauna Birch, 527 N. Boltwood, crime concerns
Joel Ibbotson, Rutland Township

Adam Heikkila, Local business owner, crime concerns

15. Mayor and Council comment:

Comments from councilmembers McLean, Furrow, and Cary.

16. Adjourn

Motion by McLean, with support from Jarvis, to adjourn at 7:31 PM.
All ayes. Motion carried.

Read and Approved:

David J. Tossava, Mayor

Christopher R. Bever, City Clerk



Regular Council Agenda Item Memorandum

To: Hastings City Council

From: Sarah Moyer-Cale, City Manager

Subject: MML Liability & Property Pool Board of Directors Election

Meeting Date: September 25, 2023

Recommended Action:

Motion to cast a ballot for George Bosanic, Sue Osborn, and Dave Post to serve three-year terms on the MML Liability & Property Pool Board.

Background Information:

The MML Liability and Property Pool is owned & controlled by its members. As such, the council may direct staff to cast a ballot to vote for its directors.

Financial Implications:

None

Attachments:

- Letter from MML Liability & Property Pool
- Candidate Biographies

To: Members of the MML Liability & Property Pool
From: Michael J. Forster, Fund Administrator
Date: September 11, 2023
Subject: Pool Director Election

Dear Pool Member:

Enclosed is your ballot for this year's Board of Directors election. Three (3) incumbent Directors have agreed to seek re-election. You may also write in one or more candidates if you wish.

A brief biographical sketch of each candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than November 10th. Alternately, you may complete your ballot online:

Go to www.mml.org. At the top of the page, hover over *Programs & Services* and select *Risk Management* from the drop-down list. Next, look for the *Jump To* panel and select *Liability & Property Pool*. The ballot link is on the next page, in the *Jump To* panel, under *Online Forms*.

The MML Liability & Property Pool is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Pool, and for participating in the election of your governing board.

Sincerely,



Michael J. Forster
Pool Administrator
mforster@mml.org

We love where you live.



THE CANDIDATES

Three-year terms beginning January 1, 2024



George Bosanic, City Manager, City of Greenville

George has nearly 35 years of experience as a municipal official with over 30 years serving as the city manager of the City of Greenville. George has served in leadership roles on numerous local boards and commissions over the years and is a past board member of the MML Workers' Compensation Fund Board. He is a member of the Michigan Local Government Management Association and International City Management Association. George is seeking re-election to his second term.



Sue Osborn, Mayor, City of Fenton

Sue has over thirty-eight years of experience as a municipal official, serving as mayor of the City of Fenton for the last twenty-five. She was appointed to Fenton's city council in 1985 and has been a continuous member since that time. Previously, she was a member of the Planning Commission from 1978-1985. Sue is a member of the Michigan Association of Mayors, a member of the National League of Cities and serves as Vice-Chair of the FAIR (Finance, Administration and Intergovernmental Affairs) for the National League of Cities. She is also active in several local and regional civic organizations. Sue is seeking re-election to her fourth term.



David Post, Village Manager, Village of Hillman

Dave has more than twenty-eight years' experience as a municipal official, serving as the manager in the Village of Hillman. Dave is a past member of the Michigan Municipal League Board of Trustees and several MML committees. He is currently a member of the Northeast Michigan Council of Governments board and is active in several local and regional civic organizations, including the Communities First Fund (chair), the Hillman Community Radio board and the Wheels Car Club. Dave is seeking re-election to his fourth term.



Regular Council Agenda Item Memorandum

To: Mayor Tossava and City Council

From: Dan King

Subject: Hastings Downtown Business Team Request for Fall Girl's Night Out and Resolution 2023-28

Meeting Date: September 25, 2023

Recommended Action:

Motion to approve, under direction of staff, the Hastings Downtown Business Team's request to hold the Fall Girl's Night Out event on Thursday October 5, 2023 from 5:00 PM to 8:00 PM and adopt Resolution 2023-28 staying the necessary Ordinance.

Background Information:

The Hastings Downtown Business Team conducts a spring and fall Girl's Night Out event in downtown Hastings. These events draw many people to downtown Hastings for shopping and dining. Staff has reviewed similar prior requests and has no concerns.

To conduct the event, City Council will need to stay City Code Article 22-I, Section 22-2, addressing sidewalk displays. Approval of Resolution 2023-28 will stay the necessary ordinance for the event.

