City of Hart, Michigan
CITY COUNCIL AGENDA
September 10, 2024, 7:30 PM
407 State St. – Council Chamber
NOTICE OF PUBLIC MEETING
REGULAR COUNCIL MEETING

1. Call to Order
2. Roll Call – Burillo, Cunningham, Evans, Hodges, Klotz, Trygstad, Platt
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comments – **Public comment on any matter other than a scheduled public hearing. We ask that you please limit your comments to 3 minutes.**
    a. Correspondence, Events, Presentations
6. Consent Agenda:
    a. Approval of Minutes from August 27, 2024
    b. Bills, Claims, Payroll
    c. Reports of Boards, Commissions, and Committees
    d. Department Reports – Police/BioPure/Public Works/Energy/♥C&E Dvlp./Parks & Rec
7. Action Items
    a. Resolution 2024-23 Authorize amendment of Social District Boundaries
    b. Resolution 2024-24 Approve Social District Permit Application – Pink Elephant Diner
8. Discussion Items
    a. Hart Historic District Update
    b. Starting Block Update
9. City Manager Report
10. Communications from the Mayor and Council (Including board and committee updates.)
11. Adjournment –

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CITY OF HART
407 S. STATE ST.
HART, MI 49420
REGULAR MEETING OF CITY COUNCIL - COUNCIL PROCEEDINGS
August 27th, 2024
MINUTES – Approved

PRESENT: Mayor Vicki Platt, Councilors Catalina Burillo, Jim Cunningham, Dean Hodges, Amanda Klotz and Kris Trygstad
ABSENT: Jim Evans
OTHERS PRESENT: City Manager – Rob Splane, BioPure Superintendent – Paul Cutter, Hart Police Chief – Juan Salazar, HEART – Nicole Kleiner, Christina Juska, Gayle Harris and Sharon Hallack

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 Amended agenda and was supported by A. Klotz
  - Ayes: 6 Nays: 0 Absent: 1

PUBLIC COMMENTS:

- Sharon Hallack 112th, Welcome Jim Cunningham. Shout out to Rob on his outstanding performance in the Sound of Music.

CORRESPONDENCE, EVENTS, PRESENTATIONS:

- Public Hearing – Rezoning of 3 E. Main Street Properties
  - C. Burillo motioned to open pubilc hearing and supported by J. Cunningham
    - Ayes: 6 Nays: 0 Absent: 1

  No public comments or questions
  - A. Klotz motioned to close the public hearing and supported by C. Burillo
    - Ayes: 6 Nays: 0 Absent: 1

CONSENT AGENDA:

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

ACTION ITEMS:

- Ordinance 2024-02 Rezoning of 3 E Main Street Properties from B-2 General Business to PUD – Planned Unit Development

  An Ordinance to Re-Zone 020-207-001-00 from B-2 General Business To PUD – Planned Unit Development

First Reading:	06/11/2024
Second Reading & Adoption:	08/27/2024
Publication:	09/05/2024
Effective Date:	Ten days after Publication

  THE CITY OF HART ORDAINS:

  The rezoning of 3 East Main Street parcel ID # 020-207-001-00, 020-207-004-00, 020-207-004-50, 020-207-008-00, and 020-207-005-00, with from B-2 General Business District to PUD Planned Unit Development. The property proposed for rezoning is legally described as follows:

CITY OF HART: LOT 1, LOT 2 EXC S 1 RD OF E 4 RDS THERE OF, W 1 RD OF LOT 3 EXC S 1 RD THOF, W 76 FT OF LOT 6, W 86 FT OF LOT 7 & ALL OF LOTS 11 & 12 – BLK 7. QCD 2017/18423. WD978072 QC-L2011P3320, E ½ OF LOT EX S 1 RD BLK 7. QCD 2017/81423. WD-L2001P5520 QC-L2011P3320. 1978 INCLS 207-002 & 011-00. W ½ OF LOT 4 EX S 1 RD & E 3 RDS OF LOT 3 EX S 1 RD BLK 7. QCD 2017/18423 WD978072 QC – L2011P3320. LOT 5 & S 1 RD OF LOTS 2, 3 & 4 EX W 10 FT OF LOT 2 & E ½ OF LOT 6 EX W 10 FT BLK 7 EX 20 FT OF W SIDE OF E ½ OF LOT BLK 7. WD 2017-9144 & DC FOR STEVEN JAY BRUCE 2017/9144. WD922409 QC-L2011P25345

STATE OF MICHIGAN)) SS.
COUNTY OF OCEANA)

I, the undersigned, duly qualified City Clerk of the City of Hart, Oceana County, Michigan, do hereby certify that the foregoing Ordinance amendment was adopted by City of Hart at a regular City Council meeting duly held on the _____ day of _____, 20__; and that the meeting with held in compliance with notice provisions and all other requirements of Act 267 of the Public Acts of 1976, as amended, I hereby certify that I published the Ordinance amendments and additions in the _____ on the ___day of _____,20__.

Karla Swihart
Hart City Clerk

- C. Burillo motioned to approve Ordinance 2024-02 Rezoning 3 E Main Street and supported by J. Cunningham
  - Ayes: 6 Nays: 0 Absent: 1

DISCUSSION ITEMS:

- None

CITY MANAGER'S REPORT:

Updates:

- Michigan Municipal Risk Management Annual Meeting was last week and weekend speakers presented on topics including, perspective development, mind management, and the potential opportunities and challenges associated with municipal use of artificial intelligence. A conversation was started to have the MMRMA assist the City in the development of a disaster recovery/business continuity plan.
- City of Hart Economic and Community Development Director was a presenter at the Oceana Community Foundation Deep Dive event on August 21, with 40 people in attendance, lots of information was shared on the City and County Economic Development efforts, as well as how the Community Foundation can help.
- City staff will be meeting with engineers to discuss our Water Department Capital Improvement plan based on updated information risk assessment. This will help to reaffirm our existing CIP and form updated data for the in-progress water rate study. The CIP will be introduced to the Council soon for review and adoption.
- Andy Campbell has left Baker-Tilly to work for a smaller firm. He has indicated that he must honor a short-term non-compete clause but is willing to work with the City in the future.
- City Staff will also be holding a pre-construction meeting tomorrow with Wadel Stabilization in pursuit of beginning the West Main Street resurfacing project next week. Following the meeting the City will work to communicate the project timeline with all local entities that may be affected by the work.
- The Starting Block Board is holding the third strategic planning session on August 28th, at 4pm at the Starting Block on Industrial Drive. The focus and planned outcomes anticipate providing sustainability for the non-profit, as well as a renewed focus on adding value to our community.
- Sue Devries from Fishbeck Consulting will be in Hart next week to walk downtown with representative from the MEDC to discuss our community development efforts, visit with recent grant recipient business and tour the Co-Op property.

