



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
May 9th, 2023
MINUTES – Approved**

PRESENT: Councilors: Mayor Vicki Platt, Justin Adams, Catalina Burillo, Jim Evans, Dean Hodges, and Amanda Klotz
ABSENT, Kris Trygstad

OTHERS PRESENT: City Manager – Rob Splane, DPW Superintendent – Brad Whitney, Energy Superintendent – Mike Schiller, Sharon Hallack, Bill Volpp, Cindy Fout and Randy Bouwkamp

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

APPROVAL OF AGENDA:

- A. Klotz motioned to approve the agenda and was supported by J. Evans
 - Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS: NONE

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Paul Erickson – Fair and Circus Update, Creeks Subdivision discussion
Thank you to Nichole (HEART), Brad (DPW) and volunteers for christmas decorations and lights at the fair grounds, Also special thank you to Paul (BioPure) for Earth day which went very well also the tree sales went well so all and all a very nice day.
The fair was able to book the Circus again they are scheduled for 2 days June 24th and 25th, with 2 shows on both days.
Pre-Fair midway dates set August 16th thru the 19th with Elliot’s Amusements and we are hoping to have some special events that weekend as well, and usual events return to this years fair Aug 22-26 including harness racing the tractor pull and demolition derby.
Creeks Subdivision, Mr. Erickson would like to land swap the City for Parcel 020-738-006-60 on the southwest portion which is where the sign for the Creeks Subdivions is located, for Parcel # 020-665-000-00 which is a heavily wood and narrow strip of land off South Creek Drive.
- Public Hearing – Rezoning of Parcel 020-243-001-00 Located at 620 East Main Street
 - A. Klotz motioned to Open Public Hearing for Rezoning of Parcel 020-243-001-00 located at 620 East Main Strret at 8:01pm and supported by J. Adams
 - Ayes: 6 Nays: 0 Absent: 1

No public present.

Mr Bouwkamp was present and spoke

Years ago there was a thought to sell the property and at that time they rezoned it as a PUD (Planned Unit Development) and than the project didn’t go through so all I am looking for is to go back to the orginal zoning which is A-1 Residential.

R. Splane – this was presented to the Planning Commission on Thursday May 4th and they also held a public hearing which no public was present. Planning Commission delibrated for a while and asked a lot of questions, and ultimately recommened to Council for approval.

C. Burillo if this is within the City of Hart are you allowed to keep farm animals on the grounds? As A-1 Residential yes domestic farm animals and fowls penned and housed more than 200 feet from any dewelling other than the dewelling occupied by the owner of the farm animals or fowls, and located on a parcel of land containing three acres or more.

The Ordinance is on as an Action Item tonight as the 1st reading, but Council can't act on it tonight it would have to be acted upon at the next council meeting held May 23rd.

With no further questions,

- J. Evans motioned to close the Public hearing for Rezoning of Parcel 020-243-001-00 located at 620 East Main Street at 8:08pm and supported by C. Burillo
 - Ayes: 6 Nays: 0 Absent: 1

CONSENT AGENDA:

- Approval of minutes from May 9th, 2023.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - A. Klotz motioned to approve Consent Agenda and supported by J. Adams
 - Ayes: 6 Nays: 0 Absent: 1

ACTION ITEMS:

- Resolution 2023-19 Fireworks Permit - National Asparagus Festival After Party
 WHEREAS, The Hart Economic and Revitalization Team, authorized by a Special Events Permit for the National Asparagus Festival After Party; and
 WHEREAS, a fireworks display associated with the 50th Anniversary of the National Asparagus Festival is planned to follow live musical performances through the day leading up to dusk; and
 WHEREAS, Pyrotecnico Inc. intends to apply for a firework display permit in accordance with MSP Fire Marshall regulations; and
 WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Approves the MSP Fire Marshall permit for the fireworks display on June 10th, 2023, at Hart Lake, Hart Mi

- A. Klotz Motioned to approve Resolution 2023-19 and supported by J. Adams
 - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2023-20 Fireworks Permit – Hart Sparks Celebration
 WHEREAS, The Hart Economic and Revitalization Team, authorized by a Special Events Permit for the Hart Sparks Celebration; and
 WHEREAS, a fireworks display associated with the Hart Sparks Celebration is planned to follow a live musical performance in the evening leading up to dusk; and
 WHEREAS, Pyrotecnico Inc. intends to apply for a fireworks display permit in accordance with MSP Fire Marshall regulations; and
 WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare:

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL

Approves the MSP Fire Marshall permit for the fireworks display on July 2, 2023, at Hart Lake, Hart Mi

- J. Adams Motioned to approve Resolution 2023-20 and supported by J. Evans
 - Ayes: 6 Nays: 0 Absent: 1

- Ordinance 2023-02 Rezoning of Parcel 64-020-243-001-00 620 East Main from Planned Unit Development and M-1 Medical to A-1 Residential (1st Reading)

AN ORDINANCE TO RE-ZONE 64-020-243-001-00 FROM PUD AND M-1 MEDICAL-INSTITUTIONAL TO A-1 RESIDENTIAL

First Reading: May 9th, 2023
Second Reading & Adoption: May 23rd, 2023
Publication: June 1st, 2023
Effective Date: Ten days after publication

THE CITY OF HART ORDAINS:

The rezoning of 620 East Main Street Parcel ID# 64-020-243-001-00 with frontage on East Main Street from an established PUD and M-1 Medical-Institutional District to A-1 Residential Zone, the property proposed for rezoning is legally described as follows:

A parcel of land situated in the Southwest one-quarter of Section 9, Town 15 North, Range 17 West, City of Hart, Oceana County, Michigan, more fully described as follows: Commencing at the Southwest Corner of said Section 9; North 00*30'51" East, 315.22 feet, along the West Line of said Section 9 and the Easterly line of Griswold Street, to the Point of Beginning, thence North 00*30'51" East 318.68 feet, continuing along said West Line of Section 9 and Easterly line of Griswold Street; thence North 14*35'29" East, 137.30 feet; thence South 85*37'54" East, 530.13 feet; thence South 00*31'05" West 585.04 feet; thence North 87*19'27" West 188.41 feet; thence South 00*31'51" West, 167.62 feet, to a point on the South Line of said Section 9 and the centerline of Main Street; thence North 87*19'27" West, 44.03 feet, along said South Line of Section 9 and centerline of Main Street; thence North 00*30'51" East, 315.22 feet; thence North 87*19'28" West, 330.24 feet, to the Point of Beginning. Said parcel contains 6.66 acres of land. SUBJECT TO the right-of-way of Main Street across the Southerly 33 feet thereof. ALSO SUBJECT TO easements or restrictions, if any.

A parcel of land situated in the Southwest One-quarter of the Southwest One-quarter of Section 9, Town 15 North Range 17 West, City of Hart, Oceana County, Michigan, more fully described as follows: Commencing at the Southwest Corner of said Section 9; thence South 87*19'27" East, 374.27 feet, along the South Line of said Section 9 and the centerline of Main Street, to the Point of Beginning, thence North 00*30'51" East, 167.62 feet; thence South 87*19'27" East, 188.41 feet; thence South 00*31'05" West, 167.62 feet, to a point on said South Line of Section 9 and centerline of Main Street; thence North 87*19'27" West, 188.41 feet, along said South Line of Section 9 and centerline of Main Street, to the Point of Beginning. Said Parcel contains 0.72 acres of land. SUBJECT TO the right-of-way of Main Street across the Southerly 33 feet thereof. ALSO SUBJECT TO easements or restrictions, if any.

STATE OF MICHIGAN)

)SS.

COUNTY OF OCEANA)

I, the undersigned, the duly qualified City Clerk of the City of Hart, Oceana County, Michigan do hereby certify that the foregoing Ordinance amendment was adopted by City of Hart at a regular City Council meeting duly held on the 23rd day of May, 2023; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended, I hereby certify that I published the Ordinance amendments and additions in the Oceana Herald Journal on the 1st day of June, 2023

Karla Swihart
City Clerk

· Ayes: 6 Nays: 0 Absent: 1

DISCUSSION ITEMS:

- Special Event Permit – National Asparagus Festival After Party.
 - Ayes: 6 Nays: 0 Absent: 1
- Special Event Permit – Hart Sparks Celebration
 - Ayes: 6 Nays: 0 Absent: 1
- Re-appointment of Penny Burillo to the Hart Area Library Board
 - Ayes: 6 Nays: 0 Absent: 1

CITY MANAGER'S REPORT:**UPDATES:**

- The new time sheets system has been implemented and following the first payroll, is proving to be a useful tool. This was a planned budgeted expense as a 2023 goal to eliminate payroll errors and increase City efficiency. Savings to the City will likely exceed the previous estimate of \$2,200 per year in the time savings, gas use, and paper printing.
- Hart Rotary Sponsored Hart Lake and Surrounding Area Clean-up Day was a solid success with over 70 bags of garbage removed from the lake and surrounding areas, 2 garbage cans, a snow fence, and wooden stakes.
- Anticipation of the Tin Man is building as we approach the anticipated delivery just prior to the Asparagus Festival.
- On May the 18th Mike Schiller, Rob and potentially two power board members will travel to Grand Rapids for the annual meeting of the Michigan Public Power Agency and the Michigan Municipal Electric Association.
- Business Afterhours sponsored by the Silver Lake, Hart, and Pentwater chambers of commerce was held Thursday May 4th at the Up North Market, the event was well attended and included several representatives from the City of Hart.
- The Hart Lake Board met for the first time in over 5 years and learned about the current condition of the lake as well as proposed treatments for this year. There will be a public hearing to discuss the plan and seek local input in the Hart Community Center on Monday July 17 at 7pm.

Legacy Topics:

- The Charter review committee has finished its assessment for phase one City Charter amendments. The committee will continue its review to identify additional changes for review by the council. The amendments will be processed for ballot approval at the next general election.
- Safe Routes to School trail project – pending state approval projected start date June 2024.

Upcoming Topics:

- Budget public hearing on May 23rd and adoption on June 13th, 2023.
- Adoption of 2022-2026 Park and Rec Master Plan
- Veteran's Memorial Park final design approval
- Water, Wastewater, and Energy rate studies = 2024 Utility Rate recommendations.
- Council adoption of code enforcement policies, procedures, and implementation.

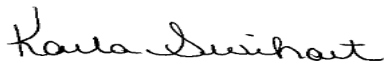
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- C. Burillo asked when the fountain in the pocket park would be uncovered. Brad said it has been covered all winter and they are waiting on new lights for it, and they will get it open for the season.
- Mayor Platt wanted to mention she visited three new stores in the last week or two, one being a new clothing store with brand new clothes in it. And another one called everything's a dollar. New flower shop Birch and Blossoms so a must visit if you're in downtown Hart.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned upon a motion by C. Burillo and supported by J. Adams. The next regularly scheduled meeting will be on May 23rd, 2023, at 7:30 pm.

Respectfully Submitted



Karla Swihart, City Clerk