



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
July 12th 2022
MINUTES – Approved**

PRESENT: Mayor Vicki Platt, Councilors: Jim Evans, Dean Hodges, and Amanda Klotz,

ABSENT: Catalina Burillo, Fred Rybarz, and Kris Trygstad

OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, Police Chief – Juan Salazar, Dick Huntington, Ginny Huntington, Helen Sterk, Sue Payne, Denny Powers, Bill Volpp, Sharon Hallack, and George Sadler,

Mayor Platt called the meeting to order; following the roll call, the mayor 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: 4 Nays: 0 Absent: 3

PUBLIC COMMENTS:

- Mr. Huntington 115 Creek Dr. Hart Mi 49420, Its nice that you have the agendas printed off for attendees, But the consent agenda is very confusing, the councilors have a copy of the packet in front of them, but the public does not, and the public does not know what is being voted on. You have on the agenda pay rate for City staff, The comments are its on our website, but not everyone can go and look it up. Bottom line is the public likes to know what is going on and they like to feel like they are aware of what happens. Another issue is it is hard for the crowd to hear what is going on especial when the air turns on.
- Mr. Sadler 211 East Main, Hart Mi 49420, Handed out copies of pictures he took of various issues around the City. 1st two pictures are the patch job that was done on State Street that was not done right.



2nd white pages are the Ceres property there is a wide-open hole that cones have been put around which at night residents can't see and someone is going to fall in and get hurt, and the sidewalk people had to walk down not in good shape at all.



3rd yellow pages this is the 7th time I have come to the City to talk about this issue and according to Lynne she had a plan to eradicate this problem as this is City property, and there are skunks, racoons it shouldn't be like this. Looking at the last page I have talked to the City's insurance company twice now and I was told I have to put the City on a 30-day notice and if there is any damage done without a 30-day notice to the City there can't be anything done. I have done this 6 other times now and this is how the insurance company wants it done so now it is on record and gave copies to you all.



- Denny Powers 603 Woodlawn Ct, I am here to address the Creeks, I wonder if any of you have added up the tax revenue that has been lost in the Creeks subdivision over the last 15years cause the City has sat on this property and done nothing. Even if only 15% of the people build a house there with utilities, I even made an offer on one of the lots before when City Council said they were going to sell the lots. The City then went with a realtor, and then developer, but it's time for a decision to be made.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Dick Huntington – Representative of Creeks Subdivision Homeowners Association
They would like some clarity on exactly where the City is at, what they are dealing with and also what to tell people when they ask to buy a lot. What is the status of the subdivision, is it still owned by the City? City Manager R. Splane, Currently the Creeks is still owned by the City. Is there still interest from a developer? In the Oceana Herold Journal June 30th, they reported on the Creeks, about the duplexes that could be built on the inner circle and the single home that could be built on the 7 lots at the west end of that property, however there was a statement in there that said there are single family sites available on the north and east side, but that is not correct, those are all condo lots which I believe most of them are triplexes and quadplexes. There has been no change in the master deed to make them single units, I believe the developer would like to if he bought it, but he still must go through the HOA to do that. How does an individual purchase a single-family lot as there are 7 available? An individual can buy them, they will still be part of the HOA though, however the City put restrictions on there saying if you buy a lot, you have one year to build on that lot, but in the master deed which

includes those lots it says that once you break ground you have one year to complete building. I feel if you took that one-year restriction out you would have more interest in the lots.

Another question is how would an individual build a condo on the land? CM R. Splane said the developer that the City is working with will purchase the lots to build on. Once the duplex is constructed than the individual can purchase, if an individual wants to construct their own, they can buy one of the seven lots that are available. Helen Sterk, and I am very interested in the Creeks, but it is very confusing on how to purchase a lot and build a home there. As an individual looking to purchase, I hope that there would be some clarity now that the City is moving forward working with a developer and the HOA and can sell some houses.

J. Evans commented, I want to apologize to you Dick as this is the 6th or 7th time speaking in front of the City Council. I don't understand why it is so difficult for an individual to purchase a piece of property.

S. Payne commented on how there is more progress in the last 2 months than there has been in the last 15 years. I have been apart of this project since the very beginning. It has been frustrating cause people do want to buy there and build there, and the City finally has something happening and you all should be excited about this. You need this developer who has proved himself and has developed properties just like the Creeks and has been successful at it.

A. Klotz asked how many of the 7 individual buildable lots have been shown interest. CM R. Splane said offers have come in but very low, but there has been a lot of interest in the lots so hopefully once things get squared away with the developer and he can break ground that will get things moving and more homes will be built.