Financial Implications:

There are no financial implications for the City.

Attachments:

- *Resolution 2023-28*
- *Hastings Downtown Business Team Request Letter and Special Event Application*

City Of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

RESOLUTION 2023-28

**TO STAY THE NECESSARY ORDINANCES FOR FALL GIRLS NIGHT OUT, MUSIC AND
SIDEWALK SALES IN DOWNTOWN HASTINGS**

WHEREAS, the Hastings Downtown Business Team, by way of correspondence, has requested permission to conduct Fall Girls Night Out, Music and Sidewalk Sales in downtown Hastings; and

WHEREAS, the Hastings Downtown Business Team requests a stay under Section 22-2 of Hastings Ordinances for Thursday, October 5, 2023; and

WHEREAS, the Hastings Downtown Business Team wants to ensure that said Fall Girls Night Out is conducted in good taste and in accordance with all laws and regulations; and

WHEREAS, the City Council of the City of Hastings desires to support and encourage the businesses in downtown Hastings; now

THEREFORE, BE IT RESOLVED that the City of Hastings hereby stays for the purpose of said Fall Girls Night Out, Music and Sidewalk Sales on October 5, 2023 in Article 22-1 of the Hastings City Code, the following Ordinance:

Section 22-2

A motion to adopt the foregoing resolution being offered by Member _____, second by Member_____:

YEAS:

NAYS:

ABSENT:

MOTION DECLARED _____

I hereby certify that the foregoing resolution was adopted at a duly held and attended regular meeting the 25th day of September 2023, by the City Council of the City of Hastings, by a vote of _____voting in favor thereof, _____ members voting against, and _____ members absent.

Christopher R. Bever, City Clerk



September 18, 2023

Mayor David Tossava
& The Hastings City Council
201 E. State Street
Hastings, MI. 49058

RE: 2023 Fall Girls Night Out

The Hastings Downtown Business Team would like to request permission from the downtown area businesses to host Girls Night out Thursday, October 5th.

We also would like to have music and sales, smiles and laughter on the sidewalk during this event.

This event is very popular and will bring many visitors to our downtown so they can experience scarecrow and skeleton competition, follow the black cat for an opportunity to win merchandise.

Our request would include a stay in the ordinance in Article 22-1 Section 22-2 regarding sidewalk displays for Thursday October 5th.

If you have any questions in regard to this event, I would be happy to answer in person, via email or phone call.

Hastings Downtown Business Team

Tracy Baker

269.217.2078

Tracy@Athemerealestate.org



City of Hastings
Special Event Application

The City of Hastings values the unique events and gatherings that make our community special. The City has created this application form to help organizations provide adequate information for their requests to be considered. Please contact the Community Development Department with any questions or concerns about this form.

Section 1: Applicant/Organization Information

Hastings Downtown Business Team		269.217.2078	
Applicant/Organization Name		Phone	
Tracy Baker	269.217.2078	Tracy@Athomerealestate.org	
Contact Name	Phone	Email	
107 E. State Street	Hastings	Michigan	49058
Street	City	State	Zip
Contact person on day of event (if different than above)		Phone	

Section 2: Event Information

Girl's Night Out - Fall 2023	
Name of Event	
A shopping event for Hastings Downtown, Scarecrow & Skeleton contest, shopping Bingo	
Description of Event	
October 5, 2023	5:00 - 8:00 p.m.
Event Dates	Time (From/To)
October 5, 2023	8:00 p.m.
Set up Date(s) and Time(s)	Clean Up Date(s) and Time(s)

Downtown Hastings, Michigan 49058

Location(s) of Event

One

300 - 700 people

Estimated number of volunteers

Estimated daily attendance (if known)

Section 3: Event Details

Please indicate if any of the following will be a part of your event area:

- ☐ Road closure
 - If checked, please provide a proposed detour route.
- ☐ Closure of public parking area
- ☐ Use of park area
- ☐ Firepits/open flame
- ☐ Fireworks or pyrotechnics
 - If yes, provide a copy of liability insurance listing the City as an additional insured party.
- ☐ Food and/or non-alcoholic beverage service or sales (if yes, contact Barry County Health Department)
 - If yes, provide copy of Health Department Food Service License
- ☐ Temporary structures (including tents or pavilions)
- ☒ Music
 - If yes, what time will music begin and end? 5:00 - 8:00 p.m.
 - If yes, what type of music is proposed? Live – Acoustic Live - Amplification Recorded
Loudspeakers or public address system
- ☐ Parade
- ☐ Race (ex: 5K)
- ☒ Vendors/sale of goods
- ☐ Carnival rides
 - If yes, provide a copy of liability insurance listing the City as an additional insured party.
- ☐ ☒ Signs or banners
- ☐ Animals/petting zoo
- ☐ Portable restroom facilities
- ☐ Donation collection/free will offering
- ☐ Other _____
- ☐ Alcohol
 - If yes, provide copy of liquor liability insurance with the City listed as an additional insured.
 - If yes, provide a copy of Michigan Liquor Control License.
 - If yes, describe measures to be taken to prohibit the sale of alcohol to minors (use separate pages if necessary).
 - If the alcohol is being served in the Social District, a Council Resolution suspending the district is required.

Please describe how garbage will be managed?

Each participant will take care of garbage

Section 4: Site & Event Plan

Please prepare a site plan that includes the following information:

Location of all temporary structures, food/concessions, booths, portable restrooms, road closures, barricades, music, event signage, garbage cans, and other event locations. Include location of exit pathways.

Section 5: Acknowledgements and Hold Harmless Agreement

The Applicant understands and agrees to the following:

1. This application is subject to review by various city departments and must be approved by the City Council. Failure to submit this application in a timely manner may delay approval or result in the denial of the application. Submission of the application does not guarantee an approval. The City may require conditions on the approval of any application.
2. The applicant must comply with all local and applicable state laws and policies. The Applicant acknowledges that approval of the special event does not relieve the applicant from meeting any requirements of law or those of other bodies or agencies applicable to the event.
3. The Applicant agrees to clean up and restore the area in the condition it was found prior to the event. The City is not responsible for equipment or personal items left on public property.
4. The Applicant acknowledges that they shall not discriminate against any employee or applicant for employment because race, color, religion, sex, national origin, age, disability, or any other applicable status protected by federal, state, or local law. The Applicant further agrees that it will comply with the Civil Rights Act of 1973, as amended, and the Michigan Civil Rights Act of 1976 (78. Stat 252 and 1976 PA 453) and will require the same of any consultant or sub-contractor involved in hosting the event.
5. Upon approval of the event, the Applicant agrees to fully defend, indemnify and hold harmless the City, its City Council, its officers, employees, agents, volunteers, and contractors from any and all claims, demands, losses, obligations, costs, expenses, verdicts, and settlements (including but not limited to attorney fees and interest) resulting from any act or omission by the applicant, its agents, employees, contractors, and volunteers, and violation of state or federal law, and any other acts of the applicant or attendees causing personal injury or property damages in connection with this event.
6. A breach in any of the above may result in the denial of the application or revocation of an approval by the City.

Tracy Baker

Printed Name of Applicant & Name of Organization

<i>Tracy Baker</i>	dotloop verified 09/14/23 11:15 AM EDT MXOA-CLY0-HX99-QV97
--------------------	--

09/14/2023

Signature

Date

Section 6: City Review – For Office Use Only

A. Police Department Review:

Will this event require additional officers and/or equipment? If yes, please describe:

No _____.

Other Comments:

B. Public Services Director Review

Will this event require the use of any of the following municipal equipment?

___ Trash receptacles ___ Barricades ___ Traffic cones ___ Restroom Cleaning

___ Fencing ___ Water or Electric ___ Other

Will this event require additional staff? If yes, please describe:

None Needed _____

Other Comments:

C. Fire Chief Review

Comments:

D. Community Development Department Review

Comments:

Date of Meeting for Council Approval _____ Approved? ___ Yes _____ No



Regular Council Agenda Item Memorandum

To: City Council

From: Travis J. Tate, P.E., Director of Public Services

Subject: 2023 Street Tree Planting Bid

Meeting Date: September 25, 2023

Recommended Action:

*Motion to approve a tree planting bid from Horrocks in the amount of **\$17,932.64** for the planting of 32 Sugar Maple Trees and 16 Japanese Maples.*

Background Information:

The price from Horrocks for 16 Japanese Maples is \$385.87 per tree for a total cost of \$6,173.92. The bid price for 32 Red Maples is \$367.46 per tree for a total cost of \$11,758.72.

