



**CITY OF HART
407 S. STATE ST.
HART, MI 49420
COUNCIL PROCEEDINGS
October 26th, 2021
MINUTES – Approved**

PRESENT: Mayor Vicki Platt, Councilors: Jim Evans, Amanda Klotz, and Kris Trygstad

ABSENT: Catalina Burillo, Dean Hodges, and Fred Rybarz

OTHERS PRESENT: City Manager – Rob Splane, City Clerk – Karla Swihart, BioPure Superintendent – Paul Cutter, Energy Superintendent – Mike Schiller, Gary Beggs, Dwight Fuehring, Sharon Hallack, Dick Huntington, and Bill Volpp

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

APPROVAL OF AGENDA: J. Evans motioned to approve the agenda and was supported by K. Trygstad

- Ayes: 4 Nays: 0 Absent: 3

PUBLIC COMMENTS:

- Mr. Huntington – Still interested in buying a lot in the Creeks, would like someone to come up with a solution as I know a few others that would like to purchase a lot as well.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- I. Letter from Jon Bumstead – Congratulations on State Grant award.
 - The City of Hart received the Community Block Grant from the Michigan Economic Development Corporation.
- II. Letter from Steve Bruch – TIFA board chairperson
 - Mr. Bruch regrets having to resign from his position on the TIFA Board, due to taking a new job at the County.
- III. Hart Area Fire Board property transaction concerns
 - Mr. Beggs spoke on behalf of the quick claim deed for parcel # 64-020-739-001-30 Some members not pleased with the changes on the quick claim deed which states "Grantee to be used for fire department headquarters and primary active operating location." due to the fact someday we may run out of land space and have to consider moving to a bigger location. We want this to work we really want to keep our fire barn in Hart as it is the prime location for us. This will always be a fire barn but may not always be the primary headquarters as we cannot predict the future. I feel if we can compromise on the present language and remove headquarters and primary from the quick claim deed, I would present it at the fire board meeting coming up on Thursday night.
 - J. Evans motioned that the verbiage "headquarters and primary" be removed from the quick claim deed and supported by A. Klotz.
 - Ayes: 4 Nays: 0 Absent: 3

CONSENT AGENDA:

- Approval of minutes from October 12th, 2021
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvlp
 - J. Evans motioned to approve Consent Agenda supported by K. Trygstad
 - Ayes: 4 Nays: 0 Absent: 3

ACTION ITEMS:

- Resolution 2021-73 Resolution accepting bids for CDBG Grant Administration
The City of Hart has been selected to receive CDBG Grant Funding for the Griswold Wastewater Force main replacement, and the MEDC requires that communities request proposals through their bidding portal for Certified CDBG Grant Administrators and the Grant Administrator proposals have been advertised and the submittal period has closed, and the City received one proposal for Grant Administration from Hager Consulting.

Now therefore be it resolved that the Hart City Council accepts the Grant Administration proposal submitted by Hager Consulting for the Grant Administration costs for the Water Related Infrastructure project in the amount of \$14,900 and authorize the City Manager to sign the contract for Administration services.

- J. Evans motioned to approve Resolution 2021-73 and supported by K. Trygstad.
 - Ayes: 4 Nays: 0 Absent: 3
- Resolution 2021-74 Accept bids for tree trimming and removal new energized power lines and along City rights of way.

The City of Hart owns and maintains a municipal electric utility and is responsible for ensuring the reliability of power to its customers through a maintenance program for trimming and removing trees near energized power lines and the Energy department has determined that designated trees or parts thereof pose a threat to existing power lines and need to be removed for the safety of residents and employees and the City has advertised for qualified bidders to trim and or remove the trees and branches and has received bids from Dubois Tree and Land Management LLC and Custom Tree Service for. Now therefore be it resolved that the City of Hart accepts the bids for tree trimming and removal. Line item 1 to Dubois Tree and Land Management at a rate of \$300/hr. and Line item 2 work to low bidder, Custom Tree Services at a rate of \$250/hr.

 - J. Evans motioned to approve Resolution 2021-74 and supported by A. Klotz.
 - Ayes: 4 Nays: 0 Absent: 3
- Resolution 2021-75 Accept bids for stump grinding and site remediation

The City of Hart implements a maintenance program for trimming and removing trees near energized power lines and following the removal of trees, tree stumps remain creating visual blight and potential hazards to the community and the City has advertised for qualified bidders to remove a set inventory of existing stumps and has received bids from Delia's Tree Stump Removal and Custom Tree Service. Now therefore be it resolved that the City of Hart accept the bids for stump grinding and site remediation. Awarding work to low bidder, Custom Tree Service for \$5,100.