Legacy Topics:

- Safe Routes to School trail project – **Approved for bid letting in October' 24!**

Upcoming Topics:

- Adoption of 5-year Park and Rec Master Plan
- 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:

- C. Burillo, Any update on when the Pocket Park will be fixed. A pipe that was installed needs to be replaced and the City is working with engineers on the best solution to fix the issue.
  Announcements happening in the City, Oct 5th from 9-2 is Ride Home biking event being put on by Mike Stevens, looking for volunteers
  Ragnar race Sept 20th going through,
  Hispanic Celebration being held Sept 14th
  Free Market Day Sept 6th at Shelby Community Park 10am-2pm

ADJOURN:

- There being no further business to come before the Council, the meeting adjourned upon a motion by A. Klotz and supported by K. Trygstad. The next regularly scheduled meeting will be on September 10th, 2024, at 7:30 pm.

Respectfully Submitted

Karla Swihart

Karla Swihart, City Clerk

Payables Date 09.11.2024	Description	Total	General +	DPW	Energy	BPTF	Water
ACE 1 Port-A-Potties	Port-A-Potties Vets Park/Disc Golf/JGP	$ 1,500.00	$ 400.00		$ 1,100.00		
Cedar Crest Dairy	Ice Cream for Campstore	$ 254.75	$ 254.75				
Charter Communications	Fax - City Hall/Police Dept	$ 97.49	$ 97.49				
Cintas	JGP Bathroom Supplies 8/20	$ 238.38	$ 238.38				
Cintas	JGP Bathroom Supplies 9/4	$ 204.65	$ 204.65				
Cintas	JGP Bathroom Supplies 8/27	$ 140.58	$ 140.58				
City of Hart	Utilities	$ 59,890.89	$ 4,974.98	$ 1,111.81	$ 2,694.30	$ 47,124.76	$ 3,985.04
Consumers Energy	Utilities	$ 212.51			$ 212.51		
Custom Tree Services	Tree Removal/Stump Grinding for Sidewalk Project	$ 8,600.00	$ 8,600.00				
Dacott Energy Services	Power Purchase Report	$ 650.00			$ 650.00		
Dave's Party Store	Fuel - DPW	$ 1,036.37		$ 1,036.37			
Dave's Party Store	Fuel - JGP	$ 371.56	$ 371.56				
DTE Energy	Utilities	$ 712.98	$ 131.10	$ 59.23	$ 261.42	$ 194.61	$ 66.62
Election Source	Aug 2024 Election Equipment Testing	$ 509.00	$ 509.00				
Fish Window Cleaning	Window Cleaning City Hall	$ 175.00	$ 175.00				
Frontier	Phone Service - Diesel Plant	$ 125.92			$ 125.92		
Hallack Contracting	Sewer Line to Fish Cleaning Station - JGP	$ 600.00	$ 600.00				
Hart Cemetery Commission	Summer Tax Disbursement Batch 4	$ 1,419.96	$ 1,419.96				
Heritage Preservcation Group	Expenses July/Aug 2024	$ 2,295.85	$ 2,295.85				
Hydrocorp	Cross Connection Program	$ 3,056.00					$ 3,056.00
Irwin, David	Appliance Recycling Rebate	$ 50.00			$ 50.00		
Klotz Auto Parts	Parts/Supplies	$ 328.92		$ 211.30		$ 117.62	
Larson Ace Hardware	August 2024 Statement	$ 1,958.86	$ 1,286.84	$ 259.85	$ 176.62	$ 235.55	
LEAF	Copier Lease Fee - Police Dept	$ 49.61	$ 49.61				
Lighthouse Car Care	Tire Repair - Police Dept	$ 20.00	$ 20.00				
Louis Gelder & Sons Company	Parts/Supplies	$ 91.12				$ 91.12	
MML Workers Compensation	Workers Compensation	$ 9,274.00	$ 2,318.50		$ 2,318.50	$ 2,318.50	$ 2,318.50
Model Coverall Services	Uniforms/Cleaning Aug Statement	$ 170.89			$ 69.28	$ 101.61	
MPPA	Purchase Power	$ 34,008.43			$ 34,008.43		
MPPA	Purchase Power	$ 24,518.06			$ 24,518.06		
Munetrix LLC	Municipal Transparency Edition License	$ 2,709.00	$ 677.25		$ 677.25	$ 677.25	$ 677.25
Napa Auto Parts	Auto Parts/Supplies	$ 4.03				$ 4.03	
Napa Auto Parts	Auto Parts/Supplies	$ 12.74				$ 12.74	
Napa Auto Parts	Auto Parts/Supplies	$ 4.59				$ 4.59	
Oceana County Treasurer	Assessing Services- Charge Back	$ 8.76	$ 8.76				
Pixel Grafix	#9 Window Envelopes	$ 348.63	$ 348.63				
Power Line Supply	Parts/Supplies	$ 1,272.50			$ 1,272.50		
Power Line Supply	Parts/Supplies	$ 6,981.71			$ 6,981.71		
Power Line Supply	Parts/Supplies	$ 183.90			$ 183.90		
Power Line Supply	Parts/Supplies	$ 173.00			$ 173.00		
Power Line Supply	Parts/Supplies	$ 6,807.15			$ 6,807.15		
Power Line Supply	Credit Memo	$ (2,598.91)			$ (2,598.91)		
Power Line Supply	Credit Memo	$ (4,373.69)			$ (4,373.69)		
Power Line Supply	Credit Memo	$ (71.00)			$ (71.00)		
Printing Systems, Inc	A/P Checks	$ 265.61	$ 265.61				
Quill	Office Supplies - City Hall	$ 196.85	$ 196.85				
Quill	Office Supplies - BioPure	$ 1,141.98				$ 1,141.98	
Quill	Office Supplies - BioPure	$ 569.99				$ 569.99	
Quill	Office Supplies - City Hall	$ 87.05	$ 87.05				
Quill	Office Supplies - City Hall	$ 27.90	$ 27.90				
Republic Services	Garbage Services - Overage Fees	$ 345.95		$ 345.95			
Republic Services	Garbage Services - JGP	$ 365.52	$ 365.52				
Republic Services	Garbage Services - Bike Trail	$ 119.72	$ 119.72				
Republic Services	Garbage Services - Contract	$ 18,026.99		$ 18,026.99			
Republic Services	Garbage Services- The Starting Block	$ 196.18			$ 196.18		
Republic Services	Garbage Services- Washington Lot	$ 173.00		$ 173.00			
Ricoh	Copy Overage Fees	$ 105.05	$ 105.05				
ROI Energy Investments LLC	Energy Incentive - Dollar General C&I Program	$ 662.48			$ 662.48		
Schiller, Mike	Reimburse Personal Expense Mutual Aid June 2024	$ 64.81			$ 64.81		
Schmieding, Kevin	Meals/Mileage Reimbursement- Schooling	$ 887.63			$ 887.63		
SD Myers	Transformer Inspection/Sampling	$ 3,876.00			$ 3,876.00		
Seymour's Sales & Service LLC	Parts/Supplies	$ 29.95	$ 29.95				
Silver Lake Chamber of Commerce	Small Business Dues -Admin.	$ 250.00	$ 250.00				
Silver Lake Chamber of Commerce	Dues - JGP Campground	$ 375.00	$ 375.00				
Silver Lake Electric	Lot 34 - Replace Ground Fault - JGP	$ 145.00	$ 145.00				
Silver Lake Electric	Lot 32 & 61 Electrical - Amps - JGP	$ 424.00	$ 424.00				
Syncwave	Internet	$ 468.14	$ 107.66	$ 84.27	$ 84.27	$ 191.94	
Tanner Plumbing & Heating	Parts/Supplies	$ 32.43				$ 32.43	
Ter Haar, Wendy	Cleaning - Hart Commons/JGP Aug 2024	$ 1,000.00	$ 1,000.00				
TNT Enterprize	Parks - Grounds Assistance	$ 1,100.00	$ 1,100.00				
Trace Analytical	Lab Testing Services	$ 4,617.26				$ 4,617.26	
Tractor Supply	Straps/Brush Removal - JGP	$ 73.12	$ 73.12				
Vital Shred	Shredding/Recycling	$ 132.15	$ 132.15				
	Sub-total	**$ 199,783.95**	**$ 29,927.47**	**$ 21,308.77**	**$ 81,008.32**	**$ 57,435.98**	**$ 10,103.41**
HAND CHECKS/ACH/EFT							
Alerus	City Share 401 Retirement - PR 194	$ -	$ -				
US Postmaster	Postage/Tax Bills						
AFLAC	Insurance Premium	$ -	$ -				
Guardian	Insurance Premium	$	$				
Delta Dental	Insurance Premium	$	$ -				
MWG/Amfirst	Insurance Premium	$ -	$ -				
Blue Cross Blue Shield	Insurance Premium	$ -	$ -				
	TOTAL HAND CHECKS	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
	Sub-Total Regular Bills/Hand Checks	***$ 199,783.95***	***$ 29,927.47***	***$ 21,308.77***	***$ 81,008.32***	***$ 57,435.98***	***$ 10,103.41***
Gross Payroll	PR 213	$ 83,417.60					
	Sub-Total	**$ 83,417.60**					
	GRAND TOTAL	***$ 283,201.55***	**$ 29,927.47**	**$ 21,308.77**	**$ 81,008.32**	**$ 57,435.98**	**$ 10,103.41**