To offset the total cost, the city applied for and was awarded a tree planting grant for \$1,600 from Consumers Energy. The city will plant the Japanese Maples in locations near power lines identified in the grant application.

Financial Implications:

Tree planting was included in the fiscal year 2023/2024 budget in the Parks and Recreation department, Cemetery Fund, and Major and Local Streets Funds.

*The net financial obligation to the city after the \$1,600 Consumers Energy tree grant will be **\$16,332.64**.*

Attachments:

- *Horrocks Bid Form*
- *Everett Landscaping Bid Form*
- *Countyline Nursery Bid Form*
- *Landmark Trucking Form*
- *Consumers Energy Tree Grant Contract*

11. The contractor will make all arrangements with the Miss Dig System to identify utility locations where trees are to be planted.
12. The City of Hastings reserves the right to reject any and all bids, to waive any irregularities in the bids and to accept the bid which the City believes to be in its best interest, all factors considered.
13. Trees must be staked on a minimum of two sides to ensure proper growth.
14. The City reserves the right to adjust the actual quantities placed by +/- 30% without altering the bid unit price per species of trees.

B. General Requirements:

1. Provide the following materials as listed:
Provide and plant the following trees:

Unit	Per	Bid Item – Tree Species	Location	Unit Price	Total Item Cost
16	Ea	Acer Palmatum - Japanese Maple	City Tree	\$385.87	\$6,173.92
32	Ea	Acer Rubrum –Red Maple	City Tree	\$367.46	\$11,758.72

Total Project Cost: \$17,932.64

CHECK BY: TJT, 09/19/23

2. Bid submittals shall clearly indicate the species, caliper and cost of trees to be provided.
3. Submittals must be signed by a qualified agent of the firm submitting the bid.
4. Submittals should contain any documentation deemed appropriate or helpful for thorough bid analysis.
5. All work to be completed no later than November 4, 2023 unless otherwise approved by the Director of Public Services.

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3. Submittals must be signed by a qualified agent of the firm submitting the bid.
4. Submittals should contain any documentation deemed appropriate or helpful for thorough bid analysis.
5. All work to be completed no later than November 4, 2023 unless otherwise approved by the Director of Public Services.

11. The contractor will make all arrangements with the Miss Dig System to identify utility locations where trees are to be planted.
12. The City of Hastings reserves the right to reject any and all bids, to waive any irregularities in the bids and to accept the bid which the City believes to be in its best interest, all factors considered.
13. Trees must be staked on a minimum of two sides to ensure proper growth.
14. The City reserves the right to adjust the actual quantities placed by +/- 30% without altering the bid unit price per species of trees.

B. General Requirements:

1. Provide the following materials as listed:
Provide and plant the following trees:

Unit	Per	Bid Item – Tree Species	Location	Unit Price	Total Item Cost
16	Ea	Acer Palmatum - Japanese Maple	City Tree	450	
32	Ea	Acer Rubrum –Red Maple	City Tree	350	

7200.00
11,200.00

Total Project Cost:

18,400.00

CHECKED BY: TJT, 09/20/23

2. Bid submittals shall clearly indicate the species, caliper and cost of trees to be provided.
3. Submittals must be signed by a qualified agent of the firm submitting the bid.
4. Submittals should contain any documentation deemed appropriate or helpful for thorough bid analysis.
5. All work to be completed no later than November 4, 2023 unless otherwise approved by the Director of Public Services.

11. The contractor will make all arrangements with the Miss Dig System to identify utility locations where trees are to be planted.
12. The City of Hastings reserves the right to reject any and all bids, to waive any irregularities in the bids and to accept the bid which the City believes to be in its best interest, all factors considered.
13. Trees must be staked on a minimum of two sides to ensure proper growth.
14. The City reserves the right to adjust the actual quantities placed by +/- 30% without altering the bid unit price per species of trees.