CONSENT AGENDA:

- Approval of minutes from June 28th, 2022.
- 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 D. Hodges
 - Ayes: 4 Nays: 0 Absent: 3

ACTION ITEMS:

- Resolution 2022-26- Authorize pay rate for appointed City officials and support staff
 WHEREAS, the City recently approved 4-year collective bargaining agreement with the Police Officers Labor Council (POLC) and Utility Workers Union of America (UWUA) that stipulated union wage adjustment; and
 WHEREAS, the City should establish wage rates for non-union employees; and
 WHEREAS, the City recognizes that highly trained, dedicated staff is necessary to conduct City operations with minimal staff; and
 WHEREAS, to secure the benefits of efficient self-government and to promote and protect our common interest and welfare, the City Council hereby declares:
 Authorizes and approves full-time appointed personnel (excluding City manager) and full-time no-union hourly wage rates effective July 1, 2022, to increase existing employee pay rates, longevity pay, holiday offering, and retirement contributions to align with the 2022-2026 POLC/UWUA union contacts.
 - A. Klotz motioned to approve Resolution 2022-26 Pay rate for appointed City officials and support staff and supported by D. Hodges
 - Ayes: 3 Nays: 0 Absent: 3
 - DID NOT PASS
- Resolution 2022-27 – Correction/clarification regarding adopted FY2023 Electric, Water, Sewer & Trash Rates
 WHEREAS, the City of Hart owns and operates electric, water, sewer, and wastewater treatment facilities; and contracts for trash hauling services ("services"); and
 WHEREAS, these services are funded through user rates and should self-fund their operations, maintenance, equipment replacement, and debt service; 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 HART CITY COUNCIL:

Adopts the rates and charges as identified below for FY2023 effective for all bills for services mailed on or about Aug 1, 2022, with changed language for water meter rates where City eliminated 0-3000 included in the base rate.

- A. Klotz motioned to approve Resolution 2022-27 Correction/clarification and make an amendment regarding adopted FY23 utility rates and to add FY22 rates also, and supported by D. Hodges
 - Ayes: 4 Nays: 0 Absent: 3
- Resolution 2022-28 – UFS Financial Study and Payment In Lieu Of Taxes (PILOT) Study
 WHEREAS, the City of Hart owns and operates an electric distribution system; and
 WHEREAS, previous electric system financial planning documents are antiquated and in need of updating; and
 WHEREAS, Utility Financial Solutions has prepared a proposal to begin financial planning work to include future financial projections and a PILOT study; and
 WHEREAS, the Hart Energy Superintendent and Power Board recommend moving forward with the proposed budgeted project; and
 WHEREAS, in order to secure the benefits of efficient self-government and to promote and protect our common interest and welfare, the City Council hereby declares:
 NOW THEREFORE BE IT RESOLVED THAT THE HART CITY COUNCIL.
 Accepts and approves the recommendation to proceed with UFS Financial Projection project.
 Authorizes and directs the City Manager to sign and execute the proposal for an estimated fee of \$12,500, on behalf of the City of Hart
 Discussion: Mayor V. Platt suggested that Dawn come to a City Council meeting and do a presentation and would like to see a 5–10-year outlook instead of a 5-year outlook.
 - J. Evans motioned to table Resolution 2022-28 Accept UFS proposal for Hart Energy to allow time for presentation to be presented to City Council in person with 5–10-year outlook and supported by A. Klotz
 - Ayes: 4 Nays: 0 Absent: 3

RESOLUTION TABLED

DISCUSSION ITEMS:

CITY MANAGER'S REPORT:

- Great attendance at Hart Sparks. No major incidents to report. The fireworks show was quite short. An inquiry has been made to Wolverine to confirm that the contracted show was adhered to.
- Good attendance last week for Thursdays on Main. Work continues with makers market vendors to further enhance that portion of the event.
- Meeting with Shelby Township and the Village of Shelby to create a property maintenance and code enforcement department sharing agreement to present to council and the elected boards.
- Work continues with the City Treasurer to prepare for the City's pre-audit to be conducted the first week of August.
- Current request for Proposals are posted for; Demolition of 227 E. Main Street, TIFA's planned downtown streetscape project, and the City Wayfinding signage project.
- Surveyed Hart Lake with Progressive AE, the City's Lake management engineer. The invasive weeds in the lake are now largely remediated. A small plant that is found in some areas of the lake looks like algae, this is actually blooms of floating plants called Watermeal and Duckweed and is harmless.
- BS&A will be in Hart to help with implementing the 2023 utility rates, help to streamline billing process, and work to update our utility bill format.
- The City manager will be out of the office next week Wednesday and Thursday at the Michigan Municipal Executives summer conference and Friday at Saginaw Valley State University for human resources portion of the Certified Public Manager course.

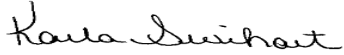
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Mayor Platt thanked everyone for coming to the City Council meetings with their questions and concerns.

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at upon a motion by A. Klotz and supported by D. Hodges. The next regularly scheduled meeting will be on July 26th, 2022, at 7:30 pm.

Respectfully Submitted

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

Karla Swihart, City Clerk