HART AREA FIRE

ADMINISTRATIVE BOARD

Meeting Minutes - August 22, 2024

The Hart Area Fire Administrative Board Meeting was called to order by Chairman Gary Beggs at 7:00PM. Others present for the meeting were, Mike Powers, John Williams, Larry Doran, Jake Whelpley, Jerry Schaner, Jay McGhan, Bill Kolenda, Chief Fuehring and Undersigned.

Absent from the meeting was Mike Potter.

Others present for the meeting was Assistant Chief Tubbs

Motion was made by McGhan and supported by Powers to approve the agenda as presented. Voice Vote, all yes. Motion carried.

Motion was made by Schaner and supported by Doran to approve the minutes of the July 25, 2024 meeting as presented. Voice Vote, All Yes. Motion Carried.

Treasurer advised that we had total bills for the month of $9,350.14 and a total fund balance of $82,614.55. Treasurer went over the bills paid and there were no questions. A motion was made by Powers and supported by Whelpley to pay the bills and accept the treasurers report. Roll Call vote. All Yes. Motion Carried.

The Treasurer advised there is one more budget amendment that needs to be made for the 2023/2024 fiscal year. Treasurer would like to move $500.00 from the Fireman wages to the Administrative Wage. A handout was provided for this amendment. A motion was made by Schaner and supported by Doran to make to budget amendment as provided. Roll call vote. All Yes. Motion carried.

Chief Fuehring advised the department has responded to 212 medical calls and 1469 fire calls so far this year. Chief advised that we are averaging just over 3 Ffs per call.

In reference to the Hydrants. Chief advised he had spent about an hour talking with Rob about the department checking the hydrants. Brad wants all of the firefighters to take a class on hydrants which each firefighter already has had the class as part of becoming a firefighter. Chief advised that last year when the hydrants were checked we found 28 hydrants that were not working. The department only checked the hydrants that were not working last year and found 24 were still not working. Discussion among the board members about this issue. Chief advised he was going to go see Rob with this information and Chairman Beggs advised he wanted to go with him for this meeting.

Larry Doran advised he has talked with a farmer who is willing to let the fire department have access to his well for emergency use. He will follow up with him and will get with the Chief to figure out cost and what would be needed to make this happen.

Chief advised the Silver Lake building is done and that it is a very nice set up. The well will fill the tanker in just over 4 minutes.

In Old Business Chief advised he and the officers have not had a meeting so he has not been able to put anything together yet.

He also has not done anything with the POV policy as of yet.

Chairman Whelpley advised he would like to see some more community involvement by the fire department. Chief advise he would like to see this as well. He just has a hard time getting people to do it. He has had several requests for fire fighters to bring a truck to an event and a could not find anyone to do it. Melissa Monroe is willing to so some, but wants someone to work with her on it.

Meeting adjourned at 7:24PM

Respectfully Submitted,

Daniel Leimback, Sec/Treasurer

HART AREA FIRE DEPARTMENT

Bills for approval on August 22, 2024

Google	Google Workspace	Debit	$14.40
Your First Due	Website	Debit	$30.00
Macqueen	Foam		$2,058.96
FireCatt, LLC	Hose and Ladder Testing		$3,222.70
Klotz Auto Parts	Blue Def		$53.98
NAPA Auto Parts			$299.00
Xerox	Printer/Copier/Fax		$29.22
West Shore Fire	Test Air Packs and Rit Pak Fire Line Tape		$1,522.23
Crouch Communications	Pager Repair		$24.10
Home Depot	Shelving for Silver Lake Location	Debit	$263.94

Bills for approval	$7,518.53
Approved Bills	$1,831.61
Total	$9,350.14

Michigan Class General Fund as of 8/19/24	$424,336.40
Michigan Class Capital Improvement as of 8/19/24	$ 6,198.80
Checking Account	$ 49,218.44
Debit	$ 2,810.71
Total	$ 482,614.55

HART AREA PUBLIC LIBRARY
REGULAR BOARD MEETING MINUTES
August 12, 2024

Minutes taken by Susie Gray, Assistant Director

Call to order at 5:59 pm.

ROLL CALL: Todd Metzler, Penny Burillo, Nancy Sterk, Mary Sloan, Amanda Klotz, Juan Cortes, Director Kathleen Rash, Assistant Director Susie Gray.

APPROVAL OF AGENDA: Motion by Cortes to approve the agenda. Support by Burillo. Motion carried.

PUBLIC COMMENT: Members of the public who are present: Betty Darling, Golden Township. Janet Carter, Golden Township. Robert Carter, Golden Township, and Karen Schaner, Hart Township. Sterk responded to questions and concerns regarding Golden Township's contract relationship with the library. Robert Carter expressed frustration with the contract situation. Betty Darling requested that we establish a fee for non-residents to be able to check out books. Karen Schaner expressed concern about the additional financial transactions that would have to be handled by library staff.

APPROVAL OF MINUTES: Motion by Burillo to approve the minutes of July 15, 2024. Support by Sloan. Motion carried.

SECRETARY'S REPORT: nothing to report.

TREASURER'S REPORT: Nothing other than the Director's materials.

Motion by Klotz to approve bills and payments for July 2024 with support by Cortes. Motion carried.

Motion by Metzler to accept financial statements for July 2024 with support by Klotz. Motion carried.

DIRECTOR'S REPORT: Nothing other than the written report.

CITY REPORT: Nothing that won't be covered under the business below.

TOWNSHIP REPORT: Nothing to report.

UNFINISHED BUSINESS:

1. City/Library Agreements–The board raised several questions and concerns regarding the MOU. These will be presented to the city by Klotz and addressed in a new draft to be considered in September's meeting.

NEW BUSINESS:

1. Behavior Policy–Motion by Sloan to approve the proposed Patron Behavior Policy. Support by Cortes. Motion carried.
2. Violations Policy–Motion by Metzler to approve the proposed Violations Policy. Support by Klotz. Motion carried.
3. Reciprocal Agreement–Motion by Metzler to approve the proposed Memorandum of Understanding Between Oceana County Libraries reciprocal agreement with Shelby, Walkerville, and Pentwater libraries. Support by Burillo. Roll Call vote: Sloan-yes; Burillo-yes; Cortes-yes; Sterk-yes; Metzler-yes; Klotz-yes. Motion carried.
4. Circulation Policy Revisions–Motion by Klotz to approve the proposed Circulation Policy revisions. Support by Metzler. Motion carried.
5. Nonresident card fee–Discussion. This issue was tabled indefinitely.
6. Copier quote, budget adjustment–Motion by Metzler to approve a $3,500 addition to budget line 727 Equipment to cover the cost of the copier at $4,190. Support by Klotz. Roll call vote: Sloan-yes; Burillo-yes; Cortes-yes; Sterk-yes; Metzler-yes; Klotz-yes. Motion carried.
7. WSB Cetera account–Motion by Cortes to transfer the money from West Shore Cetera to MI Class. Support by Klotz. Roll call vote: Sloan-yes; Burillo-yes; Cortes-yes; Sterk-yes; Metzler-yes; Klotz-yes. Motion carried.

NEXT MEETING: Monday, September 9, 2024 at 6:00 p.m.

Meeting adjourned at 7:30 p.m.

Approved at meeting on: _____

_____
Secretary

_____
President

City of Hart Police Department

407 State Street Ph. (231)873-2488 Fax (231)873-0100 Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: August 13th, 2024

RECENT EVENTS

From Thursday, July 18th, 2024, through Wednesday, August 7th, 2024, the Hart Police Department received 115 complaints ranging from Noise Complaints, Mental Health Complaints, Suspicious Situations, Medical Assists, Disturbances, Harassment Complaints, Larcenies, Well-Being Checks, Vehicle Violations, Assist to Other Agencies and Property Damage Crashes.

On Thursday, July 18th, 2024, the Hart Police Department was dispatched to the 300 block of North Griswold Street, referencing a mental health complaint. An 18-year-old Hart man contacted his family via text message threatening self-harm. The officers located the man, who admitted to being in a depressed state and wanting to harm himself. LIFE EMS transported the man to Trinity Health Mercy Hospital for a mental health evaluation.

On Friday, July 19th, 2024, Chief Salazar represented the Hart Police Department by participating in the Heroes Operation Annual Golf Outing at Benona Shores Golf Course in Shelby. The officer interacted with golfers participating in the event. The Heroes Operation is a 501c3 organization born from a deep desire to help the men and women in uniform (active military/veterans/public safety) who have sacrificed so much to keep their communities safe and free.

On Sunday, July 21st, 2024, the Hart Police Department was dispatched to East Main Street near Woodlawn Avenue regarding a single-vehicle property damage crash. The operator, a 36-year-old New Era man, during his interview, showed signs of being under the influence of an illegal substance. The officer performed standardized field sobriety testing and subsequently arrested the man for Operating a Motor Vehicle While Intoxicated (Drugs). The man was lodged at the Oceana County Jail.

On Sunday, July 21st, 2024, the Hart Police Department initiated a traffic stop regarding a vehicle violation on Water Road near Polk Road. The operator, a 49-year-old Shelby man, was run in LEIN (Law Enforcement Information Network), which showed an expired driving status and no insurance on his vehicle. The man was cited for Operating a Motor Vehicle without a License and No Insurance.

On Tuesday, July 23rd, 2024, the Hart Police Department initiated a traffic stop regarding an equipment violation on Polk Road near Parmington Avenue. The operator, a 38-year-old New Era man, was run in LEIN (Law Enforcement Information Network), which showed no license. The man was cited for Operating a Motor Vehicle without a License.

On Wednesday, July 31st, 2024, the Hart Police Department was dispatched to the 100 block of Lincoln Street regarding a 53-year-old Hart man who arrived at the building agitated and experiencing hallucinations. The man was hallucinating that his ex-girlfriend had infiltrated his television and cell phone. A petition was obtained from the Oceana County 27th Circuit Court for a mental health evaluation. The man was taken to Corewell Health Ludington Hospital for a mental health evaluation.

On Wednesday, July 31st, 2024, the Hart Police Department was dispatched to the 1000 block of Dryden Street, referencing a Domestic Assault. A 36-year-old Hart man alleges to have been assaulted by being kicked in the back of the leg, and his cell phone slapped out of his hand by a 28-year-old Hart man. It should be noted that the men are brothers and reside with each other at home. The 28-year-old Hart man was intoxicated at the time of contact. The 28-year-old Hart man was arrested and lodged at the Oceana County Jail for Domestic Assault.

On Friday, August 2nd, 2024, the Hart Police Department was dispatched to the 4000 block of Polk Road regarding a hit-and-run crash. A 58-year-old Hart woman stated that while parked within a parking space at a local business, a vehicle parked directly next to her struck her vehicle as it was backing out of a parking space. The suspect vehicle left the scene at a high rate of speed. An investigation is ongoing.

On Friday, August 2nd, 2024, the Hart Police Department was dispatched to the 10 block of State Street, referencing a Retail Fraud. A 42-year-old Hart woman reported a male individual had stolen several items from a local business. When the male individual was confronted, the individual became agitated and verbally confrontational. The individual left before law enforcement arrived. An investigation is ongoing.

On Tuesday, August 6th, 2024, members of the Hart Police Department, along with many other police departments in Oceana County, attended the National Night Out event at the Shelby Township Park. National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live. National Night Out enhances the relationship between the community and law enforcement while bringing back a true sense of community. Millions of communities from all fifty states, U.S. territories, and military bases worldwide participated in National Night Out on the first Tuesday of August.

Respectfully,

J. Salazar,
Chief of Police





City of Hart Police Department

407 State Street Ph. (231)873-2488 Fax (231)873-0100 Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: August 27th, 2024

RECENT EVENTS

From Thursday, August 8th, 2024, through Wednesday, August 21st, 2024, the Hart Police Department received 82 complaints ranging from Well-Being Checks, Medical Assists, Vehicle Violations, Property Damage Crashes, Noise Complaints, Animal Complaints, Suspicious Situations, Unwanted Persons, Alarms, Assist to other Agencies and Disturbances.

On Friday, August 9th, 2024, the Hart Police Department initiated a traffic stop regarding a vehicle violation in the 400 block of State Street. The operator, a 35-year-old Walkerville man, was run in LEIN (Law Enforcement Information Network), which showed a revoked driving status. The man was cited for Operating a Motor Vehicle with a Revoked License.

On Friday, August 9th, 2024, the Hart Police Department was dispatched to a property damage crash on the US31 Expressway exit ramp and Polk Road. A 23-year-old Hart woman was cited for failure to stop at an assured clear distance.

On Monday, August 12th, 2024, Officer Miguel Garza resigned from his position with the Hart Police Department. I wish Mr. Garza nothing but the best in his future endeavors. I will post this vacancy on the MCOLES (Michigan Commission on Law Enforcement Standards) website in an attempt to fill this vacancy.

On Tuesday, August 13th, 2024, D/Sgt. Skipski conducted an Active Shooter Response class for Lakeside Rehabilitation Center employees and staff. The class included a lecture on active shooter response, evacuation, and lockdowns and a question-and-answer session culminating the lecture.

On Thursday, August 15th, 2024, the Hart Police Department initiated a traffic stop on Polk Road near 72nd Avenue, referencing an equipment violation. The vehicle's operator, a 39-year-old Mears man, was cited for Operating a Motor Vehicle without a License. The 64-year-old Mears woman passenger was arrested and lodged at the Oceana County Jail for an outstanding warrant for her arrest out of Muskegon County. Upon conducting an inventory search of the vehicle, a small clear plastic bag of crystal-like rocks was located in the vehicle. The crystal-like rocks are suspected to be crystal meth. The crystal-like rocks will be submitted to the Michigan State Police Crime Lab in Grand Rapids for further analysis. An investigation is ongoing.

Respectfully,

J. Salazar,
Chief of Police

City of Hart Police Department

407 State Street Ph. (231)873-2488 Fax (231)873-0100 Hart, MI 49420-1259

Juan Salazar, Chief

TO: City of Hart Mayor, City Council, and City Manager
FROM: Juan Salazar, Chief of Police
DATE: September 10th, 2024

RECENT EVENTS

From Thursday, August 22nd, 2024, through Wednesday, September 4th, 2024, the Hart Police Department received 86 complaints ranging from Juvenile Complaints, Assist to Other agencies, Vehicle Violations, Suspicious Situations, Medical Assists, Harassment/Threat Complaints, Property Damage Crashes, Assault & Batteries, Motorist Assists, Trespassing's and Warrant Arrests.

On Thursday, August 22nd, 2024, the Hart Police Department received a juvenile probation violation order, ordering a 15-year-old female juvenile to be taken into custody and transported to the Muskegon County Juvenile Detention Facility. The order stated the juvenile continues to disregard her probation rules and refuses to follow directions from her parents. The juvenile also has absconded from electronic monitoring and failed to follow up with mental health treatment. The juvenile was located on Friday, August 23rd, 2024, and taken into custody. The juvenile was transported to the Muskegon County Detention Center without incident.

On Saturday, August 24th, 2024, the Hart Police Department, while patrolling the Oceana County Fair Derby, noted a 46-year-old New Era man exiting his derby car and standing on the vehicle's hood. The New Era man is then noted jumping off of his vehicle and getting within close proximity of a 24-year-old Scottville man, who was also a participant in the derby. The New Era man was being restrained by his son, who was also a participant in the derby, at which time the man attempted to punch the Scottville man in the face area in the presence of the officers. The man was detained until an investigation was complete. The Scottville man denied wanting to pursue criminal prosecution. The New Era man was released and advised to leave the fairgrounds. A report will be submitted to the Oceana County Prosecutor's Office for his review.

On Wednesday, August 28th, 2024, D/Sgt. Skipski conducted an Active Shooter refresher training for Hart Public School staff. The training was designed to remind staff of lockdown procedures and designated reunification sites and allowed them to ask questions pertaining to the lockdown procedures and clarify any other concerns to the officer. D/Sgt. Skipski has taken much interest and effort in securing our schools and worked with Homeland Security to provide the best possible protection for our students.

On Thursday, September 29th, 2024, the Hart Police Department was dispatched to the 300 block of Johnson Street, referencing a hit-and-run crash. A 44-year-old Lake City, Michigan, woman reported damage to her 2022 Ford Bronco vehicle while it was parked unoccupied in a parking space. An investigation is ongoing.

On Friday, August 30th, 2024, the Hart Police Department was dispatched to the 4000 block of Polk Road regarding a trespassing complaint. A 44-year-old Mears man had been served with a trespass order prohibiting him from being at the place of business on January 30th, 2024. The man returned to the business on Friday, August 30th, 2024. The man left before the officer's arrival. The man was located and cited for trespassing.

On Friday, August 30th, 2024, D/Sgt. Skipski conducted both a bicycle safety equipment giveaway and parade through John Gurney Park. Visitors/children were given bicycle helmets and lighting which was culminated by a parade through the park.

On Tuesday, September 3rd, 2024, the Hart Police Department was dispatched to the 300 block of North Griswold Street, referencing a disorderly conduct complaint. A 43-year-old Holland man was reported chasing a 44-year-old Mears man, who is an employee of the park, with an unknown object in his hand. It was reported to the Mears man by other campers in the area the Holland man could be heard yelling/screaming from his campsite. As the Mears man made contact with the Holland man, the Holland man exposed his genitals to the Mears man, before chasing the man. Officers arrived on the scene and began an investigation. The Holland man, during the interview, began showing signs of being intoxicated. The Holland man was subsequently arrested and lodged at the Oceana County Jail for Assault & Battery, Indecent Exposure, and Resisting and Opposing a Police Officer. As the Holland man was being escorted to the officer's patrol vehicle, a man attempted to kick the investigating officer.

On Wednesday, September 4th, 2024, the Hart Police Department was dispatched to the 400 block of Church Street regarding an Assault & Battery. A 45-year-old Hart man reported being assaulted by a 45-year-old Hart woman, with the woman grabbing the man's wrist and striking the man in the back. The woman was interviewed and denied these allegations. The man and woman were separated for the remainder of the day to avoid any further issues. A report will be submitted to the Oceana County Prosecutor's Office for review.

Respectfully,

J. Salazar,
Chief of Police

RESOLUTION 2024 - 23
City Council
City of Hart, Michigan
Oceana County

Authorizing the amendment of Social District boundaries in the downtown as authorized by PA 124 of 2020

WHEREAS: the State of Michigan through PA 124 of 2020 has authorized the creation of Social Districts in communities throughout the state; and

WHEREAS: on May 25, 2021 City Council passed Resolution 2021-40 authorizing the creation of a social district in Downtown Hart, managed by the Community and Economic Development Director; and

WHEREAS; the Community and Economic Development Director is seeking amendment to Resolution 2021-40 to expand the Social District boundaries to include the Pink Elephant Diner and the Main Street Market Chalets and contiguous common areas as shown in Exhibit A;

WHEREAS; to secure the benefits of efficient self-governance and to promote and protect our common interests and welfare, the City Council hereby declares;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL

> *Authorizes the expansion of the Social District Boundaries as shown in Exhibit A for use and operation of a Social District in the downtown area as authorized by PA 124 of 2020 to be overseen by the Community and Economic Development Director*

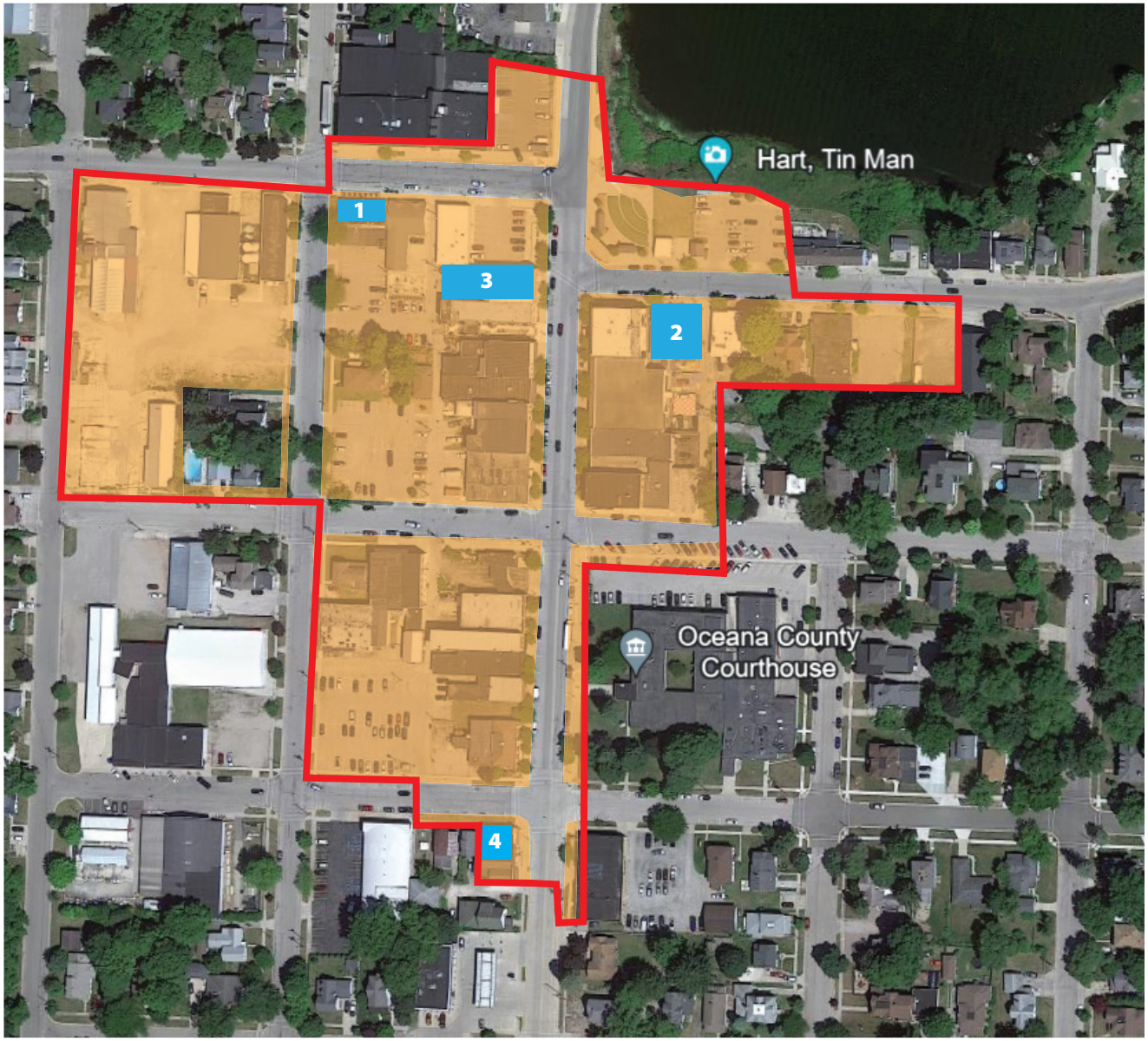
Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on September 10, 2024.