B. General Requirements:

1. Provide the following materials as listed:
Provide and plant the following trees:

Unit	Per	Bid Item – Tree Species	Location	Unit Price	Total Item Cost
16	Ea	Acer Palmatum - Japanese Maple	City Tree	\$630 ⁰⁰	\$10,080.00
32	Ea	Acer Rubrum –Red Maple	City Tree	\$355 ⁰⁰	\$10,160⁰⁰
					<u>\$11,360⁰⁰</u>
Total Project Cost:					\$21,440.00
					\$21,520⁰⁰

CHECKED BY: TJT, 09/20/23

2. Bid submittals shall clearly indicate the species, caliper and cost of trees to be provided.
3. Submittals must be signed by a qualified agent of the firm submitting the bid.
4. Submittals should contain any documentation deemed appropriate or helpful for thorough bid analysis.
5. All work to be completed no later than November 4, 2023 unless otherwise approved by the Director of Public Services.

CONSUMERS ENERGY COMPANY TREE PLANTING AGREEMENT

Applicant's Name (City/Village)			Contact Person's Name		
Address			Email Address		
City	State	Zip Code			
Daytime Phone (8AM to 5 PM)			After Hours Contact Phone		

Consumers Energy Company agrees to pay the sum of \$ _____ to the Grantee after successful completion of the tree planting project described below and on the Grant Application dated _____ attached hereto and made a part hereof. (Note: Checks will be issued when all final paperwork has been approved, and sent to the above applicant and address listed).

WORK DESCRIPTION

SPECIAL INSTRUCTIONS

GRANTEE ACKNOWLEDGES HAVING READ AND HEREBY ACCEPTS THE TERMS AND CONDITIONS OF THIS AGREEMENT INCLUDING THOSE PRINTED ON PAGE 2 OF THIS FORM AS WELL AS TERMS AND CONDITIONS SPECIFIED IN CONSUMERS ENERGY'S FORESTRY OPERATIONS 2023 COMMUNITY STREET & BOULEVARD TREE PLANTING GRANT APPLICATION INFORMATION FORM ATTACHED HERETO AND MADE A PART HEREOF.

Grantee's Representative Signature	Date
Title	

Return signed agreement electronically to Becky Wildenthal of the MFPA at cetreeplantinggrants@gmail.com.

1. Scope of Service:

Consumers Energy Company shall pay to the Grantee the amount shown on the front of this Tree Planting Agreement after successful completion of the tree planting work described herein and on the Grant Application attached hereto and made a part hereof.

2. Service Location, Risk and Delivery:

All Services will be performed on the Grantee's premises as specified on the front of this Tree Planting Agreement and on the attached Grant Application. With respect to Consumers Energy Company's recommended planting list; no trees categorized as "Medium Trees" will be planted within 20 feet of the centerline and no trees categorized as "Large Trees" will be planted within 40 feet of the centerline of any existing overhead electric distribution line energized at or below 15,000 volts phase to ground or 25,000 volts phase to phase. No trees will be planted within 80 feet of any line energized above 15,000 volts phase to ground or above 25,000 volts phase to phase.

3. Time for Performance:

Grantee must complete all work described in their Grant Application General Information hereto by November 10, 2023. Failure to complete the work by November 10, 2023 will result in forfeiture of the grant award by Consumers Energy Company.

4. Warranty and Disclaimer:

Grantee warrants that any service performed under this contract shall be performed by properly skilled personnel in accordance with generally accepted standards for the services being performed. Without limiting any other remedy available to Consumers Energy, if any such nonconformance or defect appears the Grantee shall make any and all repairs or replacements necessary to remedy same at its sole expense and within a reasonable time after notification by Consumers Energy.

5. Indemnity:

The Grantee shall indemnify and hold Consumers Energy Company, its agents, employees, vendors and contractors including the Michigan Forestry & Park Association, Inc. harmless from and against, and shall at Consumers Energy Company's option undertake the defense of, any and all claims, losses, liability and damage (including environmental harm) and including reasonable attorney's fees which Consumers Energy Company might sustain or incur or which might be asserted against Consumers Energy Company as a result of the services provided under this contract, whether based on warranty, contract, tort (including negligence), strict liability or otherwise. The provisions of this Section 5 shall survive the termination or expiration of this Agreement.

6. Limitation of Liability:

The total liability of Consumers Energy Company, its agents, employees, vendors and contractors including the Michigan Forestry & Park Association, Inc. with respect to any and all claims arising out of this contract including the performance of obligations in connection with the services hereunder, whether based on contract, warranty, tort (including negligence), strict liability or otherwise, shall not exceed \$5,000 and shall in no event include incidental or consequential damages of any nature. This Limitation of Liability section shall prevail over any conflicting or inconsistent provisions contained herein or in any other applicable document and shall be in effect even if the remedy or remedies set forth herein fail their essential purpose.

