



CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
March 12th, 2024
MINUTES – Approved

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

ABSENT: Jim Evans

OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, HEART Superintendent – Nichole Kleiner, Cheri Eisenlohr, Steve Freed, Mike Killehsen, and Melanie Wightman

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

APPROVAL OF AGENDA:

- C. Burillo motioned to approve the agenda and was supported by J. Adams
 - Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS:

- Cheri Eisenlohr 507 S. State St. I have been employed with the City of Hart for the last 7 years and in November 2023 I had an ankle replacement surgery that has kept me from working, unfortunately I have had several complications with my recovery, I have kept the City Manager apprise after each of my surgeon's visits. I filed for FMLA prior to my surgery to protect my job for 12 weeks. I recently discovered when the City Manager completed a long-term disability form that I have been terminated effective 01/25/2024 as my FMLA has run out. The City Manager did not indicate that I have been terminated in pervious correspondence. In looking at a prior short-term disability form I discovered that the City Manager did indicate that I was terminated, but I did not catch it. In addition, I found that he told the staff that I resigned, I never received a formal termination letter, nor did I submit a resignation letter. I'm hoping that his terminating me does not keep me from receiving long term disability that I applied for which is offered by the City. I am making this statement because I want the City records and personal file to reflect this situation correctly. Thank you!
- Steve Freed 88th Ave Hart, Representing Freed Management company, I'd like to thank the City for the last 10 years of managing John Gurney Park, we enjoyed every minute of it. Id like to share a couple of facts with you all tonight, during those 10 years we've made a lot of improvements in the park, in which the City paid nothing towards. Which of was 28 sewer installations with my equipment, my money, and updates done to the pavilion, an also know that it took Freed Management Company just a little under \$100,000 to run John Gurney Park. Freed Management was only getting paid \$74,000 from the City, to make up the extra cost we invested in an ice machine to sell ice, Cut and sold firewood, etc. to make up the difference. I believe that the residents of that park deserve a little bit better of a hand off than what they received. There should have been an exit strategy in place. We understand things took a little bit longer than expected but in the end the City did hire a really good developer to run the park, City employees are City employees, when it comes to spending taxpayer's money, before you do turn our historic property into a Silve Lake resort, think of the customers of the park. Freed Management put our hearts and soles into John Gurney Park. It costs a lot of money and more than what the City is willing to put into it, Thank you for your time.
- Mike Killehsen, Coopersville Mi, summer resident of John Gurney Park, we've been coming to John Gurney Park for the last 6 years, drove up on behalf of Steve and Jen to show support for the work they have done in the years we've been there. We were displeased on how the handling of new management went but we found out through a message from Jen that our seasonal camp spot was up for a nightly rental, so just a little unhappy about having to find out that way but did get a call from Chris and was able to get our shop reserved. Just want to give Steve and Jen credit for how the park has been run these past years, Thank you.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Letter from Matt Larman that is in front of Council this evening.
Thank you again for the privilege (and joy!) of facilitating Saturday's leadership retreat for the City Council – and especially for the courage you all displayed in inviting the community in for a joint visioning exercise. I couldn't

agree more with the words of a friend on my Facebook post, “ How heartening that a small town would invest in such change- making work.”

Thank you for the photos. Grateful to you for such a wonderful visit to Hart!

- Hart Economic and Redevelopment Team Activity Report and 4-year snapshot.

CITY OF HART

Economic Development & TIFA

FEB 2020- FEB 2024 ACTIVITY REPORT

MISSION STATEMENT to develop and implement creative community-based strategies to enhance economic opportunity through educational partnerships, a consolidated infrastructure system, regional collaboration, business retention and attraction, high quality of life, and a strong sense of community.