Ayes: __ Nays: __ Absent: __

I hereby certify this to be a true and correct copy of the document on file with the office of the City of Hart Clerk.

_____
Karla Swihart, City Clerk

APPENDIX A
CITY OF HART SOCIAL DISTRICT MAP



QUALIFIED LICENSEES

1 - HP 105, LLC
DBA: Hart Pizza
105 W Main St, Hart, MI 49420
LARA ID: 0281436

2 - K & G MANAGEMENT, LLC
DBA: Kristi's Pour House
211 E Main St, Hart, MI 49420
LARA ID: 237795

3 - ROSAL, MARIA DE JESUS
DBA: LaProbadita
19 S State St, Hart, MI 49420
LARA ID: 241926

4 - PINK ELEPHANT
DBA: Pink Elephant
207 S State St, Hart, MI 49420
LARA ID: TBA

Social District Boundaries
Commons Area
Qualified Licensee

RESOLUTION 2024 - 24
City Council
City of Hart, Michigan
Oceana County

Authorize City Staff to Approve Social District Permit Application and Sign Local Government Unit Approval Form – Pink Elephant Diner

WHEREAS: the State of Michigan through PA 124 of 2020 has authorized the creation of Social Districts in communities throughout the state; and

WHEREAS: the ongoing limitations placed on businesses as a result of the COVID-19 pandemic has led communities to be creative in supporting businesses which includes passage of regulations permitting the creation of a local Social District; and

WHEREAS; the City Council must approve a Social District Permit for each licensee to engage in participating in social district business activities per MLCC direction; and

WHEREAS; to secure the benefits of efficient self-governance and promote and protect our common interests and welfare, the City Council hereby declares;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL

> *Authorizes City staff to approve City of Hart Social District Permit Application and sign the Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission Local Governmental Unit Approval For Social District Permit form, pending Pink Elephant Diner Inc. submitting proper Downtown Hart Social District Permit Application Paperwork.*

Moved by _____, supported by _____, and thereafter adopted by the Hart City Council at a regularly scheduled meeting held on September 10, 2024.

Ayes: __ Nays: __ Absent: __

City of Hart
Hart Economic and Redevelopment Team

BUSINESS INFORMATION

Name of Business: Pink Elephant Diner Inc.

Any assumed business names under which you intend to do business? If so, please list:

Business Phone Number: (231) 873-9912

Business Address: 207 S. State Street Hart MI 49420

Nature of business and the goods, wares, merchandise, and/or services for sale or offered (additional pages may be attached):

☒ Food (Please describe: Breakfast/lunch/Diner

☐ Other (Please describe:

Have you ever had a license or permit required by the City of Hart or any other state or municipal authority revoked, suspended, or denied in the last three years?

Yes ☐ No ☒ If yes, please explain:

Days of Business/Hours of Operation for alcohol sales to be sold and consumed in the Downtown Social Zone: 7:00 AM – 8:00 PM

Thursday - open
Friday - open
Saturday - open
Sunday - open
Monday - open
(closed Tuesday and Wednesday)

Signature

City of Hart
Hart Economic and Redevelopment Team

DOWNTOWN HART SOCIAL DISTRICT PERMIT APPLICATION

(Copy and Submit Additional Pages for Multiple Applicants)

Applicant's Name: Mark Forner c/o Pink Elephant Diner Inc.

Home Address: 548 W Harrison Rd Pentwater, MI 49449

E-mail Address: markforner@gmail.com Phone: (231) 730-7945

Driver's License No. F-656-585-189-977

Date of Birth: 12/25/61

Are you the: OWNER ☐ CO-OWNER ☒ OTHER ☐

#2
(Co-owner: Elisabet Forner

PROCESS, REQUIRED ATTACHMENTS & SUBMITTALS

Process:

1. Upon completion of the City's application and submittal of all required attachments and submittals, the Hart City Council must publicly consider a resolution that certifies that your business meets the State's qualifications for operating in a Social District.
2. An official copy of the Resolution, if approved by the City Council, will be provided within five (5) business days following the public meeting where it was approved, since the application to the Michigan Liquor Control Commission will require a copy of Hart's Resolution.
3. After submitting your application to the Michigan Liquor Control Commission, the Commission will provide notice to the applicant approving or not approving the application. Once notice is provided that the Application to the Commission has been approved, that notification must be provided to the City before final approval and issuance of a City of Hart Social District Permit.