7. Assignment and Subcontracting:

Any assignment of this contract or any part thereof by the Grantee without the previous written permission of Consumers Energy Company shall be void and of no effect.

8. Changes in Contract:

The terms of this contract shall not be changed, superseded or supplemented, except in writing signed by a duly authorized representative of Consumers Energy Company and by a duly authorized representative of Grantee.

9. Governing Law:

This contract shall be deemed a Michigan contract and shall be construed in accordance with and governed by the laws of the State of Michigan. This Contract is intended for the benefit of the parties hereto and does not grant any rights to any third parties unless otherwise specifically stated herein.

10. Entire Agreement:

With respect to the subject matter hereof, this contract supersedes all previous representations, understandings, and negotiations, either written or oral, between the parties hereto or their representatives and constitutes the entire contract between the parties. No part of any purchase order, request for proposal or other document issued by the Grantee shall be binding upon Consumers Energy Company or affect its rights or obligations hereunder unless signed by a duly authorized representative of Consumers Energy Company.



Hastings City Police

201 E. State St.
Hastings, MI 49058
(269) 948-4800 Dispatch
(269) 945-5744 Office
(269) 945-4358 Fax



12.A.

Dale Boulter
Chief of Police

Julissa Kelly
Deputy Chief

Hastings Police Department Council report for month of August 2023

Staffing

Staffing currently remains unchanged with Ofc. James in Field Training and Kiersten Bailey attending the police academy. Currently I am working with an individual who is a certified police officer looking to join our HPD team. This person will bring with them several years of experience along with knowledge of our court system, the tentative date of hire is the third week of October.

STATS

The past month officers responded to **590** calls for service, with a total of 16 arrests, 13 traffic accidents, 6 non-traffic accidents. Officers issued a total of thirty-six citations, 13 being moving violations, 23 being Non-moving violations. Officers conducted a total of 140 traffic contacts for the month of August.

RESERVE OFFICERS

The Reserve Department contributed 130.5 hours for the month of August.

I would like to thank the reserve department for providing support to the police department and city during Summerfest. The 5k/10k/Fun Run/Parade went off with only minor disruptions to traffic. This would not be possible if not for the support of the Hastings Police Reserve Unit.

TRAINING

All officers attended training provided by K-9 Deputy Travis Moore of the Barry County Sheriff's Department.

The SRO and Deputy Chief Kelly attended Bomb Threats and Swatting call training facilitated by the FBI.

Cops in court training attended by three officers

Ried investigative interview techniques attend by one officer

SCHOOL RESOURCE OFFICER (SRO)

The first few weeks of school with the SRO position has been a transitional change for both the PD and the school. The SRO officer has been able to establish better lines of communication with students and staff along with the department. The SRO position will continue to support the school and the PD as both settle into the new position. I would like to report things are going well and issues previously handled by road patrol are mostly being handled by the SRO officer.

SCHOOL CROSSING SIGNS:

Last month I reported the work order for S. Hanover/Grand through MDOT was in the works. This work order is to install flashing school crossing signs on S. Hanover St. (M-37). I have noticed red stakes at this intersection, and currently attempting to get an update. I have verified with our DPS the stakes were not placed there by them, so hopefully we will see the project completed soon. I will provide an update on Monday should I obtain further information.

Code Compliance report

Code enforcement took a total of 83 complaints for the month of August.

Report attached

Respectfully submitted,

Dale Boulter

Chief of Police

City of Hastings
Code Compliance Officer
August 2023 Activity Report



QUANTITY	COMPLAINT
2	Animal related (90-835)
18	Grass and weeds more than 8" tall (38-105)
9	Compostable yard debris and refuse in right-of-way, snow piles (74-39, 74-71, 74-72)
3	Garbage Code Violations (66-88/89/90/93/94)
8	Vehicles parked on unapproved surfaces – residential zones (90-929)
6	Unlicensed/Inoperable vehicles, parts, or tire storage (38-76, 77, 78)
14	Refuse and debris in unscreened area of yard (90-881, 90-882)
6	Rental Unit complaints
8	Signage issues/ Signs in Right-Of-Way
0	Sign Permits Issued
3	Fencing Issues
1	Fence Permits Issued
4	Structure & Building Maintenance Issues
0	Recreational Vehicle Issues
0	Abandoned refrigerator w/door attached (54-61)
4	Sidewalk parking/right-of-way obstructions (74-71)
6	Miscellaneous Issues & Complaints
92	Total Violations/Complaints Handled
10	Letters sent
1	Citations issued
139	Follow Ups
NOTES:	Miscellaneous Issues/ Complaints details