FOUR-YEAR SNAP SHOT

<p>NEW BUSINESSES</p> <ul style="list-style-type: none"> • Charlie's II • Birch & Blossom • Morningside Pallet Merchandise • Great Lakes Pet Fencing • Stellas • Dogwood Community Development • 5-Star Realty • Lakeside Bagel & Smoothie Bar • Tractor Supply • Auto Zone • Biggby • Pixel Grafix Studio <p>BUSINESS EXPANSIONS</p> <ul style="list-style-type: none"> • Pink Elephant • Gray & Co Expansion • Lakeside Family Fitness <p>SPECIAL PROJECTS</p> <ul style="list-style-type: none"> • Downtown Streetscape Conceptual Plans • Congregational United Church Acquisition • Partnership with WSCC Oceana College Campus • Downtown Speaker System • Annual Artwalk & Hartprize Event (new) • Tin Man Sculpture & Wall Mural • Main Street Market Pop-up Shop Chalets • Wayfinding Directional Signs • Downtown Beautification/Annual Flowers • Social District • The Creeks Development • Walkers Demo - 20+ Addtl Pkg Spaces • Ceres Acquisition & Development Plan • New TIFA Development Plan • Discover Oceana • Expanded Summer Music Series from 6 to 12 Concerts. Added a Makers Market • Certified Redevelopment Ready Community 	<p>INCOME GENERATED</p> <ul style="list-style-type: none"> • TIFA Property Improvement Grant Investments \$ 117,450 • MEDC RRC Ceres Development Grant..... \$35,000 • MI Arts & Cultural Council Grant (mural)..... \$12,500 • Match on Main Grant ('20,'21,'22,'23)..... \$100,000 • USDA Grant (Walker Demo/Pop-ups)..... \$98,337 • Optimize Main Grant ('22, '23)..... \$10,000 • Consumers Put Your Town on The Map..... \$10,000 • Great Lakes People Fund..... \$3,500 • SHPO Lakeshore Heritage Grant..... \$33,000 • Gift Card Incentive ('20, '21)..... \$ 82,800 • MCACA Grant for Music on Commons..... \$ 4,000 • HEART, John Gurney Park, Historic District, NAF Websites \$ 40,000 • Shop Local Video reaching over 41,000 \$ 5,000 • First Impression Tourism Grant..... \$ 4,000 • Donations & Sponsorships..... \$ 63,000 <p style="text-align: right;">TOTAL \$543,987</p> <p>ASSETS</p> <ul style="list-style-type: none"> • Ceres 3 E Main St (value)..... \$350,000 • Congregational United Church (value)..... \$385,000 <p style="text-align: right;">TOTAL \$735,000</p> <p>COST SAVINGS (4 YEAR TOTAL)</p> <ul style="list-style-type: none"> • Downtown Office Rent & Utilities Savings..... \$ 25,000 • Reduced Wages (Part-Time Director)..... \$ 40,000 • Corrected TIFA Annual Capture..... \$350,000 <p style="text-align: right;">TOTAL \$415,000</p>
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\$544K

Income generated since March 2020

\$735K

In assets

15

New and expanding businesses

CONSENT AGENDA:

- Approval of minutes from February 13th, 2024.
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - J. Adams motioned to approve Consent Agenda and supported by C. Burillo
 - Ayes: 6 Nays: 0 Absent: 1

ACTION ITEMS:

- Resolution 2024-04 Declare Surplus Equipment and authorize sale
WHEREAS, the City of Hart owns, legacy equipment at the Hart BioPure Department and at City Hall; and
WHEREAS, BioPure blowers were replaced with variable frequency blowers as part of an efficiency saving effort leaving the old units as legacy surplus equipment; and
WHEREAS, City Hall continues to eliminate decades old documents and transitioning to digital formats with new documents reducing the need for square footage available for document storage; and
WHEREAS, the City Council desires to secure the benefits of efficient self-governance and to promote and protect our common interests and welfare; and
NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Designates the used BioPure Blowers and approximately 16 file cabinets as surplus
Equipment and authorizes the City Manager to take the necessary steps to offer the equipment
For sale to the highest bidder.*

- J. Adams motioned to approve resolution 2024-04 and supported by A. Klotz
 - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2024-05 Waive Bidding requirements and authorize emergency repairs
WHEREAS, the City of Hart operates and maintains water, sewer, and road infrastructure; and
WHEREAS, as part of maintaining underground infrastructure that is frequently decades old, some aging equipment is vulnerable to unexpected failure; and
WHEREAS, a water main at the intersection of East Main Street and Hart Street ruptured on February 5th 2024 and required an immediate response using inventory on hand by the City water department to save the roadway and prevent serious damage to the surrounding area; and
WHEREAS, it has been determined that the site is still leaking at some reduced rate and requires the replacement of a significant section of water main including three key valves surrounding the intersection; and
WHEREAS, the typical bidding process will require approximately 6 to 9 weeks to develop bid documents, advertise, review bids and award the contract. Once the contract is awarded, additional time may be needed to order materials to complete the work; and
WHEREAS, the City Council desires to secure the benefits of efficient self-governance and to promote and protect our common interests and welfare; and
NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*Agrees to waive the normal bidding process for the emergency repair to the water system
In the area of East Main Street and Hart Street and authorize the City Manager to work with
the City Engineers to obtain formal competitive quotes from qualified contractors and execute a contract to
perform the work as soon as possible.*

- C. Burillo motioned to approve Resolution 2024-05 and supported by K. Trygstad
 - Ayes: 6 Nays: 0 Absent: 1

- Resolution 2024-06 Excessive Force Policy
WHEREAS, the Congress of the United States has passed the Armstrong/Walker "Excessive Force" Amendment (Section 104 (L)(1) of Title 1 of the Housing and Community Development Act of 1974 as amended) prohibiting the use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil rights demonstration within its jurisdiction; and
WHEREAS, the City of Hart has received a Michigan Community Development Block Grant is and is required to comply with the Armstrong/Walker Amendment; and
WHEREAS, the sue of excessive force against demonstrators may cause the CITY to lose its grant or eligibility for future federal grants; and
WHEREAS, the City Council desires to secure the benefits of efficient self-governance and to promote and protect our common interests and welfare; and
NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL:

*It is POLICY of the CITY that the use of excessive force is prohibited by local law enforcement
agencies against individuals engaged in nonviolent civil rights demonstrations within the City.
The City will adopt and enforce a policy of enforcing applicable State and local laws against
physically barring entrance to or exit from a facility or location which is the subject of such
nonviolent civil rights demonstrations within jurisdictions.*

The City Council directs the Police Chief to implement this Resolution by amending applicable

police department procedures.

- J. Adams motioned to approve Resolution 2024-06 and supported by C. Burillo
 - Ayes: 6 Nays: 0 Absent: 1

DISCUSSION ITEMS:

- Special Event Permit – Zumba Class, Super Fitness (Rosario Mendoza) – John Gurney Park
- Mayoral Appointment – Andrew Mullen to HEART Board.

CITY MANAGER'S REPORT:

Updates:

- The new Parks and Recreation Superintendent started Monday February 26th and is off and running. Chris TerHaar of Mears has spent almost 30 years working in property management and most recently for vehicle rental management in Silver Lake. His skill set makes him perfect to run our campground and his enthusiasm for his new position is infectious. He will be doing a short presentation at the upcoming council meeting.
- Wadel stabilization tested the Riverside lift station with all systems working properly.
- Frontier Communications is going a City-wide fiber internet to the home project in Q2 2024.
- HydroCorp began cross-connection inspections and meter reading upgrades March 4th.
- Plummers environmental will begin water service line verifications in late April.
- Creeks Subdivision amendments still being prepared for planned execution in March.
- While MDOT was performing cold patch work on State Street, they discovered a large cavity under the roadway that required an emergency repair for safety. The cavity was caused by MDOT owned infrastructure and they contracted with Hallack to perform the work. The road was re-opened the same day, but some additional work may be required, and the road will be remediated by MDOT.
- SRTS update – communication from Fleis and Vanderbrink indicated that they were able to have a productive discussion with MDOT and the project will likely move forward.
- Asparagus day was March 7th at the New Era Reformed Church. The NAF and representatives will run a booth showcasing the festival and Hart Michigan. A short presentation will be given seeking support from industry businesses.
- Veteran's Memorial Park project – (EGLE approved!)

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 bid spring 2024.

Upcoming Topics:

- Adoption of 5-year Park and Rec Master Plan (Currently back and forth negotiation with MDOT)
- Council review of rental inspection policies, procedures, and implementation. Chief Salazar is delayed due to 2 employee resignations and 2 employees parental leave)

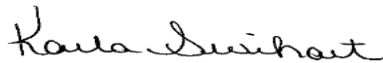
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- Board of Review scheduled for March 14th and 15th at City Hall from 1pm-7pm

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned upon a motion by J. Adams and supported by K. Trygstad. The next regularly scheduled meeting will be on March 26th, 2024, at 7:30 pm.

Respectfully Submitted



Karla Swihart, City Clerk