



CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
March 26th, 2024
MINUTES – Approved

PRESENT: Councilors Justin Adams, Jim Evans, Dean Hodges, Amanda Klotz, and Kris Trygstad

ABSENT: Mayor Vicki Platt, and Catalina Burillo,

OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, DPW Superintendent – Brad Whitney, Hart Police Chief – Juan Salazar, Julie Buchanen, Robert Buchanen, Cheri Eisenlohr, Dick Huntington, and Eric & Karen Owen,

Mayor Pro-Tem Klotz called the meeting to order; following the roll call, then led the Council in the pledge of allegiance.

APPROVAL OF AGENDA:

- J. Adams motioned to approve the agenda and was supported by K. Trygstad
 - Ayes: 5 Nays: 0 Absent: 2

PUBLIC COMMENTS:

- NONE

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- NONE

CONSENT AGENDA:

- Approval of minutes from March 12th, 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 J. Evans
 - Ayes: 5 Nays: 0 Absent: 1

ACTION ITEMS:

- Resolution 2024-07 Approve and submit the language of proposed amendment to the charter of the City of Hart WHEREAS, the Home Rule City Act, Act 279 of the Public Acts of Michigan of 1909, as amended ("Act 279"), being MCL 117.1 *et seq.*, authorizes the City Council to propose amendments to the City Charter by a 3/5 vote of its members;
 WHEREAS, the City Council finds that it is necessary, advisable and in the best interests of the residents of the City to amend Chapter IV, Section 4.1 of the Charter of the City of Hart ("Section 4.1") to eliminate the requirement that the City Council hold regular meetings at least twice a month at 7:30 p.m. at the City Hall, which is no longer the practice;
 WHEREAS, the City Council finds that it is necessary, advisable and in the best interests of the residents of the City to amend Section 4.1 to allow the City Council to reschedule regular meetings of the City Council by resolution if necessary and appropriate;
 WHEREAS, Act 279 provides that charter amendments proposed by a City Council shall be submitted to the electors of the City at the next regular Municipal or General State Election, or at a special election held no less than 60 days after the proposal of the amendment.
 NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:
 1. Pursuant to the authority granted to the City Council under Act 279, the Council hereby proposes that Section 4.1 of the Charter of the City of Hart, which now states as follows, "Regular meetings of the Council shall be held at least twice in each calendar month commencing at 7:30 p.m. at the City Hall. If any time set by resolution of the Council for holding of a regular meeting of the Council shall be a holiday, then such regular meeting shall be held on the next following secular day which is not a holiday or on such other day as may be the Council."

IN WITNESS WHEREOF, I have hereto affixed my official signature on this ___ day of ____ 2024.

Karla Swihart, Clerk
City of Hart

- J. Adams motioned to approve resolution 2024-07 and supported by J. Evans
 - Ayes: 5 Nays: 0 Absent: 2
- Resolution 2024-08 Accept PUD amendment and Approve Creek Subdivision Master Deed Amendment
WHEREAS, beginning in 2003, the City of Hart entered into a public – private partnership with a local developer in pursuit of construction new housing; and
WHEREAS, in years following, Shelby State Bank assumed ownership of the property through the developer’s defaulted construction loan and afterwards attempted to sell the property for several years to recoup the loss; and
WHEREAS, the City of Hart purchased the property in 2017 for \$61,500 from Oceana County following tax default and has sought new parties to purchase and develop the stagnant project, finding little to no interest as it was originally designed; and
WHEREAS, the City Council worked closely with the Creeks Homeowners Association, City planners, and the City attorney to agree upon mutually beneficial PUD and Master Deed amendments seeking new development in the subdivision; and
WHEREAS, on March 7th, 2024 The City of Hart Planning Commission reviewed and approved the PUD amendment as suggested by council and the homeowner’s association; 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
Accepts City of Hart Planning Commission PUD amendment as approved on March 7th, 2024.
Appoints and directs the Hart City Manager, as voting representative for the 42 units, specifically units 9-12, 21-56, 59, and 62 owned by the City of Hart comprising a 67.62 percentage of total units and value owned as defined in the Master Deed "Exhibit A – Schedule A" of the Creeks Condominium to sign the agreed upon Master Deed Amendment pursuant to the language and drawings as approved in the PUD Amendment approved by Planning Commission March 7th, 2024.
 - J. Adams motioned to approve Resolution 2024-85 and supported by K. Trygstad
 - Ayes: 4 Nays: 1 Absent: 2

DISCUSSION ITEMS:

- None

CITY MANAGER'S REPORT:

Updates:

- West Shore Community College Board of directors voted last week to authorize the purchase of the IGA building in Hart. A Community Center grant is likely to be offered to help WSCC fund the development of a Community College extension in Hart... All details are pending.
- The Hart-Dryden-Wood-Jefferson Street project is in full swing with lots of remediation work being performed this week on Hart Street. Weekly updates are posted on the Prien and Newhof website with links posted on the City’s website and Facebook page.
- Hallack has finished the emergency repair on Main Street and will resurface the street as soon as the asphalt plants begin production in April.
- The Oceana County Department of Veterans Affairs is planning to host a Veteran’s Day Parade in Hart this November. One planning meeting has been held as the VA begins to form a committee to organize the event. A special event permit will be coming for council review.
- HydroCorp is wrapping up the cross-connection inspection project with water shut-off notices going out to the non-responsive residences this week.
- Battery recycling at City Hall – rechargeable and cell phones.
- Veteran’s Memorial Park project – (EGLE Approved!).

Legacy Topics:

- 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)

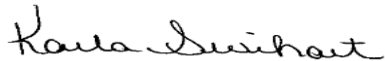
COMMUNICATIONS FROM THE MAYOR AND COUNCIL:

- J. Evans read an email that was sent to an employee that has been off on medical leave, and asked the City Manager a few questions regarding the employees leave

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned upon a motion by K. Trygstad and supported by J. Adams. The next regularly scheduled meeting will be on April 9th, 2024, at 7:30 pm.

Respectfully Submitted



Karla Swihart, City Clerk