 - A. Klotz motioned to approve Resolution 2021-75 and supported by K. Trygstad
 - Ayes: 4 Nays: 0 Absent: 3
- Resolution 2021-76 Charter Cable Franchise Renewal

The City of Hart's current cable provider, Charter Communications, has proposed to renew its current franchise agreement in accordance with the 2007 Public Act 480: and the Act requires uniform agreement with standard provisions and requires franchising entities to promptly adopt cable service agreements and renewals; and the City of Hart may retain a franchise fee based on a percentage of provider's gross revenues currently set at 5% and it is in the City's best interest to approve the Charter Cable franchise renewal and maintain the current franchise fee; Now therefore be it resolved that the Hart City Council approves Charter Cable franchise renewal agreement and adopts the current franchise fee in the amount of 5%. Authorizes and directs the City Manager to sign the franchise renewal agreement on behalf of the City of Hart.

 - J. Evans motioned to approve Resolution 2021-76 and supported by A. Klotz
 - Ayes: 4 Nays: 0 Absent: 3
- Resolution 2021-77 Creeks Development

In 2017 the City of Hart took possession and ownership of The Creeks Condominiums after many years of negotiation with the involved parties; and the City of Hart would like to move forward with development activities; and the City Council review three options

 1. Request for proposals, this could include review of previous proposed contractors (Blackmer & Hammersma). Or a brand-new public request for proposal based off the current site plan. * Pro's; One cohesive effort as previously imagined. Little legal action. *Con's; Further potential risk to the City as this would be the third attempt using the same method for development.
 2. Sell sites to individual buyers, the City would look to hire a local realtor that could sell the development sites to be built individually. * Pro's; The potential for fast advancement and multiple sites being built quickly. Allowing current residents to obtain properties per their previously stated request. The ability to engage many different builders to build each unit to preferred quality specifications. * Con's; The potential for a lot of variation in quality of buildings. Increasing risk of a development without a cohesive look.
 3. Engage MEDC or City engineers and legal staff to replan the development. As a

Redevelopment Ready Community, MEDC offers some design assistance. City engineers working with the City attorney could establish a plan the development using today's best practices to seek a more successful approach to tackling the project. *Pro's; Updating the development may align better with the current housing needs and desirability of investors. *Con's; Additional time spent working through planning and legal hurdles.

After much discussion the City Council suggested option 2.

The City allows City Manager to move forward work with a realtor and list the lots for sale. The City Council desires to secure the benefits of efficient self-government and to promote and protect our common interest and welfare. Now therefore be it resolved that the Hart City Council approves City Manager to work with a local real state company to value the lots and list them at current market value.

- J. Evans motioned to approve Resolution 2021-77 designating Creek's subdivision development method to sell sites to individual buyers working with a local realtor and authorize City Manager to sign and execute related documents and supported by A. Klotz
 - Ayes: 4 Nays: 0 Absent: 3

DISCUSSION ITEMS:

- Designate Halloween Trick or Treating times; October 31st, 2021, Trick or Treat from 6PM-8PM

CITY MANAGER'S REPORT:

- City Manager R. Splane gave a copy of the Manager's report to all Council members to review.
- DPW building – Looking better and better. Painting is progressing with some additional building entrance improvements planned.
- The Village of Shelby Administrator Brady Selner contacted the City to see if Hart would be interested in collaborating to share a rental inspector and possible code enforcement person. This conversation is very preliminary with more information gathering forthcoming.
- Energy Department lost an employee to another employer. The City is now seeking a line worker or apprentice to fill the position.
- TIFA looking at street scape project in downtown business district. The size and scope of this project is unknown pending public input efforts. Cleaning of flower beds is in progress. Many thanks to Sharon Hallack, Penny Burillo, Nichole Kleiner, our DPW department, Oceana County Sheriff Dept and the Hart Police Dept for the support.
- TIFA plans to amend and restate the existing TIFA plan due to some confusion in the past plan numbers. There will be a public hearing at the first City Council meeting in November followed by Council action on adopting the new plan. A legal opinion on the plan will be provided to Council as well as the proposed document on or about November 3rd.
- More thanks to our DPW and City Police Dept staff for the support on accommodating the prayer vigil held this past Sunday at Hart Commons in response to the hostage situation in Haiti. Their efforts helped to keep the attendees of this ad hoc event safe. Pastor Ryan from the Hart First Baptist Church is looking to organize similar event and luncheon in early November
- Holiday Parade is on Friday, November 26th at 6:30PM. Would City Council like to have a presence in the parade? "Yes" will get a float in order and plan on passing out candy.

COMMUNICATIONS FROM THE MAYOR AND COUNCIL: None

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned at 8:33 pm upon a motion by K. Trygstad and supported by A. Klotz. The next regularly scheduled meeting will be on November 9th, 2021, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk