



**CITY OF HART**  
**407 S. STATE ST.**  
**HART, MI 49420**  
**COUNCIL PROCEEDINGS**  
**November 23<sup>rd</sup> 2021**  
**MINUTES – Approved**

**PRESENT:** Mayor Vicki Platt, Councilors: Catalina Burillo, Amanda Klotz, Fred Rybarz and Kris Trygstad

**ABSENT:** Dean Hodges, and Jim Evans

**OTHERS PRESENT:** City Manager – Rob Splane, HEART Director – Nichole Kleiner, BioPure Superintendent – Paul Cutter, DPW Superintendent – Brad Whitney, Energy Superintendent – Mike Schiller, Police Chief – Juan Salazar, Sharon Hallack, Dick Huntington, Bill Volpp, Barbara Marczak, and Dennis Powers

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

**APPROVAL OF AGENDA:** F. Rybarz motioned to approve the agenda and was supported by C. Burillo

- Ayes: 5 Nays: 0 Absent: 2

**PUBLIC COMMENTS:**

- Mr. Huntington made an offer for a lot in the Creeks Subdivision with the listing realtor and has yet to hear back from the realtor or the City regarding the status of my offer as it expires tomorrow at 9 o'clock. He also wanted to make sure that the realty company is well informed of what the requirements are within the creeks as when I spoke to them it was unclear what was going on when I talked to them on the lot in between my home and the one to the east of me they tried telling me that was two lots when it is only one lot. Make sure they are looking at the master deed and the requirements for building in there.
- Mr. Powers also made an offer on a lot and was under the impression that the realty company was going to be here at the meeting this evening, and also on the agenda, but I also echo what Mr. Huntington addressed.
- Mr. Volpp I observed the City pickup leaves and thought to myself I sure would hate to be the one doing the walking sucking up them leaves. I feel it would be easy for the loader operator to do that job and also save the City some wages.

A) Correspondences, Events, Presentations:

- i. Presentation, Barbara Marczak, Prein and Newhof – State Revolving Fund, Grant and Capital Improvement Projects.

B. Marczak wanted to give some clarification regrading all the moving parts that are involved in this project. We are still working on the EDA grant which WMSRDC has said the City already has a good chance on receiving that grant which will be submitted within the next month or so, but we have already submitted to the State Revolving Fund and the City has been approved for the loan for these projects, so anything on top will cut that loan amount off. Where we are at now because we have the SRF still pending we are now on a schedule with the State to do the design to get going on the project and we have met with them and have given them a schedule. Which we pushed it out as far as we could so we can still take advantage of potential grant opportunity that may still come along, "we already have gotten one in the form of CBG so that took one of the projects down about \$1 million off the top." There are several deadlines, dictated by the State of Mochigan that need to be met. One is the submittal draft construction plans and specifications by the end of March. In order to meet this schedule, we must begin the design process right away. The project will not actually be bid until July and the loan closing won't be until Fall 2022. Construction will occur in late 2022 and go thru 2023. Parallel to this process we are still assistion you with prusuit of a grant with Economic Development Agency (EDA). Any grant money received will reduce the loan amount. The EDA grant will not cover engineering expenses. However, any engineering expenses incurred over the next few months will be able to be reimbursed to the City in the CWSRF loan. In front of Council tonight is our proposal for engineering services just for the design phase. Once the construction contracts are awarded and construction scheudles are provided, we will provide you with a proposal for construction phase services. The design fees noted were included in the construction estimates submitted to the CWSRF program in the Project Plan, As noted above, these would be reimbursed once the loan is closed.

**CONSENT AGENDA:**

- Approval of minutes from November 23rd, 2021
- Bills, Claims, Payroll
- Reports of Boards, Commissions, and Committees
- Department Reports – Police/BioPure/Public Works/Energy/C&E Dvip
  - C. Burillo motioned to approve Consent Agenda supported by F. Rybarz
    - Ayes: 5 Nays: 0 Absent: 2

**ACTION ITEMS:**

- Resolution 2021-81 Accept professional services proposal from Prein and Newhof for Clean Water State Revolving Fund Implementation.  
Whereas the City of Hart maintains drinking water and wastewater infrastructure and supplies those services to area residents and visitors; and it is necessary for the City to obtain a qualified engineering entity to properly oversee the design and construction of this critical infrastructure; and a \$1,897,131 Sewer and Water Grant in 2019 that helped to identify several critical projects that required urgent attention to avoid future emergency repairs; and Prein and Newhof, has presented a plan to leverage State and Federal grant money with a combination of City cash reserves and Clean Water State Revolving Funding; and 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 the proposal from Prein and Newhof to provide professional engineering services to assist the City with Clean Water State Revolving Fund projects beginning in FY 2022 with construction beginning in FY 2023.  
Specific projects included in this proposal include Griswold Gravity Sewer Replacement, Griswold Lift Station Odor Control Improvements, Riverside Lift Station Replacement, BioPure Aeration and Biosolids Improvements, BioPure Polishing Pond Lift Station Rehabilitation, BioPure Headworks and Grit Removal, BioPure Rapid Infiltration Basin Improvements, and BioPure Lagoon 2,3 and 5 Berm Repairs at a not to exceed cost of \$444,200. And Authorizes the City Manager to sign and execute the proposed professional engineering services agreement.
  - C. Burillo motioned to approve Resolution 2021-81 and supported by K. Trygstad.
    - Ayes: 5 Nays: 0 Absent: 2
- Resolution 2021-84 Authorization of 2022 MPPA Clean Energy Program.  
Whereas, the city of Hart is a member of the Michigan Public Power Authority, and the city relies on the expertise of the staff at MPPA to analyze and identify the strategic nature of operation an electric utility including how to appropriately interact with legislative policy; and public act 295 as adopted by the State of Michigan mandated Energy Waste Reduction efforts that were monitored by the State with the requirements ending on December 31, 2021; and in an effort to avoid difficult governmental reporting and control, the MPPA has worked to establish a self-administered Clean Energy Program; and the Power Board has reviewed the proposal and recommended a contribution of \$75,000 in 2022; and 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 accepts the recommendation of the MPPA and authorizes entering into the MPPA 2022 Clean Energy Program with a maximum commitment of \$75,000.
  - C. Burillo motioned to approve Resolution 2021-84 and supported by F. Rybarz.
    - Ayes: 5 Nays: 0 Absent: 2
- Resolution 2021-85 Accept proposal from TaxyMyGov and authorize implementation of public communication program.  
Whereas the City of Hart provides a myriad of services to residents, businesses, and community members; and residents currently have the ability to communicate with City officials and support staff through phone and email when assistance is needed; and the City continues to strive to enhance City services in an effort to benefit the community; and staff has reviewed several systems that could offer enhanced communication from the general public to the municipality; and TextMyGov offers a communication tool that will allow the public to send text messages to the City for assistance, the tool includes many automated features that may help reduce City employees time, increase response times, and track citizen concerns; and 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 accepts the partnership proposal from TextMyGov in the amount of \$2500 per year plus a \$1000 one-time implementation fee. With a minimum two-year commitment and authorizes and directs the City Manager to accept and sign the proposal and implement the public communication program.

- C. Burillo motioned to approve Resolution 2021-85 and supported by K. Trygstad
  - Ayes: 5 Nays: 0 Absent: 2
- After much discussion regarding translation clarification C. Burillo rescinded her motion to approve Resolution 2021-85 and table until they know for sure it has Spanish speaking/texting ability
  - C. Burillo motioned to table Resolution 2021-85 until clarification for Spanish speaking/texting ability and supported by A. Klotz
    - Ayes: 5 Nays: 0 Absent: 2

**DISCUSSION ITEMS:**

- City Manager 6-month evaluation, I will be sending out proposed evaluation by email please review and submit back to Mayor Platt before the next City Council meeting on December 14<sup>th</sup>, 2021.

**CITY MANAGER'S REPORT:**

- City Manager R. Splane gave a copy of the Manager's report to all Council members to review.
- Holiday Parade is on Friday, November 26<sup>th</sup> at 6:30pm. We have secured the 1935 Chevrolet Fire Truck from the Hart Historic District. It should be a great addition to the parade. All council members, board and committee members, and City staff are encouraged to attend and show our City spirit!
- Tree looks great under the Hart Commons arch and will be ready for tree lighting following the Parade Friday. (Thanks to Pider Farms, Larson's ACE hardware, and Hart City Staff!)
- Rental Program and Code Enforcement Services – Proposal overview included for review
- City Hall closed Thanksgiving and Friday. Happy Thanksgiving!
- City Manager's 6-month evaluation is coming up and due on or about December 28<sup>th</sup>. A proposed evaluation form has been provided and can be emailed if preferred.
  - Rob's 6-month points of pride and efficiency tracker is provided tonight.
- The Creeks property ongoing discussion according to Coldwell Banker Schmidt legal counsel there are no legal description to sell individual lots. Should the City still stick with the original realtor and sell as a whole to a developer? Just looking for Council direction as to where we go from here. After much discussion direction from Council is to follow the City's attorney's direction on if we can move forward on selling the lots and work with Coldwell Banker on how and if that is not an option follow the realtor's direction on working with a developer if that does not happen within 6 months than look at the Master Deed.

**COMMUNICATIONS FROM THE MAYOR AND COUNCIL:**

- Mayor Platt thanked City Manager Rob for going up to Ludington and doing an interview for Mom Radio 102.7
- Thank you to the Media for the positivity you share with our readers and being very compassionate to our community.
- C. Burillo commented on Chief Salazar's report regarding several occasions our officers have had to go to the school concerning vaping. I know Mr. Moran the high school principal is very interested in introducing "ride with pride". I know he is looking for a car dealer to donate a car for this program. This is a good opportunity for our youth and our community.

**ADJOURN:**

- There being no further business to come before the Council, the meeting adjourned at 8:47 pm upon a motion by C. Burillo and supported by F. Rybarz. The next regularly scheduled meeting will be on December 14<sup>th</sup>, 2021, at 7:30 pm.

Respectfully Submitted

*Karla Swihart*

Karla Swihart, City Clerk