



CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
November 14th, 2023
MINUTES –Approved

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

ABSENT: None

OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Hart PD Chief – Juan Salazar, Dave Hansen, Dick Huntington, Eric, and Karen Owen

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

APPROVAL OF AGENDA:

- J. Admas motioned to approve the agenda and was supported by J. Evans
 - Ayes: 7 Nays: 0 Absent: 0

PUBLIC COMMENTS:

- Eric and Karen Owen – Still interested in 3 lots at the Creeks just wondering where we stand with the offer put in.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Letter from Dave Hanseon
Hart City Council:
I think that there are a few east things we can do in Hart to make us look better and increase our “curb appeal”
First, we could put speed limit signs on the stretch of 72nd between W Main and Polk. I have seen people drive 25 to 55 on this stretch. What is it?
W Main is wide enough to have a center lane from left turn. With the school congestion, this could really help. Just a few lines and it’s taken care of.
There is no garbage can on the rail trail. We could put one of the blue cans on Enterprise Drive and the trail. Nobody would have to deal with it. The garbage truck would empty it every week. Easy.
I have seen so many near accidents in front of Hansen Foods. We have 7 cuts off Polk road within 200 yards which is very dangerous. Hansen Foodshas 2, State Police, Renhacks, Industrial Part, Dollar store and Rail Trail. If both west and east bound could have a sign showing 2 lanes with one lane with thru and the other right turn only. It literally could save a life. So easy to do.
Coming east on Tyler from the west, it is nicely striped. As soon as you reach the City property, it looks really sloppy with no lines. It makes Hart look like we don’t care and turns the street instantly drab. I have to reline my parking lot every year to keep it looking fresh and tidy. This should be done on all major streets that have incoming traffic into the City.
There are just a few easy and inexpensive things the City could do to make Hart look like we are ready for business and not a dying town like so many around us.
Thank you Dave Hansen
- Presentation: Dick Huntington, Chairman – Creeks Homeowners Association,
On Nov 3rd the HOA meet with City Manager, D. Hodges, Relastate broker with what to do with the Creeks subdivision, which we thought was going to be a session on coming up with a plan, but was informed that the City Attorney informed the City that because of the weakness of the master deed language that the City has complete control over the subdivision and can do what they wish with it. The HOA would like to discuss with the City and see if we can come to somekind of an agreement regarding the future of the Association.
Concerns of HOA:

1. Is this Council representing the voters and taxpayers of Hart, or are they more concerned with working with an out-of-town builder who, other than Hallack Contracting hires nearly all work and materials from out-of-town/out-of-county sources?
2. Is it the pain of this Council as we discussed in an unknown, closed session and advised by your out-of-town and county legal counsel, that the master deed and amendments are not binding; therefore, the City can unilaterally choose to do whatever they want with the remaining lots? (this would include removing from the HOA at the builder's request.)
3. On November 3rd we were informed by the City Manager that not only could the City take control of all remaining and redesign them as the builder would like, but that their attorney had indicated that the City had no responsibility to maintain the street known as Creeks Drive. Is the council fully aware of this plan for the Creeks Condominium subdivision? At this meeting we were informed by the City manager that residents could be charged an additional fee for use and maintenance of current lift station. Is that the Council's Plan?

On November 20th there is a HOA meeting at 1pm, I invite the Council to attend and discuss this matter further.

- Mayor Platt requested for the next City Council meeting to have action item added. "To appoint City Manager as voting representative of the 42 units owned by City of Hart and to direct the City Manager to work with City Planner and Attorney to develop an amendment to the Condominium documents for approval by the City Council to either withdraw the City's units from the condominium or amend the condominium so that the property can be developed to meet current market interest."

CONSENT AGENDA:

- Approval of minutes from October 24th, 2023.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - C. Burillo motioned to approve Consent Agenda and supported by J. Adams
 - Ayes: 7 Nays: 0 Absent: 0

ACTION ITEMS:

- Resolution 2023-47 City of Hart Section 3 Policy
 WHEREAS, the City of Hart continues to seek grant funds to assist with ongoing capital improvement projects and other City activities; and
 WHEREAS, the City of Hart has used funding provided by the Us Department of Housing and Urban Development and may anticipate applying for additional funding from HUD or other federal entities in the future; and
 WHEREAS, a requirement for use of federal funds locally is that the municipality have a Section 3 Policy in place to assist low and very low-income persons to find employment with companies that are contracted using federal funds; and
 WHEREAS, it will benefit the City to adopt such a policy and incorporate the good faith efforts when business concerned are employed using current and future federal funds; and
 WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interests and welfare, the City Council hereby declares:
 NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL
 *Adopts the City of Hart Section 3 Policy pursuant to the Housing and Urban
 Development Act of 1968*
 - C. Burillo motioned to approve Resolution 23-47 and supported by J. Adams
 - Ayes: 7 Nays: 0 Absent: 0
- Ordinance No. 2023-04 An Ordinance to re-zone 007-018-300-10 from B-2 General Business to C-2 Limited Commercial

First Reading:	11/14/2023
Second Reading & Adoption:	12/12/2023
Publication:	12/21/2023
Effective Date:	Ten Days after publication

The City of Hart Ordains:

The rezoning of 2566 N 64th Ave parcel ID# 007-018-300-10 with frontage on North 64th Avenue from B-2 General Business District to C-2 Limited Commercial. The property proposed for rezoning is legally described as follows: SPL FR 7 IN 96 PER DK SEC 18 T15N R17W—S 400 FT OF SW ¼ OF SW ¼ LYG W'LY OF US 31 ROW. 5.37 A M/L 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 ___ day of ___, 20__; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 pf the Public Acts of 1976, as amended, I hereby certify that I published the Ordinance amendments and additions in the _____ on the __ day of ___, 20__.

Karla Swihart
Hart City Clerk

DISCUSSION ITEMS:

- Special Event Permit – Home for the Holidays Lighted Christmas parade and tree lighting
- Council Retreat 2024
Matt Lehrman from Social Prosperity Partners, Leadership & Collaboration Skills Training along with some Community Engagement. Looking forward to setting up a date with him in January. Included in packet today is a overview of what it would look like for a retreat and would move forward on getting a date set with council approval.

CITY MANAGER'S REPORT:

UPDATES:

- Griswold / Polk Rd infrastructure work is mostly complete with the roads open again.
- Dryden street area project is spooling up with a preconstruction meeting Friday. Tree removal and water service line replacement will be starting soon with general construction beginning when winter weather breaks.
- The wayfinding signage project is nearing completion with some design tweaks coming following a meeting with MDOT and the Oceana County Road Commission.
- Hart Police Department has two officers that have received job offers from other departments. This along with one officer on limited duty is putting stress on the daily patrol schedule. Chief Salazar is working to recruit new talent and establish any new efforts to mitigate the absence of these employees.
- A replacement pick-up truck for Hart BioPure is budgeted for purchase this year. Finding available trucks is currently difficult with no local or regional vendors committing to MiDeal pricing on future orders. Multiple competitive quotes were sought for the same model truck and the lowers price will be selected as the appropriate vendor.
- Holiday decorating this Friday November 17th 2pm, meet at the fairgrounds to receive an assignment.
- Lighted Holiday Parade steps off at 6:30. The City will plan to use the fire truck again as a float. Bring any family and friends that would like to help cheer and hand out candy.
- A big thank you to the Hart High School Leadership and Digital Media Classes for painting the windows at City Hall with GO PIRATES and the Ceres Solutions building with volleyball and football window painting.

Legacy Topics:

- The City Attorney is working on City Charter amendment verbiage to be approved by Council, the attorney general, and the governor. 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:

- Adoption of 2022-2026 Park and Rec Master Plan
- Veteran's Memorial Park project bid request advertised in November.
- Council review of rental inspection policies, procedures, and implementation.
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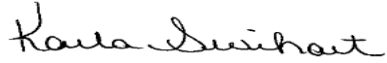
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mayor Platt, I'd like to apologize to anyone that showed up on Sunday to the United Methodist Church, as I forgot about it and didn't make it to speak.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned upon a motion by C. Burillo and supported by J. Evans. The next regularly scheduled meeting will be on November 28th, 2023, at 7:30 pm.

Respectfully Submitted

A handwritten signature in cursive script that reads "Karla Swihart".

Karla Swihart, City Clerk