Investments & Deposits Status Report as of August 31, 2023

<u>Institution</u>	<u>Account Description</u>	<u>8/31 Balance</u>	<u>Interest Rate</u>
Flagstar	Common Cash (Primary Checking)	\$ 939,227.87	1.06%
	Payroll	\$ 46,828.35	1.06%
	*Savings	\$ 3,983,772.83	4.23%
	**Tax Collection	\$ 5,058,395.14	1.06%
	Total	\$ 10,028,224.19	
<i>*Includes \$2.77M in proceeds from DDA/Streetscape Bonds</i>			
<i>** Includes funds collected on behalf of other governmental agencies</i>			
Highpoint	Common Cash	\$ 21,068.74	N/A
	Drug Enforcement	\$ 18,211.94	N/A
	Library PayPal	\$ 500.00	N/A
	Tax Collection	\$ 83,985.66	N/A
	Total	\$ 123,766.34	
Michigan CLASS	General Fund (Pooled)	\$ 5,883,046.70	5.4438%
	Water & Sewer	\$ 553,507.98	5.4438%
	Equipment Fund	\$ 281,132.59	5.4438%
	LDFA	\$ 140,566.89	5.4438%
	Total	\$ 6,858,254.16	
American Dep Mgmt Co	Money Market Account	\$ 2,939,002.69	5.15%
	3-Month Certificates of Deposit	\$ -	N/A
	6-Month Certificates of Deposit	\$ 720,000.00	5.25-5.30%
	Total	\$ 3,659,002.69	
Total, All Investments & Deposits		\$ 20,669,247.38	

<u>Institution</u>	<u>8/31 Balance</u>	<u>% of Total</u>
Flagstar	\$ 10,028,224.19	48.5%
Highpoint	\$ 123,766.34	0.6%
Michigan CLASS	\$ 6,858,254.16	33.2%
American Dep Mgmt Co	\$ 3,659,002.69	17.7%
Total	\$ 20,669,247.38	

<u>Type of Investment or Deposit</u>	<u>8/31 Balance</u>	<u>% of Total</u>
Interest	\$ 20,545,481.04	99.4%
Non-Interest	\$ 123,766.34	0.6%
Total	\$ 20,669,247.38	



Hastings City Council Memorandum

Date: September 18, 2023
To: Honorable Mayor Tossava & Members of the Hastings City Council
From: Dan King, Community Development Director
Subject: September Community Development Department Report

A summary of the current activities in the Community Development Department includes:

Streetscape

Construction on the streetscape project commenced on September 11th. The north side of State Street in front of the Hastings Public Library and City Hall are currently under construction! We hope that Mother Nature will continue to cooperate to keep the project on pace.



Neighborhood Enhancement Program Grant (NEP)

We are still looking for applicants who want to improve the exterior of their homes. Grant applications up to \$9,999.00 are available in the Community Development Department. Homeowners whose income falls below 120% of the area medium income and have projects like new windows, doors, siding, roofing, or driveways they would like to improve before December 31, 2023 are encouraged to apply. The grant target area is picture below.



Developers Day

The Barry County Chamber of Commerce and Economic Development Alliance organized a Developers Day Forum on Tuesday September 7th. The forum included a walking tour of downtown Hastings as well as a trip to Middleville. Forum panelists included representatives from SME, EGLE, MEDC, and Barry County. The goal of the forum was to showcase development ready buildings and properties in both the City of Hastings and Village of Middleville. The forum was well attended by developers and contractors that have interest in doing projects in both the City of Hastings as well as the Village of Middleville. A video link for the forum is underlined below.

https://fb.watch/n8r8JDoM_c/

Meadowstone Apartments III

The project continues to move along with the completion of additional topographic data for the storm water management plan. The developer and staff will be reviewing the use of Senate Bill 432 that was approved on December 13, 2022 which allows local governments the discretion to enter a Payment In Lieu of Taxes (PILOT) agreement for developments that are not applicants for state or federal tax credits. This new legislation allows a needed tool that local governments can use to partner on local workforce and affordable housing opportunities.

Upcoming Events

Farmer Market Wednesdays and Saturdays until October 31

Girls Night Out October 5

Barry Roubaix Fall Fondo October 8

Hastings High School Homecoming October 9 – October 13

Halloween October 31

If you have any questions, concerns, or ideas please feel free to contact Maiya, Sandy, or me at mmerick@hastingsmi.gov sponsetto@hastingsmi.gov dking@hastingsmi.gov



City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

Riverside Cemetery Preservation Advisory Board Minutes
August 9, 2023

1. Call to Order by Chair Huntley at 3:00pm in the City Hall Council Chambers
2. Present at Roll Call: Buehl, Coleman, Huntley, Watson, Bever, Hubbell, Nesbitt, and Tate. Also, in attendance Josh Wickham, Sexton and guest Mike Snyder.

3. Approval of the Agenda

Motion by Watson and supported by Coleman to approve the agenda as presented. All ayes. Motion carried.

4. Pledge of Allegiance

5. Approval of the Minutes of the Meeting of July 12, 2023

Motion by Watson and supported by Coleman to approve the minutes of the July 12, 2023 Riverside Cemetery Preservation Advisory Board meeting. All ayes. Motion carried.

6. Public Comment and Communications

None

7. Sexton Update

Josh Wickham provided an update on fallen limbs and fixing wash out from storms.

8. Unfinished Business

A. Cemetery Memorial Design

Discussion about Phase 1 and maybe Phase 2 being taken to the City Council pending wording approval.

B. Riverside Cemetery Preservation Advisory Board Work Plan

More discussion on how to proceed with chapel, sprinkler system, landscape, and trees. These items will be the focus of the work plan.

9. New Business

A. Fundraising Initiatives

Brochures to go out before Thanksgiving. Amy will bring updated mailing list to next meeting.

B. Barry Community Foundation (BCF) Funds Report as of July 31, 2023

C. Fiscal Year 2023 Revenues and Expenditures through June 30, 2023

Bever indicated that the BCF report had not changed since the last meeting, so it was not included in the packet. FY 2023 Revenue and Expenditures were being finalized and prepared for the audit, so they were not included in the packet.

10. Board Member Comments

Review minutes for comments from Blair regarding the roads in cemetery.

11. Public Comment

None

12. Adjourn

Motion by Coleman and supported by Bever to adjourn at 3:35pm. The next meeting is Wednesday September 13, 2023 at 3:00pm in City Hall.

SEPTEMBER 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1	2
3	4 Labor Day City Hall Closed	5 Planning Commission 7:00 PM	6	7	8	9
10	11 Council Wkshp 6:00 PM Council 7:00 PM	12	13 Cemetery 3:00 PM	14	15	16
17	18	19 ZBA 7:00 PM	20 JPC Rutland 5:30	21 DDA 8:00 AM	22	23
24	25 Council 7:00 PM	26	27 Airport 4:30 PM	28 LDFA 8:00 AM	29	30

OCTOBER 2023						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Library 4:30 PM Planning Commission 7:00 PM	3	4	5	6	7
8	9 Columbus Day Council 7:00 PM	10	11 Cemetery 3:00 PM	12	13	14
15	16 JPA @Rutland	17 ZBA 7:00 PM	18 JPC@Rutland 5:30 Nature Board 4:00 PM	19 DDA 8:00 PM	20	21
22	23 Council 7:00 PM	24	25 Airport 4:30 PM	26 LDFA 8:00 AM	27	28
29	30	31 Halloween	1	2	3	4



Regular Council Agenda Item Memorandum

To: Hastings City Council

From: Sarah Moyer-Cale, City Manager

Subject: Closed Session

Meeting Date: September 25, 2023

Recommended Action:

Motion to recess to a closed session at the conclusion of regular business as permitted by PA 267 of 1976, Section 15.268-8(h) to consider material exempt from disclosure by state or federal statute (to receive privileged attorney-client communication).

Background Information:

None

Financial Implications:

None

Attachments:

None