Required Attachments & Submittals:

The following items must be submitted prior to the City Council considering a Resolution certifying your business is qualified to participate in this program:

1. Completed Downtown Hart Social District Permit Application
2. A copy of a valid current state sales tax license, or if exempt, a copy of a current exemption certificate, if required for goods sold.
3. A health card or its equivalent issued by either the county health department or other regulatory agency if food is to be sold.
4. A copy of the applicant's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.)
5. A copy of the completed Michigan Liquor Control Commission Application for a Social

District Permit (See Attachment A). Applications may also be found online at https://www.michigan.gov/documents/lara/LCC208_695497_7.pdf

6. A copy of Commercial General Liability Insurance or equivalent for your business, listing the City as being additionally insured.

7. A description and visual depiction of each container it intends to use in the Downtown Social District. The containers must not be glass, and must depict all of the following:

    a. The trade name or logo or some other mark that is unique to the Applicant.

    b. The City adopted Downtown Social Zone Logo. (See Attachment B)

    c. The container has a liquid capacity that does not exceed 16-ounces.

By initialing this paragraph and signing this application, **the Applicant acknowledges all of the following**: that approval of the Applicant's application to the Commission does not constitute approval by the City of the Applicant's request for a social district permit from the City; that final approval by the City of a social district permit shall not be given until the Applicant's application to the Commission is approved; that approval by the Commission does not constitute approval by the City; that approval of a social district permit issued by the City is within the City's discretion notwithstanding any approval by the Commission; that revocation by the Commission of Applicant's social district permit issued by the Commission constitutes automatic revocation of any social district permit issued by the City to the Applicant without appeal as otherwise provided bythe Hart City Code; that the issuance of a social district permit to the Applicant does not create a vested right in the operation of Applicant's business in a commons area; and that the City may revoke Applicant's social district permit within its discretion at any time.

Initials MR.

PERMITTED AND PROHIBITED CONDUCT

By signing below, the Applicant acknowledges they have read and will abide by the following, in addition to all other applicable laws, rules and regulations:

1. No business may sell any goods or services, nor operate, conduct, maintain or manage any such business within the Downtown Social Zone without, in addition to the license or permit required under the City of Hart Code, also have a Social District Permit issued by the City Manager or his or her designee.

2. No business, person or entity shall engage in the sale of alcohol within the Downtown Hart Social District and Downtown Social Zone, unless otherwise permitted by the City, and the Michigan Liquor Control Commission.

3. Qualified Licensees may only sell alcoholic beverages to be consumed in approved containers in the Downtown Social Zone during open hours of operation of the Downtown Social Zone. Such alcoholic beverages may only be sold within the confines of the premises of the qualified licensee.

4. Qualified Licensees may not sell alcoholic beverages to be consumed in the Downtown Social Zone except within approved containers.

5. A qualified licensee shall prohibit entry into its licensed premises to any person who has within their possession a container that contains any amount of alcohol that has not been purchased from the qualified licensee.

6. Purchasers of alcoholic beverages from a qualified licensee in an approved container may carry and consume open alcohol from that container anywhere within the Downtown Social Zone, except as follows:

    a. Carrying and/or consumption is prohibited within any public right of way where vehicles are permitted to travel, except within areas marked and/or signaled for pedestrian traffic, and if signaled, only when such signal indicates pedestrian crossing is permitted.

    b. Carrying and/or consumption is prohibited within a parking lot, whether or not owned or operated by the City, unless otherwise separately authorized by the City Manager or his or her designee under terms and conditions specified in writing by the City Manager or his or her designee.

    c. Carrying and/or consumption is prohibited within the interior confines of any business that sells food or drinks located within the Downtown Hart Social District, except within the licensed premises from which the approved container was purchased.

7. Open alcohol purchased from other than a qualified licensee that has obtained the required social district permits is prohibited within the confines of the Downtown Hart Social District and Downtown Social Zone. No person shall operate any sound amplification devices,

equipment or systems within the Downtown Social Zone other than those systems specifically authorized by the City Manager or his or her designee;

8. No person shall install any lighting devices, equipment, or systems within the Downtown Social Zone other than those systems specifically authorized by the City Manager or his or herdesignee.

9. No person shall install any heating devices, equipment, or systems within the Downtown Social Zone other than those systems specifically authorized by the City Manager or his or herdesignee.

10. No person shall cook food within the Downtown Social Zone, except for authorized mobile food vendors or as may be permitted by the City Manager or his or her designee and the District 10 Health Department.

11. Hours of the Downtown Social Zone shall be between 11 a.m. and 11 p.m. Sunday through Saturday. The hours are subject to change at the discretion of the City Manager at any time, and when practical, twenty-four hours' notice of change in hours of operation shall be provided to qualified licensees. Upon determination of a change in hours of operation, notice of such change shall minimally be posted by the City Manager, or his or her designee, at City Hall and on the City's website.

12. Businesses may utilize outdoor space within the Downtown Social Zone that is adjacent to their respective building and may place tables, chairs and benches upon written approval from the City Manager or his or her designee on their own adjacent property pursuant to the following:

    a. Tables, chairs and benches shall be separated from parking and vehicular traffic and placed so as not to unreasonably obstruct entrances, sidewalks and other pedestrian pathways;

    b. Tables, chairs, and benches shall be sturdy, placed in compliance with applicable ADA requirements, and in a manner that does not otherwise constitute a safety hazard

    c. Tables, chairs and benches shall be placed in a manner that does not obstruct easy access to fire hydrants, and other fire suppression equipment; and shall be placed in a manner that otherwise complies with the applicable fire prevention code;

    d. Tables, chairs and benches shall be secured daily at the close of business, are the responsibility of the business, and shall be removed should they interfere with a special event or other conflicting activity and upon request from the City Manager or his or her designee;

e. A request to place tables, chairs and benches shall be in writing and contain a drawn plan depicting the area within which the tables, chairs and benches will be placed. Such a request may accompany the application for a Social District Permit from the City.

13. Businesses that obtain a social district permit from the City shall operate in compliance with any and all applicable state and local orders related to COVID-19, including social distancing, party size limitations, masking, etc.

14. Emergency vehicle access to all properties within the Downtown Social Zone shall be maintained.

15. All other ordinances, rules and laws remain in full force and effect within the Downtown Hart Social District.

Initials MK